



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

Tamilyn Fillmore

William Ince

Stephanie Ivie

George McEwan

Robyn Mecham

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Wilkinson
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager
subject: City Manager's Summary of January 2, 2018 Council Meeting
date: December 29, 2017

A. Thacker

5:00 **Open House for Mayor Cutler** – Mayor Paul Cutler's term will end on January 2nd. A public open house for him will be held at city hall from 5 to 6 p.m.

6:15 **Swearing-in Ceremony** – Mayor-Elect Clark Wilkinson and re-elected Councilwomen Tami Fillmore and Stephanie Ivie will be sworn in during a ceremony that begins at 6:15 p.m. The ceremony will include musical numbers by a 4th grade choir and the Viewmont High School Madrigals, remarks by Mayor Cutler, and the oath of office administered by Justice Court Judge David Miller. Light refreshments will be served for both the open house and swearing-in ceremony, from 5 to 7 p.m.

7:00 **Regular City Council Meeting**

Recognition of Tingey Family Donation – Children of Bill and Sylvia Tingey have donated \$50,000 to the City for construction of a pavilion in the Community Park expansion area. Elder Earl Tingey, a son, has been representing the family in this matter. Elder Tingey will make some remarks and introduce other family members who may attend.

Recognition of Marsha Morrow's Service in City Recorder's Office – Marsha will be recognized for her many years of service as the Deputy City Recorder (1991 to 2012) and City Recorder (2012 to present). She will retire on January 13, 2018.

E.1. Minutes Review – The minutes to be reviewed can be accessed online via NovusAgenda.

E.2. Summary Action Calendar

- a. **Appointment of City Recorder** – The City Manager and Mayor recommend Mackenzie Wood be appointed to replace Marsha Morrow as the City Recorder. Mackenzie has been in training for this position the past two months.
- b. **Appointment of City Treasurer** – Jolene Jackson is recommended to be re-appointed as City Treasurer. She has been in this position for many years. Due to a recent amendment to State law, the City Recorder and City Treasurer will no longer have to be reappointed every two years in the future.

- c. **Recording Secretary Agreements** - Connie Larson and Katie Rust – Contracts with these two recording secretaries allow for the possibility of annual increase in their hourly pay rates. My recommendations are in the staff report.
 - d. **Recording Secretary Agreement** - Avalon Comly – Avalon is a new recording secretary assigned to the Planning Commission. This is the initial contract for her services.
 - f. **Local Officials day at State Legislature** – This annual event sponsored by the Utah League of Cities and Towns is on January 24. See details in staff report.
- E.3. Public Hearing—Zoning Code Amendments—Lot Width Standards in Hillside Overlay Zone**
This matter was initiated by Fred Hale, developer of a proposed subdivision on Jennings Lane east of Main Street. The property is zoned Agricultural-Low (A-L) and is within the Hillside Overlay Zone. He has applied for Zoning Code amendments that will replace the current lot width standards with a tiered approach similar to amendments approved by the City Council a few months ago for residentially zoned property in the Hillside Overlay Zone. The Planning Commission recommended approval.
- E.4. Public Hearing—Code Amendments re Deferral Agreements** – Several months ago, when the Council was considering a sidewalk deferral agreement matter, staff reported discrepancies between the Municipal Code and Zoning Code provisions relating to deferral agreements. Per the Council's direction, the City Attorney has drafted amendments to bring the provisions in both Codes into harmony. The Planning Commission has reviewed and recommended approval of the amendments affecting the Zoning Code (the Municipal Code amendments did not require PC action).
- E.5. Public Hearing—Park Impact Fee Amendments** – The City Council recently directed staff to review and update the Park Impact Fee Facilities Plan/Analysis to determine if an increase in the park impact fee would be justified. Staff have completed that study and believe the park impact fee could be increased from the current amount of \$2057 per residential unit to \$2869, due to substantially higher costs for park improvements than were assumed in the 2012 study. State law requires a public hearing before the Council acts on this matter.
- E.6. Fee Schedule Amendments—Employee Resident Status** – The Centerville City Employees Association requested the Council allow employees who do not live within the City be included in the definition of “resident” when paying City fees. The Council discussed this request in an earlier meeting and agreed to apply resident status to current employees for specific fees, but not give the same status to former employees as requested by the Employees Association. The City Attorney has identified four services where non-residents pay higher fees than residents: cemetery burial; park pavilion rental; recreation programs; and fingerprinting in the Police Department. Those are addressed in Resolution No. 2018-03.
- E.7. Review 1250 West Pathway Plan** – Staff will be submitting a conceptual report to WFRC by January 18, requesting federal funding for a pathway along 1250 West north of Parrish Lane. Staff recommend a design that differs from the assumption in the Letter of Intent sent with the Council's support in October 2017. Therefore, staff are asking if the Council is supportive of the revised concept and application. The initial Letter of Intent was based on a sidewalk along the west side and a bike lane in each direction on the road. Staff now recommend a multi-use pathway along the west side and no bike lanes on the road.
- E.8. Mayor's Report** – Mayor Wilkinson may report on a few matters.
- E.9. City Manager's Report** – I will report on those topics shown under this heading. See my staff report for more details.

E.10. Closed Meeting, if necessary – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.

E.11. Appointments to Boards/Committees – Mayor Wilkinson may recommend appointments.

Potential Agenda Items for January 16, 2018 meetings (subject to change):

- *Work session with State Legislators representing Centerville*
- *Swear in new City Recorder*
- *Park improvements funding; loan from Recreation District*
- *Museum policies*
- *Liaison report – Councilman McEwan*
- *Financial report for six months ending December 31, 2017*
- *RDA meeting; update loans between project areas and review other financial issues; appoint chair and vice-chair and ACB representatives.*

ST/mw

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON JANUARY 2, 2018 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 Jacob Smith, Centerville City Assistant to the City Manager, at 801-295-3477, 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 - The times shown below are tentative and are subject to change during the meeting.
Time:

5:00 Open House for outgoing Mayor Cutler

6:15 Swearing-in Ceremony for newly elected officials

7:00 **A. ROLL CALL**

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

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Councilwoman Ivie

Recognize Tingey Family donation for Park Pavilion

Recognize Marsha Morrow for her service in Recorder's Office

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

- | | | |
|------|-----|--|
| 7:20 | 1. | Minutes Review and Acceptance
December 5, 2017 Council meeting minutes |
| 7:20 | 2. | Summary Action Calendar <ul style="list-style-type: none">a. Appointment of City Recorder - Resolution No. 2018-01b. Appointment of City Treasurer - Resolution No. 2018-02c. Approve recording secretary agreements--Connie Larson and Katie Rustd. Approve recording secretary agreement--Avalon Comly |
| 7:20 | 3. | Public Hearing - Zoning Code Amendments - Lot Width Standards in Hillside Overlay Zone

Consider the proposed Zoning Code Amendments to CZC 12.42.040 regarding lot width standards for agricultural lots within the Hillside Overlay Zone - Ordinance No. 2018-02 |
| 7:30 | 4. | Public Hearing - Municipal Code and Zoning Code Amendments - Deferral Agreements

Consider the proposed Municipal Code (CMC 10.04) and Zoning Code (CZC 12.55) Amendments regarding Deferral Agreement - Ordinance No. 2018-01 |
| 7:40 | 5. | Public Hearing - Park Impact Fee Amendments

Consider amendments to Park Impact Fee Facilities Plan/Analysis and adoption of amended Park Impact Fee - Ordinance No. 2018-03 |
| 7:55 | 6. | Fee Schedule Amendments - Employee Resident Status

Consider proposed Fee Schedule Amendments to various sections of the Centerville Fee Schedule to provide current employees resident status for purposes of certain fees - Resolution No. 2018-03 |
| 8:05 | 7. | Review 1250 West Pathway Plan |
| 8:20 | 8. | Mayor's Report |
| 8:30 | 9. | City Manager's Report <ul style="list-style-type: none">a. List of 2017 projects and issuesb. List of 2018 projects and issuesc. Update re 1250 West extensiond. Preparation for work session with Legislatorse. Schedule work sessions for South Main Street and Pages Lanef. Local Officials Day at Legislature |
| | 10. | 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 |
| 8:45 | 11. | Appointments to boards and committees |

F. ADJOURNMENT

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No.

Short Title: Open House for outgoing Mayor Cutler

Initiated By:

Scheduled Time: 5:00

SUBJECT

RECOMMENDATION

BACKGROUND

The public is invited to express their appreciation to Mayor Cutler for his service. He served 8 years on the City Council, then after a two-year break, 4 years as Mayor. The open house will be followed by a swearing-in ceremony at 6:15 p.m. for the new Mayor, Clark Wilkinson, and re-elected Councilwomen Tami Fillmore and Stephanie Ivie. Mayor Cutler will make some remarks and be presented a plaque during the swearing-in ceremony.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No.

Short Title: Swearing-in Ceremony for newly elected officials

Initiated By:

Scheduled Time: 6:15

SUBJECT

RECOMMENDATION

BACKGROUND

Mayor-Elect Clark Wilkinson and re-elected Councilwomen Tami Fillmore and Stephanie Ivie will be sworn in during a ceremony that begins at 6:15 p.m. following an open house for Mayor Paul Cutler. The ceremony will include musical numbers by a 4th grade choir and the Viewmont High School Madrigals, remarks by outgoing Mayor Paul Cutler, and the Oath of Office administered by Justice Court Judge David Miller. The new Mayor will also present a plaque to Mayor Cutler, thanking him for his service.

CENTERVILLE

**Staff Backup Report
1/2/2018**

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 January 2, 2017 meetings



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ST/mw

CENTERVILLE

Staff Backup Report

1/2/2018

Item No.

Short Title: Recognize Tingey Family donation for Park Pavilion

Initiated By:

Scheduled Time: 7:00

SUBJECT

RECOMMENDATION

Recognize and thank the children of Bill and Sylvia Tingey for their donation of \$50,000 for construction of a pavilion in the Community Park expansion area, and invite Elder Earl Tingey to make some remarks.

BACKGROUND

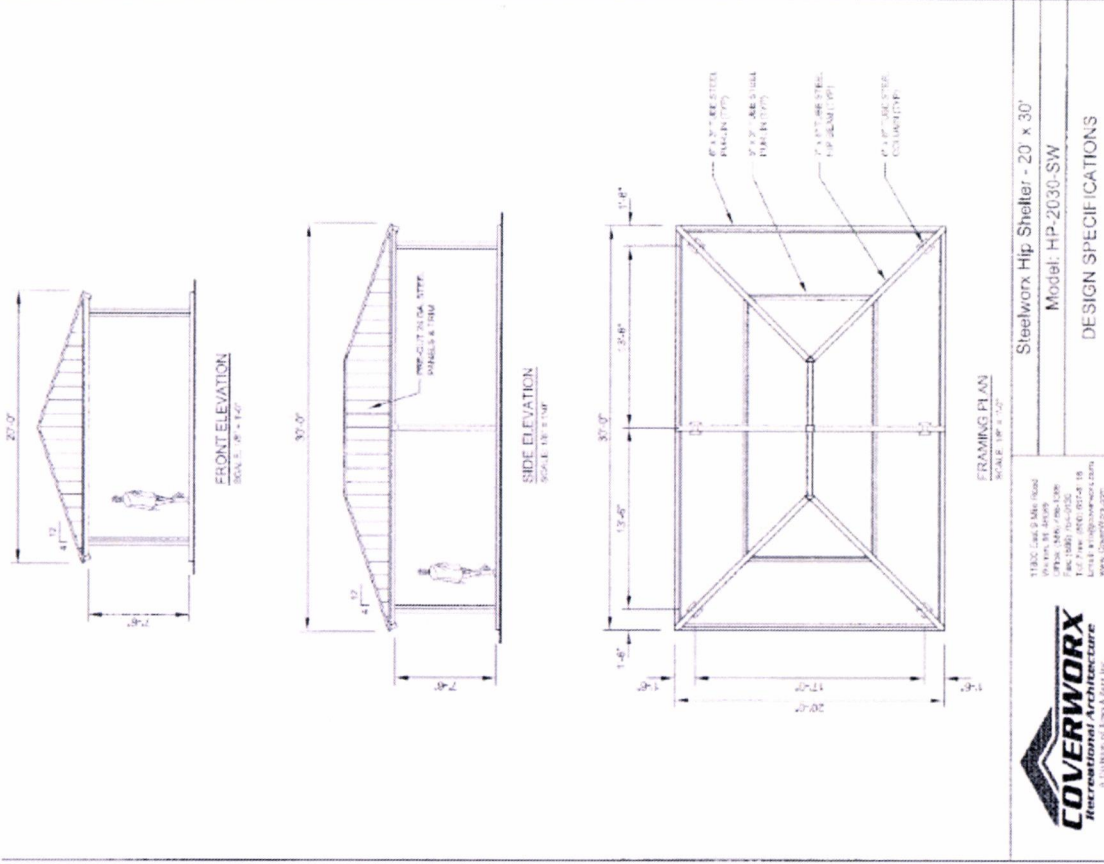
Elder Earl Tingey is the spokesman for the Tingey family and has been working with Mayor Cutler and City staff over the past few months regarding how this donation will be used. It will fund a pavilion to be constructed in 2018 on the northwest corner of the Community Park expansion area, which is land that was owned by the Tingey family and sold to the City about 10 years ago. The pavilion will bear the names of "Bill and Sylvia Tingey" and a plaque on site will provide some information about them.

The attachments show an example of a pavilion and a site plan indicating the location of the pavilion on the six-acre park expansion area.

ATTACHMENTS:

Description

- D** Tingey Pavilion Mock Ups



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No.

Short Title: Recognize Marsha Morrow for her service in Recorder's Office

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Recognize and thank Marsha Morrow for her extended service in the City Recorder's Office. She will retire January 13, 2018.

BACKGROUND

Marsha was Deputy City Recorder from 1991 to 2012 and City Recorder from 2012 to the present. During that time she supported 7 mayors, 2 city managers and numerous council members. She earned the Certified Municipal Clerk designation in 2002 and the Master Municipal Clerk designation in 2010. Notable accomplishments during her tenure include making city records more accessible through document imaging and implementing the "Lunch with the Mayor" program for elementary school students.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 1

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:20

SUBJECT

December 5, 2017 Council meeting minutes

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

▣ 12-5-17 City Council Minutes

PRELIMINARY DRAFT

Minutes of the Centerville **City Council** meeting held Tuesday, December 5, 2017 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	William Ince Stephanie Ivie George McEwan Robyn Mecham

MEMBER ABSENT

Tamilyn Fillmore

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Management Services Director
Cory Snyder, Community Development Director
Cassie Younger, Assistant Planner
Randy Randall, Public Works Director
Kevin Campbell, City Engineer
Katie Rust, Recording Secretary

VISITORS

Interested Citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Councilman Ince

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the November 15, 2017 joint City Council/Planning Commission work session, and the November 21, 2017 work session and regular meeting were reviewed. Councilman Ince made a **motion** to accept all three sets of minutes. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – PROPOSED VACATION OF PUBLIC UTILITY EASEMENTS – HOGAN OFFICE PARK SUBDIVISION

Lisa Romney, City Attorney, explained the petition to vacate a public utility easement located along the side lot lines of Lot 4 and Lot 5 of the Hogan Office Park Subdivision located at approximately 940 North 950 West. Lot 4 and Lot 5 have been legally combined into one parcel or lot as recorded in the Davis County Recorder's Office, and Opulent Holdings, LLC desires to develop the combined lots with construction of a building over and across the previous lot line between Lot 4 and Lot 5 and the corresponding public utility easement. The City has received signed letters from the major utility companies authorizing release of the public utility easement.

Mayor Cutler opened a public hearing at 7:04 p.m., and closed the public hearing seeing that no one wished to comment. Councilman McEwan made a **motion** to approve Ordinance No. 2017-33 vacating public utility easements along the shared side lot lines of Lot 4 and Lot 5 of the

Hogan Office Park Subdivision. Councilman Ince seconded the motion, which passed by unanimous vote (4-0).

**PUBLIC HEARING – SUBDIVISION PLAT AMENDMENT – CENTERVILLE ORCHARD
PLAT C AND ISLAND VIEW PLAT H**

Cory Snyder, Community Development Director, explained that the subject property used to be two subdivided lots that were combined into one parcel or lot located at approximately 629 East 700 South. The applicant desires to once again subdivide the property into two lots. In order to create two lots, a plat amendment is required to amend the Centerville Orchards Plat C and the Island View Subdivision Plat H. Ilene Ethington, property owner, stated her daughter and son-in-law intend to build a home on the new lot.

Mayor Cutler opened a public hearing at 7:15 p.m.

Robert Burns, Deuel Creek Irrigation Company President – Mr. Burns showed a County plat for the original subdivision, and said a public utility easement (PUE) that predated the subdivision should still exist for the irrigation pipeline that runs through the subject property. He requested a tapering PUE on the west side of the property (15 feet at the front tapering to probably 20 feet at the northwest corner) for the pipeline that continues to serve the neighborhood. Mr. Snyder commented that clarification will be needed to determine necessary easements and setbacks.

John Haight, applicant – Mr. Haight stated the Ethingtons have documentation that the easements shown on the proposed plat plan are the actual easements.

Lisa Romney, City Attorney, stated that staff will review the title report and easements as part of the final plat process. She suggested the Council add a condition of approval in response to Mr. Burns' comments.

Mayor Cutler closed the public hearing at 7:29 p.m. Councilwoman Ivie made a **motion** to approve the proposed plat amendment for Lots 302 and Lot 15 of the Centerville Orchard and Island View Subdivisions, subject to the following conditions and findings. Councilwoman Mecham seconded the motion. Councilman Ince said he believes it would make more sense to find out where things really are before approval. Councilwoman Ivie responded that resolution of the easement issue does not need to affect approval of the plat amendment. The motion passed by majority vote (3-1), with Councilman Ince dissenting. Councilman Ince clarified that he is not opposed to the end product, but he is nervous about the process.

Conditions:

- 1) Preparation and submittal of a final linen subdivision plat, as outlined in City Ordinance, to the City Recorder's Office, which shall reflect the approved amendment presented to the City Council and the alterations required by this approval.
- 2) The interior lot line between the depicted lots shall be adjusted to comply with the minimum setback requirement of eight feet of the R-L Zone, which shall be verified by the Zoning Administrator prior to plat recordation.
- 3) All lots shall have at least a 10' wide front yard public utility easement, and at least two other 7' wide side or rear yard public utility easements, to be verified by the City Engineer prior to plat recordation.
- 4) This amendment approval shall be conditioned upon payment of any applicable impact fee. Fee amounts to be paid shall be verified by the City Engineer and City Attorney, in accordance with the City's impact fee regulations prior to plat recordation. (Note: The South Davis Sewer District handles the assessment of any related sewer fees)

PRELIMINARY DRAFT

- 5) City Staff and applicant shall confirm the existing and necessary width of the PUE on the west side of Lot 302 in response to Deuel Creek Irrigation's concerns regarding irrigation line in this area.
- 6) All existing easements of record shall be shown on the final plat.

Findings:

- a. The City Council finds that since the majority of the land is located in subdivision plats and also lot line adjustments are allowed by state law, therefore a "plat amendment" request is the most appropriate process to accomplish the desires of the applicant and owner.
- b. The City Council finds that, with the conditions imposed, the amendment is consistent with the R-L Zoning of the property.
- c. The City Council finds that, with the conditions imposed, the amendment is consistent with the City's Subdivision Ordinance.
- d. The City Council finds that there is good cause for the plat amendment by allowing the construction of a single-family home.
- e. The City Council finds that, with the conditions imposed, the public interest will NOT be materially injured by the proposed plat amendment.

PUBLIC HEARING – ZONING MAP AMENDMENT – DAVIS COUNTY – 641 EAST 200

SOUTH

Cassie Younger, Assistant Planner, explained the request from the County to rezone the southern portion of the former detention property located at 641 East 200 South from Public Facility-Low (PF-L) to Residential-Low (R-L). The property for rezone is .97 acres with a gross density size (including half the roadway). of 1.15 acres, with the possibility of up to four lots. Davis County has indicated they plan to develop three lots. Staff and the Planning Commission both recommend approval of the rezone.

Tony Thompson, Property Manager for Davis County, briefly described the history of the subject property. Councilwoman Mecham asked if there is a way to guarantee that only three lots will be created. Mr. Thompson responded the County feels three larger lots would bring more revenue than four smaller lots. He said the County does not desire to change the character of the existing neighborhood.

Mayor Cutler opened a public hearing at 7:46 p.m.

Bryan Espenschied – Mr. Espenschied said he attended the Planning Commission meeting and visited with Mr. Thompson. He responded to some of the comments made at the Planning Commission meeting, and stated the subject property is the last piece of open land in the city. Mr. Espenschied said he understands the history of the property and the reasoning involved in deciding to develop the southern portion, but he believes that in a perfect world the citizens would retain access to the entire area. He said the natural state of the subject property is a totally different experience from nearby Island View Park, and he thinks it would be an asset for the community to have an additional park. He commented that the gross density size of 1.15 acres was never brought up in the Planning Commission meeting. Mr. Espenschied expressed the opinion that if the City can afford recreation programs and parades and movies in the park, it should be able to afford this park. He said he knows citizens would be willing to help with volunteer labor and donated vegetation.

PRELIMINARY DRAFT

1 Jesse Montgomery – Mr. Montgomery said he agrees with Mr. Espenschied's comments.
2 He expressed appreciation that the County does not want to change the character of the area,
3 but said he disagrees with the idea that putting homes on that site would not change the character.
4 He said he feels the subject property in its natural state is the most beautiful part of the
5 neighborhood, and putting homes there will drastically change the neighborhood.

6
7 Conner Simmons – Mr. Simmons said he is new to the neighborhood, and is in favor of
8 the proposed homes on the south portion. He expressed concern with the City taking ownership
9 of the north portion of the property and the possibility that the City may at some point see value
10 in reengineering the space and developing the north portion with homes. He asked if there is any
11 way to keep that from happening in the future. He agreed that the gross density size of 1.15 acres
12 was never mentioned in the Planning Commission meeting. Mr. Simmons said he would like to
13 see the small-town feel of the neighborhood preserved.

14
15 The public hearing was closed at 8:01 p.m. Ms. Romney clarified that the Interlocal
16 Agreement with the County does not address or restrict the City's use of the north portion of the
17 property. She said she would not recommend the City encumber that property. She emphasized
18 that significant effort went into negotiating with the County to preserve the north portion. Ms.
19 Romney clarified that the subject property is .97 acres. Density allowance is calculated with the
20 200 South half-street, which brings the gross density size to 1.15 acres with a maximum of four
21 lots possible.

22
23 Councilwoman Ivie said this is a painful issue for her. She said she is sad to see houses
24 go on the property, but she knows the City does not have the money to purchase the entire area.
25 The County has been gracious enough to negotiate with the City. Councilwoman Ivie said she
26 would rather approve the rezone and retain the north portion in its natural state than deny the
27 rezone and lose the entire portion to possible development. Councilman McEwan pointed out
28 that the County has a fiduciary responsibility to maximize return on surplus properties. Mr.
29 Thacker acknowledged the County's investment in putting the debris basin up stream, removing
30 more than 200 homes in the City from the flood plain. Councilwoman Mecham agreed with
31 Councilwoman Ivie that it is painful, but said she appreciates the County's willingness to work with
32 the City to make the result as beneficial as possible.

33
34 Councilman Ince made a **motion** to accept Ordinance No. 2017-32 amending the
35 Centerville Zoning Map by changing the zoning of approximately 0.97 acres of real property
36 located at approximately 641 East 200 South from PF-L to R-L. Councilman McEwan seconded
37 the motion, which passed by majority vote (3-1), with Councilwoman Ivie dissenting.

BIENNIAL REPORT REGARDING MODERATE INCOME HOUSING PLAN

38
39
40
41 Ms. Younger presented a draft Moderate Income Housing Plan Report (available with the
42 agenda on NovusAgenda). Mayor Cutler said he would discourage wording that implies the City
43 is open to reducing hillside protections. Councilman McEwan suggested changing the phrase
44 "loosen and adapt" in reference to hillside regulations to "review". Following discussion, a majority
45 of the Council indicated a desire for staff to remove any reference to the hillside from the draft.

CONSIDER EMPLOYEE ASSOCIATION PROPOSAL OF DEFINITION OF 'RESIDENT'

46
47
48
49 Mr. Thacker reported that most cities responding to his email offer some type of break or
50 benefit within the city to current city employees. The Employee Association request for "resident"
51 status for employees could possibly apply to burial related fees, park pavilion rentals, and
52 recreation program fees. Councilman Ince suggested that, although it would be logistically
53 complicated, any "resident" benefits granted to former employees should also be granted to
54 former residents of Centerville. Following discussion, Councilman Ince made a **motion** to grant

1 resident benefits to current employees and immediate family members living within the same
2 household, during time of employment, for park pavilion rentals, recreation program fees, and
3 burial related fees at time of immediate need. Councilwoman Mecham seconded the motion,
4 which passed by unanimous vote (4-0). Formal approval will occur in a future council meeting.

5
6 **PURCHASE OF GENERATORS FOR WATER SYSTEM**
7

8 Randy Randall, Public Works Director, explained his recommendation that the City
9 purchase two Tier III generators and a step-down transformer, rather than the 250kw generator
10 included in the FY 2018 Budget. Councilman McEwan made a **motion** to award bid to Cummins
11 Power for two 200kw stationary stand-by generators for the total amount of \$79,290, plus \$5,900
12 for a 225 VA step-down transformer. Councilwoman Ivie seconded the motion, which passed by
13 unanimous vote (4-0).

14
15 **FRONTAGE ROAD BIKE LANE PROJECT**
16

17 Kevin Campbell, City Engineer, presented two proposed cross-sections for the planned
18 federally-funded project to widen and add bike lanes to the Frontage Road. Councilman McEwan
19 asked if beautification of the west side of the Frontage Road is included in the plan. Mr. Campbell
20 responded that no landscaping is planned for the west side. It may be possible to put irrigation
21 sleeves under the road to leave the option open for the future. The Council expressed interest in
22 this future possibility.

23
24 Councilman McEwan made a **motion** to authorize the City Manager to enter into the
25 Federal Aid Agreement pertaining to the federal funding of nearly \$1 million for the Frontage Road
26 Bike Lane Project. Councilwoman Mecham seconded the motion, which passed by unanimous
27 vote (4-0).

28
29 The Council took a break at 9:25 p.m., and returned at 9:33 p.m.

30
31 **PROPOSAL TO UPDATE PARK IMPACT FEE ANALYSIS**
32

33 In their November 21 meeting, the Council directed staff to evaluate the desirability of
34 updating the City's park impact fee analysis at this time. Actual costs for the Community Park
35 Expansion have been substantially higher than estimated in the December 2012 analysis, thereby
36 suggesting that an updated analysis and fee may be appropriate. Steve Thacker and Jake Smith,
37 Management Services Director, met with the impact fee specialist of LYRB, who agreed the
38 proposed approach would be defensible and could be done very quickly by City Staff with very
39 little assistance from LYRB. Based on that advice, staff have identified a process that will allow
40 a public hearing to be held on December 19, followed by adoption of a new park impact fee that
41 would become effective 90 days later. [NOTE: It was subsequently learned that the public hearing
42 must be postponed to the January 2, 2018 Council meeting to accommodate public notice
43 requirements.]

44
45 **EXTENSION OF LEGACY PARKWAY SCENIC BYWAY DESIGNATION**
46

47 The northern cities of Davis County would like the future West Davis Corridor highway to
48 be designated as a State Scenic Byway, thereby prohibiting billboards along that roadway. The
49 Legacy Parkway is currently designated a scenic byway and, therefore, has no billboards.
50 Councilwoman Mecham made a **motion** to approve Resolution No. 2017-25 supporting extension
51 of the Great Salt Lake Legacy Parkway Scenic Byway and renaming it the Great Salt Lake Scenic
52 Byway. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

53
54 **2018 CITY COUNCIL MEETING SCHEDULE**

PRELIMINARY DRAFT

Councilwoman Ivie made a **motion** to accept Resolution No. 2017-24 approving the 2018 City Council meeting schedule. Councilman Ince seconded the motion, which passed by unanimous vote (4-0).

MAYOR'S REPORT

Mayor Cutler reported on Moderate Income Housing concerns discussed at a recent meeting of the Davis County and Weber County Council of Governments.

CITY MANAGER'S REPORT

- A limited number of burial spaces have been identified and will be made available to Centerville residents at time of immediate need. Mr. Smith shared information gathered regarding public/private partnerships for cemetery space.
- The Council reviewed upcoming work session topics and dates. Councilman Ince suggested the Council schedule a work session with the County Commissioners at some point during the next year.

ADJOURNMENT

At 10:01 p.m., Councilwoman Mecham made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 2

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:20

SUBJECT

- a. Appointment of City Recorder - Resolution No. 2018-01
- b. Appointment of City Treasurer - Resolution No. 2018-02
- c. Approve recording secretary agreements--Connie Larson and Katie Rust
- d. Approve recording secretary agreement--Avalon Comly

RECOMMENDATION

- a. Approve Resolution No. 2018-01 appointing Mackenzie Wood as the new City Recorder for Centerville City effective January 14, 2018.
- b. Approve Resolution No. 2018-02 continuing the appointment of Jolene S. Jackson as the City Treasurer for Centerville City.
- c. Approve agreements with Connie Larson and Katie Rust for their continuing services as Recording Secretaries, with the pay increases recommended below.
- d. Approve new recording secretary agreement with Avalon Comly as Recording Secretary for Planning Commission.

BACKGROUND

- a. The current City Recorder, Marsha L. Morrow is retiring on January 13, 2018, after many years of dedicated service to the City. The City Manager and Mayor recommend the appointment of Mackenzie Wood as the new City Recorder, effective January 14, 2018. Pursuant to Utah Code Ann. 10-3-916, the Mayor, with the advice and consent of the City Council, is to appoint a qualified person to the office of City Recorder. Resolution No. 2018-01 appoints Mackenzie Wood as the new City Recorder.
- b. Pursuant to Utah Code Ann. 10-3-916, the Mayor, with the advice and consent of the City Council, is to appoint a qualified person to the office of City Treasurer. Under prior law, this appointment was required every two years after every municipal election. Based on recent amendments to Section 10-3-916, this appointment can be for an indefinite term and no longer needs to be approved every two years. Based on this change in the law, and the separate appointment of the City Recorder, Staff recommends approval of Resolution No. 2018-02, continuing the appointment of Jolene S. Jackson as City Treasurer.
- c. The recording secretary contracts for these individuals state that their compensation will be evaluated yearly. Connie and Katie received pay increases effective January 1, 2017; therefore, they are eligible for a

raise again as of January 1, 2018. Beginning January 1, 2019 Avalon Comly will be included in this annual review. Avalon's initial contract is the next subject on the Summary Action Calendar.

Recording secretaries provide their own equipment and supplies at home for drafting the minutes (City provides equipment used at the meeting), and the City pays no benefits to them or on their behalf, including no Social Security taxes.

Although recording secretary positions are not formally assigned a pay grade, the City Manager considers the skills required to be comparable to the Secretary II position (Grade 6) in the City's Position Pay Grade Schedule. The Grade 6 pay range has a minimum of \$13.26 and a maximum of \$19.95 per hour. To compensate these independent contractors for the use of their own equipment and supplies, and to offset the impact of paying fully their own Social Security taxes, the minimum and maximum of the Grade 6 pay range is adjusted by \$2. The adjusted range, therefore, would be \$15.76 - \$21.95 per hour. Even though the recording secretaries are independent contractors and not City employees, annual increases in their hourly rates are recommended by the City Manager using the principles in the Salary Administration Guidelines approved each year by the City Council. Using these Guidelines, the City Manager recommends the following increases:

Connie Larson--increase hourly rate from \$21.74 to \$21.95 per hour--the top of the adjusted pay range (1% increase).

Katie Rust--increase hourly rate from \$18.99 to \$19.65 per hour, a 3.5 percent increase. This increase includes 2.5% due to her current wage being in the 3rd Quartile of the adjusted pay range, plus 1.0% additional due to the outstanding quality of her work.

The Agreement is enclosed with blanks to be filled in with effective date, name and recommended rate of pay.

d. Avalon Comly has been taking the minutes of the Planning Commission on a trial basis since October. The City Manager now recommends she be hired (as an independent contractor) as a regular recording secretary effective January 1, 2017 at the hourly rate of \$17.00.

ATTACHMENTS:

Description

- ☐ Resolution No. 2018-01 - City Recorder
- ☐ Resolution No. 2018-02 - City Treasurer
- ☐ Job Description - City Recorder
- ☐ Job Description - City Treasurer
- ☐ Recording Secretary Agreement - Template
- ☐ Local Officials Day

RESOLUTION NO. 2018-01

A RESOLUTION DESIGNATING AND APPOINTING A QUALIFIED PERSON TO THE APPOINTED OFFICE OF CITY RECORDER

WHEREAS, pursuant to *Utah Code Ann.* § 10-3-916, the Mayor, with the advice and consent of the City Council, is to appoint a qualified person to the office of City Recorder; and

WHEREAS, the Mayor and the City Council desire to appoint Mackenzie Wood to the office of City Recorder to perform the duties and responsibilities of such office as more particularly provided herein.

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

Section 1. Appointment. Mackenzie Wood is hereby appointed to the office of City Recorder. This appointment is subject to the ordinances, rules and regulations of Centerville City and the laws of the State of Utah for the office of City Recorder. Mackenzie Wood shall serve at the pleasure of the City Council as the City Recorder for Centerville City for an undefined term of office.

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

Section 3. Effective Date. This Resolution and the appointment set forth herein shall become effective on January 14, 2018.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 2nd DAY OF JANUARY, 2018.

CENTERVILLE CITY

By: _____
Mayor Clark A. Wilkinson

ATTEST:

Marsha L. Morrow, City Recorder

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 20____.

RESOLUTION NO. 2018-02

A RESOLUTION DESIGNATING AND APPOINTING A QUALIFIED PERSON TO THE APPOINTED OFFICE OF CITY TREASURER

WHEREAS, pursuant to *Utah Code Ann.* § 10-3-916, the Mayor, with the advice and consent of the City Council, is to appoint a qualified person to the office of City Treasurer; and

WHEREAS, the Mayor and the City Council desire to appoint Jolene S. Jackson to the office of City Treasurer to perform the duties and responsibilities of such office as more particularly provided herein.

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

Section 1. Appointment. Jolene S. Jackson is hereby appointed to the office of City Treasurer. This appointment is subject to the ordinances, rules and regulations of Centerville City and the laws of the State of Utah for the office of City Treasurer. Jolene S. Jackson shall serve at the pleasure of the City Council as the City Treasurer for Centerville City for an undefined term of office.

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

Section 3. Effective Date. This Resolution and the appointment set forth herein shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 2nd DAY OF JANUARY, 2018.

CENTERVILLE CITY

By: _____
Mayor Clark A. Wilkinson

ATTEST:

Marsha L. Morrow, City Recorder

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 20____.

**CENTERVILLE CITY
JOB DESCRIPTION – CITY RECORDER**

Job Title	City Recorder	FLSA Status	Non-Exempt
Department	Executive	Employment	At-Will
Job Code	130	Pay Grade	12

GENERAL PURPOSE

As an appointed position, performs the statutory duties of City Recorder, including, but not limited to records management, statutory noticing, contract administration, and elections. Performs a variety of complex clerical and routine administrative duties as needed to expedite the processing, maintenance and upkeep of City records, minutes, contracts, publications, documents and information. Assures proper procedures for filing, retrieval, cross-referencing and archiving records. Serves as secretary to the City Manager, Mayor and City Council.

SUPERVISION RECEIVED

Works under the supervision of the City Manager.

SUPERVISION EXERCISED

None. The City Recorder coordinates the meeting assignments for recording secretaries.

ESSENTIAL FUNCTIONS

Composes staff backup reports, transcribes, proofreads, copies and disseminates agendas and backup materials for City Council, Redevelopment Agency and several committees. Publishes, posts and certifies notices of meetings and public hearing notices as required by State law. Posts meeting agendas and public hearing notices on City and State websites. Arranges for Recording Secretaries for all City meetings; substitutes for recording secretary when needed and drafts minutes; proofs various Council, RDA, Board of Adjustment, Planning Commission and other committee meeting minutes; assures accuracy in grammar, spelling and formats; verifies corrections, indexes and files as required by law, policy and practice; maintains, distributes approved minutes of City Council, Planning Commission, Board of Adjustment and Redevelopment Agency.

Performs general secretarial duties for Mayor, City Council and City Manager; composes correspondence, types reports; takes and drafts minutes of staff meetings; collects and compiles information; answers telephone calls coming into City Hall for the Mayor; speaks with individuals who come into City Hall to see the Mayor, and helps resolve problems and concerns or suggests appropriate contact persons; schedules appointments for Mayor. Arranges for dinner certificates, gifts and plaques for recognition of employees and others who have served in City positions.

Prepares ordinances and resolutions for Council approval; attests Mayor's signature; posts in public locations. Maintains original document files (i.e., ordinances, resolutions, election reports, agreements, deeds, easements, etc.).

Maintains subdivision and site plan files, reviews and maintains bond documents, prepares agreements, easements and subdivision documents for City Attorney and City Council approval; makes bond reduction requests to lending institutions and tracks expiration dates of bond agreements; works with developers of subdivisions and commercial sites and lending institutions regarding bonding documents and payment of subdivision fees.

Provides notary services. Notarizes contracts, documents for City and documents for citizens. Reviews legal documents for proper information; records documents with County when necessary; signs contracts and legal documents as notary or witness, returns agreements to contractors, and maintains a secure file and index of original legal documents.

Serves as elections officer and performs statutory elections duties. Cooperates with the Davis County Clerk's Office in the conduct of municipal elections; recommends polling places, provides information for ballots for primary and general elections; provides candidate information to County and State; assists candidates with submitting campaign financial disclosure forms; publishes legal notices regarding candidates, voting dates and times and election results; obtains election result information and presents results for City Council/Board of Canvassers approval.

Establishes and maintains files on matters relating to City business.

Scans and indexes City Council, Planning Commission, Board of Adjustment, Landmarks Commission, Trails Committee, Whitaker Museum Board, Parks and Recreation Committee, and other City boards and committee meeting minutes, agendas, backup reports, ordinances/resolutions, easements, deeds, correspondence and other documents/files into Laser Fische records management program for permanent storage and researching.

Serves on the Emergency Operations Center team as needed, in the event of a disaster or emergency.

Provides support as needed for City events such as July 4th celebration, including coordinating dates, planning Mayor and Council participation and providing other support as appropriate. Also arranges for and provides support for other City events such as work sessions, dinners, open houses and receptions.

Makes changes to City publications such as Municipal Code, Zoning Code, General Plan, Subdivision Standards and Specifications upon approval by City Council including updating online code; notify pertinent staff and officials of online updates.

Acts as City records officer; implements City records ordinance; directs the classification of records; catalogs and references documents and information for easy identification, location and duplication; assures compliance with state laws related to public access (GRAMA); assures proper classifications are applied to City documents and records.

Assists public by filling or coordinating records requests; establishes and monitors retention schedules on documents and assures timely archiving or purging of records according to law, ordinance or practice.

Responsible for City newsletters and news updates (print and on the City website) including writing articles, proofing, creating graphics and providing photos. Arrange for printing, postage and posting on the City's website and social media pages.

Manages City website: recommends and makes improvements to website appearance, functionality and content; works with each department on a continuing basis to gather updated website content; edits statements or documents provided to make them web-ready; reviews website for broken links or missing data.

Maintains updated records of official City web accounts on an "Account Register" including site name, username, passwords, URLs, registering email address, date established, authorizing official, created by, and approved authors or editors; maintains Freedom of Information Act (FOIA) and Government Records Access and Management Act (GRAMA) appropriate records of all content on social media pages.

Answers incoming telephone calls, responds to questions from citizens, staff, developers, bank personnel and provides assistance at counter when necessary.

Maintains listing and registration of City nonprofit entity status with Utah Department of Commerce.

Maintains accurate records of transactions relating to real property owned by the City, and record and preserve real property deeds and related abstracts of title and title insurance policies relating to those transactions.

Performs related duties as required.

MINIMUM QUALIFICATIONS

1. Education and Experience:

A. Graduation from High School; plus two (2) years of college level business courses;

AND

B. Three (3) years of progressively responsible experience related to above duties.

OR

C. An equivalent combination of education or experience.

2. Required Knowledge, Skills, and Abilities:

Working knowledge of records maintenance procedures; laws governing records retention, archiving, management and access (GRAMA); coding, classifying, and indexing methodology related to recording City ordinances, laws, contracts, documents; City government and inter-relationship of various City functions, particularly City Council operations. Some knowledge of administrative procedures; knowledge of state and local statutes pertaining to public meetings (Open Meetings Law), records management and municipal elections.

Skill in typing at 70 WPM.

Ability to learn how to use a variety of software packages, website content management systems, HTML programming and internet posting of content and documents. Ability to write clear and accurate staff reports on matters scheduled for City Council action; exercise initiative, independent judgment and to act resourcefully under varying conditions; maintain strict confidentiality related to sensitive information; operate personal computer in utilizing various programs (Excel, Word, Laserfiche) to produce or compose formal documents; work under stress from various sources; communicate effectively verbally and in writing; maintain effective working relationships with elected officials, department heads, subordinates, and the public.

3. Special Qualifications:

Must be bondable

4. Work Environment:

Incumbent of the position performs in a typical office setting with appropriate climate controls. Tasks require variety of physical activities, not generally involving muscular strain, such as walking, standing, stooping, sitting, reaching, talking, hearing and seeing. Common eye, hand, finger dexterity exist. Mental application utilizes memory for details, verbal instructions, emotional stability, complex thinking and creative problem solving skills. Periodic travel required in normal course of job performance. Regular computer use is required including typing and online research or data entry. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the job.

FLSA AND AT-WILL STATUS

The City Recorder position is a non-exempt position under the Fair Labor Standards Act. The City Recorder position is an at-will position and is exempt from the protections of Utah Code Ann. § 10-3-1105(1)(a) as amended. As such, the City Recorder may be terminated with or without cause and shall not be entitled to due process appeal procedures as set forth in Utah Code Ann. § 10-3-1106 as amended.

**CENTERVILLE CITY
JOB DESCRIPTION – CITY TREASURER**

Job Title	City Treasurer	FLSA Status	Non-Exempt
Department	Management Services	Employment	At-Will
Job Code	125	Pay Grade	14

GENERAL PURPOSE

As an appointed position, performs the statutory duties of City Treasurer, including financial and administrative duties relating to payroll, employee benefits, utility billing, accounts receivable, cash management and cemetery records.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Management Services Director.

SUPERVISION EXERCISED

Acts as the business office manager and directly supervises one or more Management Services (MS) Department employees as assigned by the MS Director.

ESSENTIAL FUNCTIONS

Acts as custodian of all moneys, bonds and securities and maintains accurate and detailed account of the same; makes payment of bonds and interest coupons until fully paid; assures proper filing of canceled bond coupons; collects taxes and assessments as provided by law and ordinance; maintains record of collections.

Invests idle City funds in accordance with State laws and regulations; assures secure and safe keeping of investment certificates; prepares semi-annual money management report; assures investments comply with established law; reconciles investment fund with general ledger.

Oversees the receiving and depositing of all money payable to the city; certifies that all revenues are properly receipted; verifies money collected by various city departments and assures proper deposits into established accounts by designated codes; reconcile daily receipts and monthly reports with bank deposits; maintains payment records on pay back agreements; monitors city cash flow ensuring availability of sufficient funds; makes fund transfers as needed; signs city checks; verifies tax revenue for business operations within the city.

Submits city financial statements quarterly and payroll information annually to the Utah transparency website.

Administers the city's utility billing system including creating new customer accounts and terminating move-outs, resolves utility billing and service related issues/changes in person and on the phone, creates shut-off notices, past due notices and service extensions, initiates collections on past-due accounts and bad checks, small claims and inputting meter reads.

Verifies cash register balances daily and makes bank deposits; generates work orders for the various departments to provide accurate data to process new and terminated accounts.

Maintains and processes security updates of the city's finance software.

Maintains cemetery records; records burials, locations, etc.; coordinates burial process with Parks and Recreation Director; balances accounts and prepares revenue totals.

Coordinates coverage of the front office with MS employees.

Assists employees with customers at counter and on the phone regarding city business; takes and receipts payments.

Administers and maintains the city's payroll and benefit system including enrolling new employees, annual benefit renewals, ensuring compliance with labor laws on the reporting of hours, answering and resolving benefit and payroll related issues and questions, submitting all required reports on-time to benefit providers, state and federal agencies and any other entity required by law, authorizes payments to benefit providers and assures that billings are correct, and ensures employees are either paid by check or direct deposit.

Maintains year-to-date records of wages, deductions, taxes, benefits, leave usage and balances and work hours. Makes federal withholding tax deposits; reconciles and generates checks for payroll deductions/benefits with various private, state and federal agencies; creates correcting general ledger entries for payroll, benefit and withholdings; prepares and issues annual W-2's and 1099's for tax purposes; assures accuracy, completeness, and timely delivery; prepares annual reports of payroll, retirement and disability insurance.

Oversees worker's compensation claims including billing, reporting incidents and continued communication of both the employee and worker's compensation provider.

Manages loan accounts with Centerville customers who entered into a payment agreement with UTOPIA including maintaining records, collections, disbursing funds to UTOPIA and determining payoff amounts.

Performs related duties as required.

MINIMUM QUALIFICATIONS

1. Education and Experience:

A. Graduation from High School, plus Two (2) years of college;

AND

B. Five (5) years of progressive experience performing above or related duties;

OR

C. An equivalent combination of education and experience.

2. Knowledge, Skills, and Abilities:

Considerable knowledge of municipal investment practices and options; laws and regulations governing receiving, accounting and investment of municipal funds; city utility billing procedures; bond requirements; municipal organizations and department operations including applicable laws and regulations; the Uniform Municipal Fiscal Procedures Act; payroll and benefits.

Working knowledge of municipal accounting principles (GAAP), practices and procedures; internal control principles and methods of application; general office maintenance and practices; computer accounting applications and various software programs; business and technical writing; operation of standard office equipment; mathematics related to investment and finance.

Ability to analyze a variety of financial problems and make recommendations; analyze complex accounting problems and make standard adjustments; operate various types of standard office equipment such as keyboard, etc.; operate personal computer in utilizing various programs to produce or compose formal documents, reports and records, charts and graphs; communicate effectively verbally and in writing; develop effective working relationships with supervisors, fellow employees, the public, and subordinates; supervise, evaluate, motivate and discipline subordinates.

3. Special Qualifications:

Must be bondable to a dollar limit prescribed by statute.

Preference in recruitment shall be given to applicants who are certified municipal treasurers.

4. Work Environment:

Typical office setting with typical climate controls. Tasks require a variety of physical activities such as walking, standing, stooping, sitting, reaching, not generally involving muscular strain. Job functions normally require talking, hearing and seeing. Common eye, hand, finger dexterity required for most essential functions. Mental application utilizes memory for details, verbal instructions, emotional stability, discriminating thinking and creative problem solving. Periodic travel required in normal course of job performance. Regular computer use is required including typing and online research or data entry. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the job.

FLSA AND AT-WILL STATUS

The City Treasurer position is a non-exempt position under the Fair Labor Standards Act. The City Treasurer position is an at-will position and is exempt from the protections of Utah Code Ann. § 10-3-1105(1)(a) as amended. As such, the City Treasurer may be terminated with or without cause and shall not be entitled to due process appeal procedures as set forth in Utah Code Ann. § 10-3-1106 as amended.

RECORDING SECRETARY AGREEMENT

THIS AGREEMENT is made and entered into as of the ____ day of _____, 20____, by and between **CENTERVILLE CITY**, a municipal corporation of the State of Utah, hereinafter referred to as the "City," and _____, an individual, hereinafter referred to as "Contractor."

WITNESSETH

WHEREAS, the City desires to obtain certain clerical services in connection with providing minutes of meetings by the City and its various councils and boards; and

WHEREAS, Contractor is willing to provide such clerical services in accordance with the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. Services. Contractor hereby agrees to provide the following services to the City: attending and transcribing the minutes of meetings held by the City Council, Planning Commission, Board of Adjustment, and other committees as directed by the City. Contractor will be required to be present in a timely manner at each such meeting to take the minutes. Following the meetings, Contractor will prepare a typed draft of the minutes and submit an electronic version to the City Recorder within five (5) calendar days following the meeting. The minutes will be considered for approval at a subsequent meeting of the affected entity and corrections may be required. Final minutes (hard copy as well as electronic version) will be provided by the Contractor to the City Recorder for inclusion in the permanent records of the City within three (3) business days after final approval by the City Council, Planning Commission, Board of Adjustment, and other committees. This Agreement for services is nonexclusive and the City reserves the right to hire or contract with other or additional persons as needed to provide services for the City.

Section 2. Compensation. For the services rendered under this Agreement, Contractor shall be paid by the City in the sum of \$_____ per hour, effective _____, 20____ for actual time expended in attendance at meetings and drafting the minutes. The City will evaluate annually the compensation paid to the Contractor.

Section 3. Independent Contractor. It is expressly understood and agreed by the parties hereto that Contractor is an independent contractor and not an employee of the City. Accordingly, Contractor is not entitled to receive any fringe benefits, retirement, or other benefits offered to City employees. No mileage shall be paid to Contractor by the City. Contractor shall be responsible for the payment of all withholding, social security, or other employment taxes which may be due in conjunction with the Contractor's rendering of services to the City.

Section 4. Equipment and Supplies. Contractor shall provide all equipment necessary to perform the services required hereunder except that the City will provide a laptop computer and recording equipment for use at the City meetings. Except as provided herein, Contractor will provide, at Contractor's sole expense, all equipment and supplies needed to perform Contractor's services hereunder including a personal computer, etc.

Section 5. Term of Agreement. It is expressly understood that either party may terminate this Agreement at any time upon giving fourteen (14) days written notice of termination to the other party. Such notice may be delivered personally or sent by certified mail, return receipt requested, postage prepaid to the other party at their last known address. Upon termination for any reason, Contractor agrees to immediately return to the City any tapes, keys, or other City property in the possession of Contractor and to deliver any drafts of minutes then under preparation.

Section 6. Assignment. This Agreement is personal to Contractor and may not be assigned or subcontracted.

Section 7. Entire Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof and no prior agreements, representations, promises, or inducements, whether written or oral, which are not contained herein shall be of any force or effect.

Section 8. Severability. Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity or enforceability of any of the remaining portions and the same shall be deemed in full force and effect as if this Agreement had been executed with the invalid portions eliminated.

Section 9. Binding Effect. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective officers, employees, representative, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this agreement individually or by and through their respective duly authorized representatives as of the day and year first herein above written.

“CITY”

ATTEST:

CENTERVILLE CITY

City Recorder

By: _____
Mayor

“CONTRACTOR”

By: _____
[Add Name of Contractor]

STATE OF UTAH)
 :ss
COUNTY OF DAVIS)

Notary Public

Residing at:

STATE OF UTAH)
)
) ss
COUNTY OF _____)

Notary Public

Residing at:

LOCAL OFFICIALS DAY

AT THE LEGISLATURE

UPDATES

AGENDA

7:00 am- 8:00 am Registration and Continental Breakfast

Utah State Capitol - Hall of Governors, Capitol Lower Level

8:00 am – 10:15 am Mock Committee Hearings

"Sexual Harrasment and Bullying - Prevention and Prosecution"

State Office Building Auditorium (North of Capitol)

Daughters of the Utah Pioneers Museum (West of Capitol)

Group A will debate from 8:00 – 9:00 and Group B will debate from 9:15 – 10:15.

While students are not debating, they can meet with their legislators, attend legislative committee hearings, visit the Daughters of the Utah Pioneers Museum, visit the 4th floor

"Who Tells Your Story" exhibit, and take a self-guided Capitol tour.

(Docents on-site for capitol tours- meetings with elected officials should be arranged by youth leaders.)

10:15 am – 11:00 am Snacks, Hot Chocolate Bar, and Networking

Salt Palace Convention Center

Room: Ballroom A-D

11:00 am – 12:00 pm Shaping History- It's YOUR shot!

Special Presentation: The Utah Department of Heritage and Arts "The New Nations Project"

(This session recommended for all students and youth leaders.)

Salt Palace Convention Center

Rooms: Ballroom A-D

11:00 am – 12:00 pm ULCT Issues Briefing

(This session recommended for all municipal leaders.)

Room 150 ABC

12:15 pm – 1:45 pm Lunch

Remarks from several invited guests

Sponsored by UAMPS

Salt Palace Convention Center

Room Ballrooms E-J

Keynote presentation:

"What Will Your Sentence Be"

Mark Updegrove

Presidential Historian and Author

JANUARY 24, 2018



**UTAH LEAGUE OF
CITIES AND TOWNS**

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 3.

Short Title: Public Hearing - Zoning Code Amendments - Lot Width Standards in Hillside Overlay Zone

Initiated By: Fred Hale, Applicant

Scheduled Time: 7:20

SUBJECT

Consider the proposed Zoning Code Amendments to CZC 12.42.040 regarding lot width standards for agricultural lots within the Hillside Overlay Zone - Ordinance No. 2018-02

RECOMMENDATION

Approve Ordinance No. 2018-02 amending Section 12.42.040 of the Centerville Zoning Code regarding lot width standards for agricultural lots within the Hillside Overlay Zone.

BACKGROUND

On December 13, 2018, the Planning Commission reviewed and recommended for approval the proposed amendments to Section 12.42.040 of the Centerville Zoning Code regarding lot width standards for agricultural lots within the Hillside Overlay Zone. The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- ❏ 1-02-2018 CC Report re Text Amendment Hillside Overlay
- ❏ Ordinance No. 2018-02 - Hillside Overlay Lot Widths
- ❏ 12-13-2017 PC Staff Report - Zoning Text Amendment Hillside Overlay

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

CITY COUNCIL AGENDA REQUEST

APPLICANT: **FRED HALE**
 63 WEST 1750 NORTH
 CENTERVILLE, UT 84014
 (fredh@colonialbuilding.com)

APPLICATION: **ZONING TEXT AMENDMENT**

APPLICATION REQUEST: **AMEND THE ZONING CODE TO THE HILLSIDE
OVERLAY RELATING TO THE DEVELOPMENT
STANDARDS IN AGRICULTURAL ZONES: CZC
12.42**

RECOMMENDATION: **PLANNING COMMISSION AND STAFF
RECOMMEND APPROVAL BY CITY COUNCIL**

Background

On November 8th, the City Council passed an ordinance to reduce the widths of lots in the Hillside Overlay for single family lots in Residential Zones. This developed more of a “tiered” width standard for Residential-Low lots in Hillside Zones, depending on slope. The applicant, Mr. Hale, would like to see a similar amendment for those lots in Agricultural Zones located within the Hillside Overlay.

As it stands, the current zoning code requires 125 feet width at the setback *regardless of the slope* for agricultural property. Staff sees a discrepancy in how the standards are regulated between Agricultural Zones and Residential Zones within the Hillside Overlay.

Current Code (As amended November 8th, 2017): CZC 12.42.040(b)

Density for Single-Family Lots. The minimum lot size and yard requirements of the underlying zone shall apply except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%. All lots in located within slope areas greater more than 10% and less than 15% shall require a minimum lot width of 80 feet at the setback line. All lots within slope areas of

15% or greater shall require a minimum lot width of 100 feet wide at the setback line.
Notwithstanding the foregoing, all lots in agricultural zones shall require a minimum lot where the width must be no less than of 125 feet at the setback line.

Applicant's Suggested edits:

Notwithstanding the foregoing, all lots in agricultural zones located within slope areas less than 15% shall require a minimum lot width of 100 feet wide at the setback line and all lots located within slope areas of 15% or greater shall require a minimum lot width of 125 feet wide at the setback line.

In order to remain consistent with residential zones within the Hillside, Staff recommends setting the determining slope at 10% instead of 15%, as was done in the residential zones. The widths would then be determine consistently based on 10% and 15% slopes between the two zones within this overlay. Widths would be as follows:

Minimum Lot Width Development Standards (Proposed)		
	Residential-Low	Agricultural-Low
Minimum	60' (interior lot)	80'
Hillside, <10%	60'	80' at setback
Hillside, Between 10 and 15%	80' at setback	100' at setback
Hillside, >15%	100' at setback	125' at set back

In addition to this new tiered width based on slope, staff would prefer to remove any language in this specific ordinance CZC 12.42.040 (b) mentioning "minimum lots sizes". Our code currently does not have a minimum lot size for residential zones, but rather determined lots sizes based on gross density. While there is a half-acre minimum lots size for agricultural lots, staff would prefer to remain constant as possible in determining the development standards between those residential and agricultural zones in this overlay. Staff would recommend eliminating that clause in the ordinance altogether to clear any confusion of minimum lot sizes in the future. Staff believes expanding the width of these lots based on slope is sufficient for adequate for slope stability and regulating cuts and fills in this area.

Text Amendment Review and Analysis (12.21.080.e)

- 1. Is the proposed text or map amendment consistent with the goals, objectives and policies of the City's General Plan?**

GP SECTION 12-420-2.3. RESIDENTIAL DEVELOPMENT POLICIES. The following policies are adopted specifically for the achievement of the citizens' desires for “*Residential Development*” in Centerville.

“The hillsides and naturally wooded canyons east of the City should be provided protection from indiscriminate development to assure retention of the natural slopes and vegetation.”

GP SECTION 12-440-3. NATURAL HAZARDS POLICIES. The following policies are adopted specifically for the achievement of the citizens' desires for “*Natural Hazards*” in Centerville.

“Earthquake or seismic hazards have been identified as a significant potential problem in Centerville. All future residential developments should take into consideration the location of the fault lines and other seismically-related hazards. Centerville City shall require the advice of competent geotechnical advisors when development is proposed in seismic hazard areas”

Analysis

The proposed changes are in line with the General Plan, and help remain consistent within the zoning code in relation to development standards between agricultural and residential lots within the Hillside Overlay. These amendments continue to mandate widening lots in this Overlay for the purposes of slope stability and regulating cut and fills in this area. The amendments would now treat residential and agricultural lots similarly, with a tiered width requirement based on the slope of the property. Lots size and density shall remain defined by the base zones.

PLANNING STAFF RECOMMENDATION

On December 13, The Planning Commission made a motion to recommend to the City Council to approve the proposed Hillside Overlay amendment, CZC 12.42.040 (b), as modified below:

As amended by the Planning Commission:

The minimum lot size and yard requirements of the underlying zone shall apply to all lots in the Hillside Overlay. ~~except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%.~~ In residential zones, all lots in-located within slope areas greater ~~more~~ than 10% and less than 15%, shall require a minimum ~~lot~~ width of 80 feet at the setback line. All lots within slope areas of 15% or greater shall require a minimum ~~lot~~ width of 100 feet at the setback line. In agricultural zones, all lots within slope areas greater ~~more~~ than 10% and less than 15% shall require a minimum ~~lot~~ width of 100 feet ~~wide~~ at the setback line. All lots within slope areas of 15% or greater shall require a minimum ~~lot~~ width of 125 feet ~~wide~~ at the setback line.

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst	X		
Johnson	X		
Daly	X		
Hayman	X		
Wright			X
Helgesen	X		

ORDINANCE NO. 2018-02

AN ORDINANCE AMENDING SECTION 12.42.040 OF THE CENTERVILLE ZONING CODE REGARDING MINIMUM LOT WIDTHS FOR AGRICULTURAL LOTS WITHIN THE HILLSIDE OVERLAY ZONE

WHEREAS, the City has received an application to amend the Zoning Code to amend the minimum lot width requirements for agricultural lots within the Hillside Overlay Zone; and

WHEREAS, the proposed amendments to the Zoning Code regarding minimum lot widths for agricultural lots within the Hillside Overlay Zone were reviewed by the Planning Commission and forwarded to the City Council with a positive recommendation; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code regarding minimum lot widths for agricultural lots within the Hillside Overlay Zone are in the best interest of the City and the public and will provide reasonable regulation and protection for development within the hillside; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

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

Section 1. Amendment. Section 12.42.040 of the Centerville Zoning Code regarding Development Requirements in the Hillside Overlay Zone is hereby amended to revise the minimum lot widths for agricultural lots within the Hillside Overlay Zone as more particularly provided as follows:

12.42.040 Development Requirements

- (a) Requirements for all Lots. Every lot in the Hillside Overlay Zone shall have at least 5,000 square feet of contiguous space which has a slope of less than 30%. This space may be no less than 50 feet wide at any given point. This buildable area must be undisturbed or virgin slope. Certain limited hillside areas may be considered as either natural or man-made "anomalies" such as gravel pit operations or other artificial disturbances based upon size, location, and history of slope, and may be included within the buildable area as may be recommended by the Planning Commission. Lots shall allow dwelling structures to be located within 250 feet of a public street. All main and accessory buildings shall be built on the buildable area.
- (b) Density for Single-Family Lots. The minimum lot size and yard requirements of the underlying zone shall apply to all lots in the Hillside Overlay Zone, except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots

~~between 20% and 30%. In residential zones, all All~~ lots located within slope areas greater than 10% and less than 15% shall require a minimum lot width of 80 feet at the setback line, and all ~~All~~ lots within slope areas of 15% or greater shall require a minimum lot width of 100 feet ~~wide~~ at the setback line.

~~Notwithstanding the foregoing, all lots in agricultural zones shall require a minimum lot width of 125 feet at the setback line. In agricultural zones, all lots located within slope areas greater than 10% and less than 15% shall require a minimum lot width of 100 feet at the setback line, and all lots within slope areas of 15% or greater shall require a minimum lot width of 125 feet at the setback line.~~

- (c) Lot Density for Planned Unit Developments and Dwelling Groups. The density limitations for the underlying zone shall apply except where, under a conditional use permit, the Planning Commission determines that additional buildable area, lot size, yard requirements or other condition is needed. All buildings shall be built on the buildable area. All dwelling units shall be built within 250 feet of a public street, or private street that has been approved by the Planning Commission. Dwellings and accessory structures may not occupy more than 40% of the lot area in any hillside area.
- (d) Maximum Impervious Material Coverage. The maximum allowable coverage of a lot in the Hillside Overlay Zone by impervious material shall be 40% of the total lot area, or 5,000 square feet, whichever is less.
- (e) Front Yard Setback. The minimum front yard setback in the Hillside Overlay Zone may be reduced to not less than 20 feet, provided the average slope of the lot exceeds 20% as recommended by the City Engineer.

Section 2. Findings. The amendments to the Zoning Code adopted herein are based on the following findings:

- a. The City Council finds that the “decision to amend the Zoning Code is a matter within the legislative discretion of the City Council” as described in CZC 12.21.060(a)(1)(C).
- b. The City Council finds that the amendments to the Zoning Code are consistent with the goals, objectives and policies of the City’s General Plan as set forth in the Staff Report dated December 13, 2017.
- c. The City Council finds that the amendment allows for variation based on the lot’s topography rather than a one size fits all” approach that bears improved fairness in the use of the overlay ordinance.
- d. The City Council finds that this amendment would serve to treat the residential and agricultural zones fairly as regulated within the Hillside Overlay Zone, and remain consistent within the regulations and parameters of the Code.
- e. The City Council finds the amendments are consistent with the desire to allow hillside development to be contextually developed in relation to topography and slope stability.

Section 3. 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 4. 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 5. 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, ON THIS 2nd DAY OF JANUARY, 2018.**

ATTEST:

CENTERVILLE CITY

Marsha Morrow, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mechem	_____	_____

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.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ of _____, 2018.

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

**APPLICANT: FRED HALE
63 WEST 1750 NORTH
CENTERVILLE, UT 84014
(fredh@colonialbuilding.com)**

APPLICATION: ZONING TEXT AMENDMENT

**APPLICATION REQUEST: AMEND THE ZONING CODE TO THE HILLSIDE
OVERLAY RELATING TO THE DEVELOPMENT
STANDARDS IN AGRICULTURAL ZONES: CZC
12.42**

RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY COUNCIL

Background

On November 8th, the City Council passed an ordinance to reduce the widths of lots in the Hillside Overlay for single family lots in Residential Zones. This developed more of a “tiered” width standard for Residential-Low lots in Hillside Zones, depending on slope. The applicant, Mr. Hale, would like to see a similar amendment for those lots in Agricultural Zones located within the Hillside Overlay.

As it stands, the current zoning code requires 125 feet width at the setback *regardless of the slope* for agricultural property. Staff sees a discrepancy in how the standards are regulated between Agricultural Zones and Residential Zones within the Hillside Overlay.

Current Code (As amended November 8th, 2017): CZC 12.42.040(b)

Density for Single-Family Lots. The minimum lot size and yard requirements of the underlying zone shall apply except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%. All lots in located within slope areas greater more than 10% and less than 15% shall require a minimum lot width of 80 feet at the setback line. All lots within slope areas of

15% or greater shall require a minimum lot width of 100 feet wide at the setback line.
Notwithstanding the foregoing, all lots in agricultural zones shall require a minimum lot where the width must be no less than of 125 feet at the setback line.

Applicant's Suggested edits:

Notwithstanding the foregoing, all lots in agricultural zones located within slope areas less than 15% shall require a minimum lot width of 100 feet wide at the setback line and all lots located within slope areas of 15% or greater shall require a minimum lot width of 125 feet wide at the setback line.

In order to remain consistent with residential zones within the Hillside, Staff recommends setting the determining slope at 10% instead of 15%, as was done in the residential zones. The widths would then be determine consistently based on 10% and 15% slopes between the two zones within this overlay. Widths would be as follows:

Minimum Lot Width Development Standards (Proposed)		
	Residential-Low	Agricultural-Low
Minimum	60' (interior lot)	80'
Hillside, <10%	60'	80' at setback
Hillside, Between 10 and 15%	80' at setback	100' at setback
Hillside, >15%	100' at setback	125' at set back

In addition to this new tiered width based on slope, staff would prefer to remove any language in this specific ordinance CZC 12.42.040 (b) mentioning "minimum lots sizes". Our code currently does not have a minimum lot size for residential zones, but rather determined lots sizes based on gross density. While there is a half-acre minimum lots size for agricultural lots, staff would prefer to remain constant as possible in determining the development standards between those residential and agricultural zones in this overlay. Staff would recommend eliminating that clause in the ordinance altogether to clear any confusion of minimum lot sizes in the future. Staff believes expanding the width of these lots based on slope is sufficient for adequate for slope stability and regulating cuts and fills in this area.

The new code would read as follows:

Staff's Recommended Edits:

The minimum lot size and yard requirements of the underlying zone shall apply for all slopes less than or equal to 10%. ~~except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%.~~ In residential zones, all lots in located within slope areas greater more than 10% and less than 15% , shall require a minimum lot width of 80 feet at the setback line. All lots within slope areas of 15% or greater shall require a minimum lot width of 100 feet wide at the setback line. In agricultural zones, within slope areas greater more than 10% and less than

15% shall require a minimum lot width of 100 feet at the setback line. All lots within slope areas of 15% or greater shall require a minimum lot width of 125 feet wide at the setback line.

Text Amendment Review and Analysis (12.21.080.e)

1. **Is the proposed text or map amendment consistent with the goals, objectives and policies of the City's General Plan?**

GP SECTION 12-420-2.3. RESIDENTIAL DEVELOPMENT POLICIES. The following policies are adopted specifically for the achievement of the citizens' desires for "Residential Development" in Centerville.

"The hillsides and naturally wooded canyons east of the City should be provided protection from indiscriminate development to assure retention of the natural slopes and vegetation."

GP SECTION 12-440-3. NATURAL HAZARDS POLICIES. The following policies are adopted specifically for the achievement of the citizens' desires for "Natural Hazards" in Centerville.

"Earthquake or seismic hazards have been identified as a significant potential problem in Centerville. All future residential developments should take into consideration the location of the fault lines and other seismically-related hazards. Centerville City shall require the advice of competent geotechnical advisors when development is proposed in seismic hazard areas"

Analysis

The proposed changes are in line with the General Plan, and help remain consistent within the zoning code in relation to development standards between agricultural and residential lots within the Hillside Overlay. These amendments continue to mandate widening lots in this Overlay for the purposes of slope stability and regulating cut and fills in this area. The amendments would now treat residential and agricultural lots similarly, with a tiered width requirement based on the slope of the property. Lots size and density shall remain defined by the base zones.

PLANNING STAFF RECOMMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Ordinance regarding the proposed Hillside Overlay amendments – I hereby make a motion for the Planning Commission to recommend to the City Council to approve the proposed Hillside Overlay amendment, CZC 12.42.040 (b), as modified below:

The minimum lot size and yard requirements of the underlying zone shall apply for all slopes less than or equal to 10%. ~~except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%.~~ In residential zones, all lots in located within slope areas greater more than 10% and less than 15% , shall require a minimum lot width of 80 feet at the setback line. All lots within slope areas of 15% or greater shall require a minimum lot width of 100 feet wide at the setback line. **In agricultural zones, within slope areas greater more than 10% and less than 15% shall require a minimum lot width of 100 feet at the setback line. All lots within slope areas of 15% or greater shall require a minimum lot width of 125 feet wide at the setback line.**

Suggested Reasons for Findings:

- a. The Planning Commission finds that the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B.
- b. The Planning Commission finds that amendments consistent with the goals, objectives and policies of the City’s General Plan, as presented in the staff report.
- c. The Planning Commission finds that the amendment allows for variation based on the lot’s topography rather than a one size fits all” approach that bears improved fairness in the use of the overlay ordinance.
- d. The Planning Commission finds that this amendment would serve to treat the residential and agricultural zones fairly as regulated within the Hillside Overlay Zone, and remain consistent within the regulations and parameters of the code.
- e. Therefore, the Planning Commission finds that the amendments are consistent with the desire to allow hillside development to be contextually developed in relation to topography and slope stability.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 4.

Short Title: Public Hearing - Municipal Code and Zoning Code Amendments - Deferral Agreements

Initiated By: City Council

Scheduled Time: 7:30

SUBJECT

Consider the proposed Municipal Code (CMC 10.04) and Zoning Code (CZC 12.55) Amendments regarding Deferral Agreement - Ordinance No. 2018-01

RECOMMENDATION

Approve Ordinance No. 2018-01 amending various sections of CMC 10.04 and CZC 12.55 regarding Deferral Agreements.

BACKGROUND

On December 13, 2017, the Planning Commission reviewed and recommended approval of the proposed amendments to Chapter 12.55 of the Centerville Zoning Code regarding Deferral Agreements. The Staff Transmittal Report for this matter is attached.

ATTACHMENTS:

Description

- ▢ 1-02-2018 CC Transmittal Report - Various Amendments for Deferral of Public Improvements
- ▢ Ordinance No. 2018-01 - Deferral Agreements
- ▢ 12-13-2017 PC Staff Report - Amending Provision for Deferral of Public Improvements

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

PLANNING COMMISSION TRANSMITTAL REPORT

**APPLICANT: CENTERVILLE CITY COUNCIL
C/O MAYOR PAUL CUTLER
250 NORTH MAIN STREET
CENTERVILLE CITY, UT 84014**

APPLICATION: ZONING ORDINANCE TEXT AMENDMENT

**APPLICANT REQUEST: AMEND THE ZONING CODE TO CREATE REGULATORY
CONSISTENCY BETWEEN THE MUNICIPAL CODE AND
ZONING ORDINANCE**

**PC RECOMMENDATION: RECOMMENDED APPROVAL TO THE CITY
COUNCIL**

BACKGROUND

As a result of a recent deferral improvement request regarding installation of a sidewalk, the City Council instructed staff to refine and fix subtle inconsistencies between the City's Municipal Code and the Zoning Ordinance regarding such requests. Lisa Romney, City Attorney, has drafted the revisions for both regulatory codes. Consequently, the Zoning Ordinance needs to be amended to reflect the new changes.

SUMMARY OF PLANNING COMMISSION'S ACTIONS, MOTION, AND VOTE

On December 13, 2017, the Planning Commission reviewed the matter, held a public hearing and then voted to recommend **APPROVAL** by the City Council of the proposed amendments drafted by the City Attorney.

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in *CZC 12.21.060.a.1.B*.
- b. The Planning Commission finds that amendments *ARE NOT INCONSISTENT* with the goals, objectives and policies of the City's General Plan.
- c. The Planning Commission finds that the amendments refine and fix subtle inconsistencies between the City's Municipal Code and the Zoning Ordinance regarding such deferral improvement requests.

Planning Commission Vote (6-0):

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst	X		
Johnson	X		
Daley	X		
Hayman	X		
Wright			X
Helgesen	X		

PREVIOUS PLANNING COMMISSION MEETINGS HELD ON THIS MATTER

- ✓ December 13, 2017 – Amendments presented by Staff and Public Hearing held.

ORDINANCE NO. 2018-01

AN ORDINANCE AMENDING SECTION 10.04.150 OF THE CENTERVILLE MUNICIPAL CODE REGARDING REQUIRED PUBLIC IMPROVEMENTS AND SECTION 10.04.170 OF THE SAME REGARDING DEFERRAL OF PUBLIC IMPROVEMENTS, AND AMENDING SECTION 12.55.190 OF THE CENTERVILLE ZONING CODE REGARDING STREET IMPROVEMENTS AND SECTION 12.55.200 OF THE SAME REGARDING DEFERRAL OF STREET IMPROVEMENTS

WHEREAS, the City Council directed Staff to prepare ordinance amendments to correct any discrepancies between the Centerville Municipal Code and Centerville Zoning Code provisions regarding the deferral of public improvements associated with development within the City; and

WHEREAS, Staff has prepared the proposed ordinance amendments to clarify and harmonize any discrepancies between the Centerville Municipal Code and Centerville Zoning Code provisions regarding the deferral of public improvements as more particularly set forth herein; and

WHEREAS, City Council has determined that the proposed amendments to the Centerville Municipal Code and Centerville Zoning Code are in the best interest of the City and the public and will provide consistent policies and procedures for the review and approval of applications for the deferral of public improvements; and

WHEREAS, the proposed amendments to the Centerville Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Centerville Zoning Code.

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

Section 1. Amendment. Section 10.04.150 of the Centerville Municipal Code regarding Public Improvements Required is hereby amended to read in its entirety as follows:

10.04.150 Public Improvements Required

- (a) Duty to Install. Any person obtaining a permit hereunder to build or alter any structure upon a lot which is not improved by public improvements, such as asphalt, curbs, gutters, sidewalks, and sewage, storm and flood control facilities, shall be required to install all such improvements along the street frontage of said lot in accordance with all construction standards, regulations and applicable ordinances of the City. No Certificate of Occupancy or Final Inspection shall be issued until all such required improvements are complete and operable.

- (b) Duty to Repair. Any person obtaining a permit hereunder to build or alter any structure upon a lot which is improved by public improvements, such as asphalt, curbs, gutters, sidewalks, and sewage, storm and flood control facilities, shall be required to repair any damage to such improvements in accordance with all construction standards, regulations and applicable ordinances of the City. No Certificate of Occupancy or Final Inspection shall be issued until all such improvements are repaired.
- (c) Security. Applicants shall be required to enter into an Improvements Agreement acceptable to the City together with a bond providing sufficient security to insure installation, completion and/or repair of public improvements required herein in Subsections (a) and (b) and as more particularly set forth in CMC 10.04.160.
- (d) Deferral. In limited circumstances, upon the request of the applicant, the City may defer or waive the installation of any ~~or all~~ required public improvements in accordance with the provisions of CMC 10.04.170.

Section 2. Amendment. Section 10.04.170 of the Centerville Municipal Code regarding Deferral of Public Improvements is hereby amended to read in its entirety as follows:

10.04.170 Deferral of Public Improvements

- (a) Request for Deferral. In limited circumstance, upon request of the applicant, the City may defer or waive the installation of any ~~or all~~ required public improvements when deemed appropriate in accordance with the provisions of this Section. as, in its judgment, are not requisite in the interest of public health, safety, and general welfare, or which are inappropriate because of the inadequacy or lack of connecting facilities. The applicant must submit a written request for deferral of public improvements with the Public Works Director. Such written request must include the following:
 - (1) Summary of the evidence in support of the request and analysis of the factors required to qualify for the deferral as set forth in Subsection (f);
 - (2) Name and address of applicant;
 - (3) Address, legal description, and parcel number of subject property; and
 - (4) Aerial view of subject property and adjacent properties showing existing infrastructure;
 - (5) Application fee and professional services deposit for deferral agreements as set forth in the City Fee Schedule.
- (b) Public Works Director Review. The Public Works Director shall review the request for deferral of public improvements and confer with other departments or officials as deemed necessary. The Public Works Director shall thereafter prepare a Staff Report and recommendation to the City Council regarding the request.

~~(c)~~ City Council Review. The City Council shall review and ~~approve approval~~ or deny the requested deferral of public improvements based on the factors set forth in ~~Subsection (f) above~~.

~~(d)~~ Payment of Costs or Deferral Agreement. If the deferral is approved by the City Council, ~~Whenever it is deemed appropriate to defer the construction of required improvements,~~ the applicant shall pay his or her share of the costs of such future improvements according to the reasonable estimate of the City Engineer, or may enter into a Deferral Agreement satisfactory to the City assuring completion of said improvements upon the demand of the City. No permit shall be issued until the appropriate costs required herein are deposited with the City or a Deferral Agreement has been executed between the parties and recorded against the property assuring the completion of such improvements upon demand of the City.

~~(a)(e)~~ No Temporary Certificate of Occupancy Required. No Temporary Certificate of Occupancy shall be required when the appropriate costs required herein are deposited with the City or a Deferral Agreement has been executed between the parties and recorded against the property for the deferral of specified public improvements.

~~(b)(f)~~ Required Factors for Deferral. In order to qualify for the deferral of public improvements, the City Council must determine that there is good cause for the deferral and that the application complies with the following requirements:

- ~~(1)~~ The property is a legally conforming lot or parcel as defined and regulated by the Centerville Zoning Code and applicable provisions of CMC 15 (Subdivisions);
- ~~(2)~~ The lot or parcel has frontage on a public street;
- ~~(3)~~ No street improvements exist on the same side of the street contiguous to the lot or parcel in one or both directions, unless otherwise approved by the City Council based on good cause, or the lot or parcel is in an area of the City specifically designated as an area where sidewalks are not required; and
- ~~(4)~~ The lot or parcel is not within a recorded subdivision, unless otherwise approved by the City Council based on good cause; provided, no deferral of improvements shall be allowed as part of a new subdivision development.

Section 3. Amendment. Section 12.55.190 of the Centerville Zoning Code regarding Street Improvements is hereby amended to read in its entirety as follows:

12.55.190 Street Improvements Required

- ~~(a)~~ **Street Improvements Required.** No construction shall be permitted on an unimproved lot or parcel unless planned street improvements abutting the lot or parcel, as shown on the Master Street Plan, including without limitation, sidewalk,

curb and gutter, parking strips and associated landscaping, street pavement and fire hydrant improvements, are provided simultaneously in conformance with CMC 10.04.150 and applicable Construction Codes. Constructing such improvements shall be a condition precedent to final inspection and occupancy of any building and other improvement on the lot or parcel, subject to the provisions of this Section. Such improvements shall conform to City Standards and Specifications.

~~(b) — Extent of Improvements. When the size of a lot or parcel exceeds the minimum requirements of the zone in which the lot or parcel is located, the Planning Commission may reduce the extent of required improvements if the lot frontage adjoining a public street is, in its judgment, substantially more than the minimum required lot frontage and not roughly proportional to the developer's fair share of needed public improvements. However, frontage improvements shall be provided for no less than the minimum lot width required by the zone in which the lot or parcel is located.~~

~~(e)(b)~~ Dedication and Construction of Improvements. When widening of a public street is planned, as shown on the Master Street Plan, street right-of-way and frontage improvements associated with proposed development shall be dedicated to the public and improved without cost to the City to the extent the such improvements are roughly proportional to the developer's fair share of needed public improvements, as determined by the Planning Commission after receiving a recommendation from the City Engineer.

~~(c)~~ Appeal. If a street dedication and improvement requirement is alleged to not be roughly proportional to the demand created by new development, such requirement may be appealed to the Board of Adjustment as provided in CZC 12.21.200.

~~(d)~~ Deferral. In limited circumstances, upon the request of the applicant, the City may defer or waive the installation of any required street improvements in accordance with the provisions of CZC 12.55.200.

Section 4. Amendment. Section 12.55.200 of the Centerville Zoning Code regarding Street Improvements – Deferral is hereby amended to read in its entirety as follows:

12.55.200 Street Improvements – ~~Method of Providing Deferral~~

In limited circumstances, the City may allow the developer to defer or waive the installation of any required public improvements when deemed appropriate in accordance with and subject to the provisions of CMC 10.04.170.

~~In lieu of requiring full frontage or right of way improvements as provided in CZC 12.55.190, the City may authorize a developer to satisfy street frontage improvement obligations in one of the following ways:~~

- ~~(a) — Form Special Improvement District. Form a special improvement district to complete the developer's fair share of improvements and additional improvements to benefit the area.~~
- ~~(b) — Pay Assessment. Place funds in an escrow account equal to the estimated cost the developer's fair share obligation for frontage improvements, as determined by the Planning Commission according to calculations by the City Engineer. Such funds shall be used to install street and frontage improvements in projects selected by the City according to its discretion and priority. Placement of funds into an escrow account shall not be construed to imply or guarantee to the developer a specific time when improvements will be installed on the frontage or right of way with funds from a City sponsored improvement project. Such escrow shall exempt the developer from participating in a special improvement district formed by the City for the same improvements. Any interest which may accrue on escrowed funds shall be available to the City for use in the improvement project.~~
- ~~(c) — Delay Installation. Sign and record an agreement, binding the developer to install required improvements at a later date upon demand by the City, subject to all of the following requirements:
 - ~~(1) — The development of the property is for one single family dwelling only;~~
 - ~~(2) — The property is a legal conforming lot or parcel as defined in this Title;~~
 - ~~(3) — The lot or parcel has frontage on a public street;~~
 - ~~(4) — No street improvements exist on the same side of the street contiguous to the lot or parcel in either direction; and~~
 - ~~(5) — The lot or parcel is not within a recorded subdivision.~~~~
- ~~(d) — Execute Waiver of Protest Agreement. Where property is proposed to be developed in areas of the City where other streets are not fully improved and no other properties in the immediate areas are developed with curb, gutter and sidewalk and other street improvements, a building permit may be issued if the property owner executes an agreement waiving the right to vote against a special improvement district in the event the City elects to create such a district to construct street improvements benefitting the property.~~

Section 5. 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 6. 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 7. 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, ON THIS 2nd DAY OF JANUARY, 2018.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

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.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ of _____, 2018.

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 5**

**APPLICANT: CENTERVILLE CITY COUNCIL
C/O MAYOR PAUL CUTLER
250 NORTH MAIN STREET
CENTERVILLE CITY, UT 84014**

APPLICATION: ZONING ORDINANCE TEXT AMENDMENT

**APPLICANT REQUEST: AMEND THE ZONING CODE TO CREATE
REGULATORY CONSISTENCY BETWEEN THE
MUNCIPAL CODE AND ZONING ORDINANCE**

**STAFF RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY
COUNCIL**

BACKGROUND

As a result of a recent deferral improvement request regarding installation of a sidewalk, the City Council instructed staff to refine and fix subtle inconsistencies between the City's Municipal Code and the Zoning Ordinance regarding such requests. Lisa Romney, City Attorney, has drafted the revisions for both regulatory codes. Consequently, the Zoning Ordinance needs to be amended to reflect the new changes.

TEXT AMENDMENT REVIEW AND ANALYSIS (12.21.080.e)

Zone Map Amendments - Pursuant to the City's Zoning Ordinance, the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B. Additionally, CZC 12.21.80.e. lists one (1) criterion for considering a text amendment petition. The following is a summary of staff's review of the matter:

- 1. Is the proposed text or map amendment consistent with the goals, objectives and policies of the City's General Plan?**

STAFF CONCLUSION – After staff's review of the General Plan, there a *NO SPECIFIC* guidance provisions regarding the installation of public infrastructure or improvements. Typically, such items are addressed in Zoning, Subdivision, and City Specifications ordinances and regulations.

STAFF'S ANALYSIS OF PROPOSED AMENDMENTS

The proposed amendments for the Zoning Ordinance maintain the expectation for installation public improvements. However, the original deferral allowance language is simplified using a referral instruction over to the Municipal Code. It's in the Municipal Code where the details for obtaining deferrals are outlined and the process for seeking such an approval. This eliminates the subtle inconsistencies of the two codes and addresses the directive received by staff from the City Council.

PLANNING STAFF RECOMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Ordinance regarding deferral improvement allowances – I hereby make a motion for the Planning Commission to recommend to the City Council to approve the proposed amendments, as presented by the City Attorney.

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B.
- b. The Planning Commission finds that amendments *ARE NOT INCONSISTENT* with the goals, objectives and policies of the City's General Plan.
- c. The Planning Commission finds that the amendments refine and fix subtle inconsistencies between the City's Municipal Code and the Zoning Ordinance regarding such deferral improvement requests.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 5.

Short Title: Public Hearing - Park Impact Fee Amendments

Initiated By: City Council

Scheduled Time: 7:40

SUBJECT

Consider amendments to Park Impact Fee Facilities Plan/Analysis and adoption of amended Park Impact Fee - Ordinance No. 2018-03

RECOMMENDATION

Following a public hearing, adopt Ordinance No. 2018-03 amending and adopting park impact fee facilities plan and analysis and an increased park impact fee. Direct staff regarding the preparation of a Fee Schedule amendment to be considered at a future meeting.

BACKGROUND

In November 2017 the City Council directed staff to review/update the Park Impact Fee study to determine if an increase in the park impact fee is justified. After consultation with an impact fee specialist from Lewis Young Robertson & Burningham, Management Services Director Jacob Smith updated the December 2012 Park Impact Fee Facilities Plan/Analysis as reflected in the attached document. The amendments begin on page 14.

The update supports an increase in the park impact fee from the current amount of \$2057 per residential unit to a maximum amount of \$2869. The Council needs to decide whether they support an increase to \$2869 or some lesser amount. Staff are compiling a comparison of park impact fees for Davis County cities. The data gathered so far is attached and may be updated before the council meeting if additional cities respond.

The new impact fee will not be effective until 90 days after adoption of Ordinance No. 2018-03, per State law. City staff have complied with the noticing requirements of State law, including a notice of the intent to review or study this matter, notices of the January 2nd public hearing, and making the updated documents and proposed Ordinance No. 2018-03 available to the public at least 10 days in advance.

ATTACHMENTS:

Description

- ☐ Ordinance w/Amended Park IFFP/IFA
- ☐ Davis County Park Impact Fees Study

ORDINANCE NO. 2018-03

AN ORDINANCE AMENDING AND ADOPTING A PARK IMPACT FEE FACILITIES PLAN AND A WRITTEN PARK IMPACT FEE ANALYSIS; AMENDING AND ENACTING PARK IMPACT FEES; AND ESTABLISHING A SERVICE AREA FOR PURPOSES OF THE PARK IMPACT FEES.

WHEREAS, Centerville City (the “City”) is a political subdivision of the State of Utah, authorized and organized under applicable provisions of Utah law; and

WHEREAS, the City has previously enacted and imposed impact fees for parks and recreation facilities, known and referred to as the Park Development Fees, as adopted and amended by the City Council by Ordinance No. 2013-01 enacted on January 15, 2013, and as more particularly set forth in Section 12.010 of the Centerville Fee Schedule; and

WHEREAS, the City has legal authority, pursuant to Title 11, Chapter 36a of the Utah Code Annotated, as amended (“*Impact Fees Act*” or “*Act*”), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to new development activity; and

WHEREAS, the City has not amended or increased its Park Impact Fees since 2013 and now desires to update and amend such fees to be referred to hereafter as “Park Impact Fees” in accordance with applicable provisions of the Impact Fees Act in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate manner as more particularly provided herein; and

WHEREAS, the City has completed the necessary impact fee facilities plan and impact fee analysis associated with park infrastructure and facilities in accordance with applicable provisions of the Impact Fees Act, which facilities plan and analysis are more particularly described and adopted herein; and

WHEREAS, the City has provided the required notice and held a public hearing before the City Council regarding the proposed impact fees in accordance with applicable provisions of the Impact Fees Act; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Centerville City, State of Utah, as follows:

**SECTION I
ORDINANCE REPEALED**

Ordinance No. 2013-01 adopting and amending Park Impact Fees is hereby repealed in its entirety. To the extent any provisions of Chapter 15.08 of the Cenerville Municipal Code are in

conflict with the provisions of this Ordinance regarding Park Impact Fees, the provisions of this Ordinance shall govern. This Ordinance may be referred to and cited as the “Park Impact Fees Ordinance.”

SECTION II PURPOSE

This Park Impact Fees Ordinance establishes the City’s Park Impact Fees policies and procedures and is promulgated pursuant to Title 11, Chapter 36a, Part 4, Enactment of Impact Fees, and other requirements of the Impact Fees Act. This Ordinance amends and adopts Park Impact Fees for parks and recreation facilities within the City Service Area as defined herein, describes certain capital improvements to be funded by Park Impact Fees, provides a schedule of Park Impact Fees for development activity, and sets forth direction for challenging, modifying and appealing Park Impact Fees.

SECTION III DEFINITIONS

Words and phrases that are defined in the Impact Fees Act shall have the same definition in this Park Impact Fees Ordinance. The following words and phrases are defined as follows:

1. “*City*” means a political subdivision of the State of Utah and is referred to herein as the City of Centerville, Utah.

2. “*Development Activity*” means any construction or expansion of a building, structure or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

3. “*Development Approval*” means any written authorization from the City that authorizes the commencement of development activity and any other approval as defined in Section 11-36a-102 of the Impact Fees Act.

4. “*Impact Fee*” means a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. “Impact fee” does not include a tax, special assessment, building permit fee, hookup fee, fee for project improvements, or other reasonable permit or application fee.

5. “*Impact Fee Analysis*” means the written analysis of each impact fee required by Section 11-36a-303 of the Impact Fees Act.

6. “*Impact Fee Facilities Plan*” means the plan required by Section 11-36a-301 of the Impact Fees Act.

7. “*Project Improvements*” means site improvements and facilities that are: planned and designed to provide service for development resulting from a development activity;

necessary for the use and convenience of the occupants or users of development resulting from a development activity; and not identified or reimbursed as a system improvement. "Project Improvements" does not mean system improvements as more particularly defined herein.

8. "*Proportionate Share*" means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.

9. "*Public Facilities*" means impact fee facilities as defined in the Impact Fees Act that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity. As defined in the Impact Fees Act, impact fee facilities includes parks, recreation facilities, open space, and trails.

10. "*Service Area*" means a geographic area designated by the City on the basis of sound planning or engineering principles in which a public facility, or a defined set of public facilities, provides service within the area. The Service Area for purposes of this Ordinance includes the entire area of the City as more particularly described in Section V.

11. "*System Improvements*" means existing public facilities that are: identified in the impact fee analysis under Section 11-36a-304 of the Impact Fees Act; and designed to provide services to service areas within the community at large and future public facilities identified in the impact fee analysis under Section 11-36a-304 that are intended to provide service to service areas within the community at large. "System improvements" do not include project improvements as defined herein.

SECTION IV STATUTORY AUTHORITY AND RESTRICTIONS

1. *Impact Fees Act Authority.* The City is authorized to impose impact fees subject to and in accordance with applicable provisions of the Impact Fees Act. An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fees may only be established for public facilities as defined in Section 11-36a-102 that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision. Public facilities for which impact fees may be imposed includes public facilities for "parks, recreation facilities, open space and trails."

2. *Impact Fees Act Restrictions.* Pursuant to Section 11-36a-202 of the Impact Fees Act, the City may not impose an impact fee to: (1) cure deficiencies in public facilities serving existing development; (2) raise the established level of service of a public facility serving existing development; (3) recoup more than the local political subdivision's costs actually incurred for excess capacity in an existing system improvement; or (4) include an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement.

3. *Specific Restriction on Park Impact Fees.* As specifically provided in Section 11-36a-202 of the Impact Fees Act, notwithstanding any other provisions of the Impact Fees Act, a political subdivision may not impose an impact fee on a school district or charter school for a park, recreation facility, open space or trail. In addition, the City may not delay the construction of a school or charter school because of a dispute with the school or charter school over impact fees.

SECTION V SERVICE AREA

The Impact Fees Act requires the City to establish one or more service areas within which the City will calculate and impose a particular impact fee. The service area within which the proposed Park Impact Fees will be imposed includes all of the area within the corporate limits and jurisdictional boundaries of the City. The City has concluded, based on analysis and usage, that the City's parks are a system of regional and City-wide amenities and are considered a parks and trails system for all citizens and residents of the City. Any improvements to this parks and trails system—meaning that they serve the entire community at large—are considered “system improvements”. Park improvements serving only specific developments (such as pocket parks) are considered “project improvements”. As a matter of fairness and equity, project improvements within the service area are excluded from the level of service or impact fee calculations. The Service Area is more particularly described and set forth in *Exhibit A: Map of City-Wide Park Impact Fee Service Area*.

SECTION VI IMPACT FEE FACILITIES PLAN

1. *Impact Fee Facilities Plan Required.* Pursuant to Section 11-36a-301 of the Impact Fees Act, before imposing or amending an impact fee, the City is required to prepare an impact fee facilities plan to determine the public facilities required to serve development resulting from new development activity. The impact fee facilities plan shall identify the existing level of service; establish a proposed level of service; identify any excess capacity to accommodate future growth at the proposed level of service; identify demands placed upon existing public facilities by new development activity at the proposed level of service; identify the proposed means by which the City will meet those growth demands; and other requirements of Section 11-36a-302.

2. *Park Impact Fee Facilities Plan.* The City has researched and analyzed the factors set forth in Section 11-36a-302 of the Impact Fees Act and has prepared a Parks Impact Fee Facilities Plan, as more particularly set forth in *Exhibit B: Parks Impact Fee Facilities Plan and Park Impact Fee Analysis*. The Park Impact Fee Facilities Plan has been prepared based on reasonable growth assumptions for the City and general demand characteristics of current and future users of park facilities. The Parks Impact Fee Facilities Plan identifies the impact on system improvements created by development activity and estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to new development activity. As shown in the Parks Impact Fee Facilities Plan, the City has considered all revenue sources, including impact fees and anticipated dedication of system improvements, to finance the

impacts on system improvements. The Parks Impact Facilities Plan establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received.

3. *Plan Certification.* The Parks Impact Fee Facilities Plan includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the plan certifying that the Parks Impact Fee Facilities Plan complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in the Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

5. *Adoption of Park Impact Fee Facilities Plan.* The Park Impact Fee Facilities Plan as set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*, is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VII WRITTEN IMPACT FEE ANALYSIS

1. *Written Impact Fee Analysis Required.* Pursuant to Section 11-36a-303 of the Impact Fees Act, each local political subdivision intending to impose an impact fee shall prepare a written analysis of each impact fee to be imposed and a summary of the impact fee analysis designed to be understood by a lay person. The impact fee analysis shall identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity; identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility; demonstrate how the anticipated impacts are reasonably related to the anticipated development activity; estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity; identify how the impact fee is calculated; and other requirements of Section 11-36a-304.

2. *Park Impact Fee Analysis.* The City has researched and analyzed the factors set forth in Section 11-36a-304 of the Impact Fees Act, including the proportionate share analysis required therein, and has prepared a Parks Impact Fee Analysis, as more particularly set forth in

Exhibit B: Parks Impact Fee Facilities Plan and Park Impact Fee Analysis. The Park Impact Fee Analysis identifies the impacts upon public facilities required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity, estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to the development activity, and identify how the Park Impact Fees are calculated.

3. *Analysis Certification.* The Parks Impact Fee Analysis includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the analysis certifying that the Parks Impact Fee Analysis complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

5. *Adoption of Park Impact Fee Analysis.* The Park Impact Fee Analysis as set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*, is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VIII CALCULATION OF IMPACT FEES

1. *Impact Fee Calculations.* Pursuant to Section 11-36a-305, in calculating an impact fee, the City may include: the construction contract price; the cost of acquiring land, improvements, materials, and fixtures; the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and debt service charges if the City might use impact fees as a revenue stream to pay principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements. In calculating the proposed Park Impact Fees, the City has based such amounts calculated on realistic estimates and the assumptions underlying such estimates are more particularly disclosed in the Park Impact Fee Analysis set forth in *Exhibit B*.

2. *Previously Incurred Costs.* To the extent that new growth and development will be served by previously constructed improvements, the City's Park Impact Fees may include public facility costs and outstanding bond costs related to the Park improvements previously incurred by the City. These costs may include all projects included in the Park Impact Fee Facilities Plan

which are under construction or completed but have not been utilized to their capacity, as evidenced by outstanding debt obligations. Any future debt obligations determined to be necessitated by growth activity will also be included to offset the costs of future capital projects.

SECTION IX IMPACT FEE SCHEDULE AND FORMULA

1. *Impact Fee Schedule or Formula Required.* Pursuant to Section 11-36a-402 of the Impact Fees Act, the City is required to provide a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement or the formula that the City will use to calculate each impact fee.

2. *Maximum Park Impact Fee Schedule.* Based on the Park Impact Fee Analysis, the maximum Park Impact Fees which the City may impose on development activity within the defined Service Area for park facilities is set forth in the following schedule:

Maximum Park Impact Fee Schedule

Development Activity	Park Impact Fee Per Dwelling Unit
Residential Development	\$ 2,869.16

3. *Rates Established by Resolution.* The City Council, by this Ordinance, approves the maximum Park Impact Fees in accordance with the Park Impact Fee Analysis set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*. The City reserves the right to establish the Park Impact Fees as established in this Ordinance by Resolution amending the Centerville Fee Schedule. In no event will the Park Impact Fees established by Resolution exceed the maximum supportable Park Impact Fee Schedule as set forth herein.

SECTION X ADJUSTMENTS AND CREDITS

1. *Adjustments.* In accordance with Section 11-36a-402 of the Impact Fees Act, the City may adjust the Park Impact Fees at the time the fee is charged to respond to unusual circumstances in specific cases, to address development activity by the State, or to ensure that impact fees are imposed fairly. The Park Impact Fees may be adjusted at the time the fee is charged in response to unusual circumstances or to fairly allocate costs associated with impacts created by a development activity or project. The Park Impact Fees assessed to a particular development may also be adjusted should the developer supply sufficient written information and/or data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.

2. *Developer Credits.* In accordance with Section 11-36a-402 of the Impact Fees Act, a developer may be allowed a credit against Park Impact Fees or proportionate reimbursement of Park Impact Fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement; or dedicates a public facility that the City and the developer agree will reduce the need for a system improvement; *provided* that the system improvement is: (i) identified in the City's Park Impact Fee Facilities Plan; and (ii) is required by the City as a condition of approving the development activity. To the extent required in Section 11-36a-402, the City shall provide a credit against Park Impact Fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities are system improvements, as defined herein and included in the Park Impact Fee Facilities Plan; or are dedicated to the public and offset the need for an identified system improvement.

3. *Waiver for "Public Purpose".* The City Council may, on a project by project basis, authorize exceptions or adjustments to the Park Impact Fees for those projects the City Council determines to be of such benefit to the community as a whole to justify the exception or adjustment. Such projects may include affordable housing and other development activities with broad public purposes. The City Council may elect to waive or adjust Park Impact Fees for such projects. Applications for exceptions are to be filed with the City at the time the applicant first requests the extension of service to the applicant's development or property.

SECTION XI NOTICE AND HEARING

1. *Notice.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

2. *Hearing.* The City Council held a public hearing regarding the Parks Impact Fee Facilities Plan, the Parks Impact Fee Analysis, and this Park Impact Fee Ordinance, on January 2, 2018, and a copy of the Ordinance was available in its substantially final form at the Centerville Branch of the Davis County Public Library and the City Recorder's Office in the Centerville City Hall at least ten (10) days before the date of the hearing, all in conformity with the requirements of *Utah Code Ann.* § 10-9a-205 and applicable noticing provisions of the Impact Fees Act.

SECTION XII IMPACT FEE ACCOUNTING AND EXPENDITURES

1. *Impact Fees Accounting.* Pursuant to Section 11-36a-601 of the Impact Fees Act, the City will establish a separate interest bearing ledger account for each type of public facility for which an impact fee is collected, deposit a receipt for an impact fee in the appropriate ledger account established herein, and retain the interest earned on each fund or ledger account in the fund or ledger account.

2. *Reporting.* At the end of each fiscal year, the City shall prepare a report on each fund or ledger account showing the source and expenditures as required by law. Annually, the City shall produce and transmit to the State Auditor a certified report in accordance with Section 11-36a-601 in a format developed by the State Auditor.

3. *Impact Fee Expenditures.* Pursuant to Section 11-36a-602 of the Impact Fees Act, the City may expend Park Impact Fees only for a system improvement: (i) identified in the Parks Impact Fee Facilities Plan; and (ii) for the specific public facility type for which the fee was collected. Impact fees will be expended on a First-In First-Out basis.

4. *Time of Expenditure.* Except as otherwise provided by law, the City shall expend or encumber Park Impact Fees for a permissible use within six (6) years after the impact fee is collected. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

5. *Extension of Time.* Pursuant to Section 11-36a-602 of the Impact Fees Act, the City may hold the impact fees for longer than six (6) years if it identifies in writing: (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

6. *Refunds.* Pursuant to Section 11-36a-603 of the Impact Fees Act, the City shall refund any Park Impact Fees paid by a developer, plus interest earned, when: (i) the developer does not proceed with the development activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund from the City may include any impact reasonably identified by the City, including, but not limited to, the City having sized facilities and/or paid for, installed and/or caused the installation of facilities based in whole or in part upon the developer's planned development activity even though that capacity may, at some future time, be utilized by another development.

7. *Other Impact Fees.* To the extent allowed by law, the City Council may negotiate or otherwise impose impact fees and other fees different from those currently charged. Those charges may, at the discretion of the City Council, include but not be limited to reductions or increases in impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City's system.

8. *Additional Fees and Costs.* The Park Impact Fees authorized herein are separate from and in addition to user fees and other charges lawfully imposed by the City and other fees and costs that may not be included as itemized component parts of the Park Impact Fee Schedule. In charging any such fees as a condition of development approval, the City recognizes that the fees must be a reasonable charge for the service provided.

9. *Fees Effective at Time of Payment.* The City will collect the Park Impact Fees at the time of building permit issuance. The fees will be calculated by the City. Unless the City is otherwise bound by a contractual requirement, the Park Impact Fees shall be determined from the fee schedule in effect at the time of payment.

10. *Imposition of Additional Fee or Refund after Development.* Should any developer undertake development activities such that the ultimate density or other impact of the development activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or the Park Impact Fee is not initially charged against all units or the total density within the development, the City shall be entitled to charge an additional Park Impact Fee to the developer or other appropriate person covering the density for which an impact fee was not previously paid.

SECTION XIII CHALLENGES TO IMPACT FEES

1. *Request for Information.* Pursuant to Section 11-36a-701, a person or entity required to pay a Parks Impact Fee who believes the the impact fee does not meet the requirements of law may file a written request for information with the City Manager. As required by law, the City Manager shall, within two (2) weeks after the receipt of the request for information provide the person or entity with the Park Impact Fee Facilities Plan, the Park Impact Fee Analysis, and any other relevant information relating to the Park Impact Fee.

2. *Advisory Opinion.* A potentially aggrieved person may request an advisory opinion from a neutral third party regarding compliance of the Park Impact Fees with the Impact Fees Act by filing such request with the Office of the Property Rights Ombudsman in accordance with the procedures and provisions of Title 13, Chapter 43, known as the Property Rights Ombudsman Act. The aggrieved party requesting an advisory opinion is not required to exhaust the administrative appeals procedures set forth in Subsection 4 before requesting an advisory opinion.

3. *Appeal.* A person or entity that has paid Park Impact Fees under the provisions of this Ordinance may challenge such impact fees pursuant to the provisions set forth in Title 11, Chapter 36a, Part 7 of the Impact Fees Act regarding Challenges.

a. *Grounds for Challenge.* Pursuant to Section 11-36a-701, a person or entity that has paid Park Impact Fees under the provisions of this Ordinance may challenge: (1) the impact fees; (2) whether the City complied with the notice requirements

of the Impact Fees Act with respect to the imposition of the impact fees; and/or (3) whether the City complied with other procedural requirements of the Impact Fees Act for imposing the impact fee.

b. *Sole Remedy.* The sole remedy for challenging the notice requirements is the equitable remedy of requiring the City to correct the defective notice and repeat the process. The sole remedy for challenging the impact fee is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated. Reasonable attorneys fees may be awarded to the substantially prevailing party to the extent provided in the Impact Fees Act.

c. *Initiation.* A challenge to an impact fee is initiated by filing:

- i. An appeal to the City Council pursuant to the administrative appeal procedures set forth herein;
- ii. A request for arbitration as provided in Section 11-36a-705 of the Impact Fees Act; or
- iii. An action in district court.

d. *Time Restrictions.* The time for filing a challenge to the impact fees shall be filed in accordance with the time limitations set forth in Section 11-36a-702, depending upon the type of challenge. The deadline to file an action in district court is tolled from the date that a challenge is filed using the administrative procedures set forth in Subsection 4 until thirty (30) days after the day on which a final decision is rendered in the administrative appeals procedure.

4. *Administrative Appeal Procedure.* The City hereby adopts an administrative appeal procedure to consider and decide challenges to the Park Impact Fees. Any person or entity that has paid a Park Impact Fee pursuant to this Ordinance may challenge or appeal the impact fee by filing written notice of administrative appeal with the City Manager within thirty (30) days after the day on which the person or entity paid the impact fee. The notice of appeal shall set forth the grounds for the appeal and shall include any applicable filing fees as set forth in the City's Consolidated Fee Schedule. Upon receiving the written notice of appeal, the City Council shall set a hearing date to consider the merits of the challenge or appeal. The person or entity challenging or appealing the fee may appear at the hearing and present any written or oral evidence deemed relevant to the challenge or appeal. Representatives of the City may also appear and present evidence to support the imposition of the fee. The City Council shall hold a hearing and make a decision within thirty (30) days after the date the challenge or appeal is filed.

5. *Mediation.* In addition to the methods of challenging an impact fee as provided herein, a specified public agency may require the City to participate in mediation of any applicable impact fee in accordance with the provisions of Section 11-36a-704 of the Impact Fees

Act. A written request for mediation must be filed in accordance with Section 11-36a-704 no later than thirty (30) days after the day on which the impact fee is paid.

6. *Declaratory Judgment Action.* Pursuant to Section 11-36a-701, a person or entity residing in or owning property within the Service Area, or an organization, association, or a corporation representing the interests of persons or entities owning property within the Service Area, are deemed to have standing to file a declaratory judgment action challenging the validity of an impact fee.

SECTION XIV MISCELLANEOUS

1. *Severability.* If any section, subsection, paragraph, clause or phrase of this Park Impact Fee Ordinance shall be declared invalid for any reason, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and for this purpose, the provisions of this Park Impact Fee Ordinance are declared to be severable.

2. *Interpretation.* This Park Impact Fee Ordinance has been divided into sections, subsections, paragraphs and clauses for convenience only and the interpretation of this Ordinance shall not be affected by such division or by any heading contained herein.

3. *Other Impact Fees Not Repealed.* Except as otherwise specifically provided herein, this Park Impact Fee Ordinance shall not repeal, modify or affect any impact fee of the City in existence as of the effective date of this Ordinance.

SECTION XV EFFECTIVE DATE

In accordance with the provisions of *Utah Code Ann.* § 11-36a-401, this ordinance and the impact fees adopted herein or pursuant hereto shall not take effect until ninety (90) days after the day on which the ordinance is approved.

[Signature Page to Follow]

PASSED AND APPROVED this ____ day of January, 2018.

CENTERVILLE CITY COUNCIL

By: _____
Mayor Clark A. Wilkinson

[SEAL]

VOTING:

Council Member Fillmore	Yea ____	Nay ____
Council Member Ince	Yea ____	Nay ____
Council Member Ivie	Yea ____	Nay ____
Council Member McEwan	Yea ____	Nay ____
Council Member Mecham	Yea ____	Nay ____

ATTEST:

By _____
Marsha L. Morrow, City Recorder

DEPOSITED in the office of the City Recorder this ____ day of _____, 2018.

RECORDED this ____ day of _____, 2018.

EXHIBIT A

**MAP OF CITY-WIDE PARK IMPACT FEE
SERVICE AREA**



Date: 12/11/2012



City Boundary

Centerville City Park Impact Fee Service Area

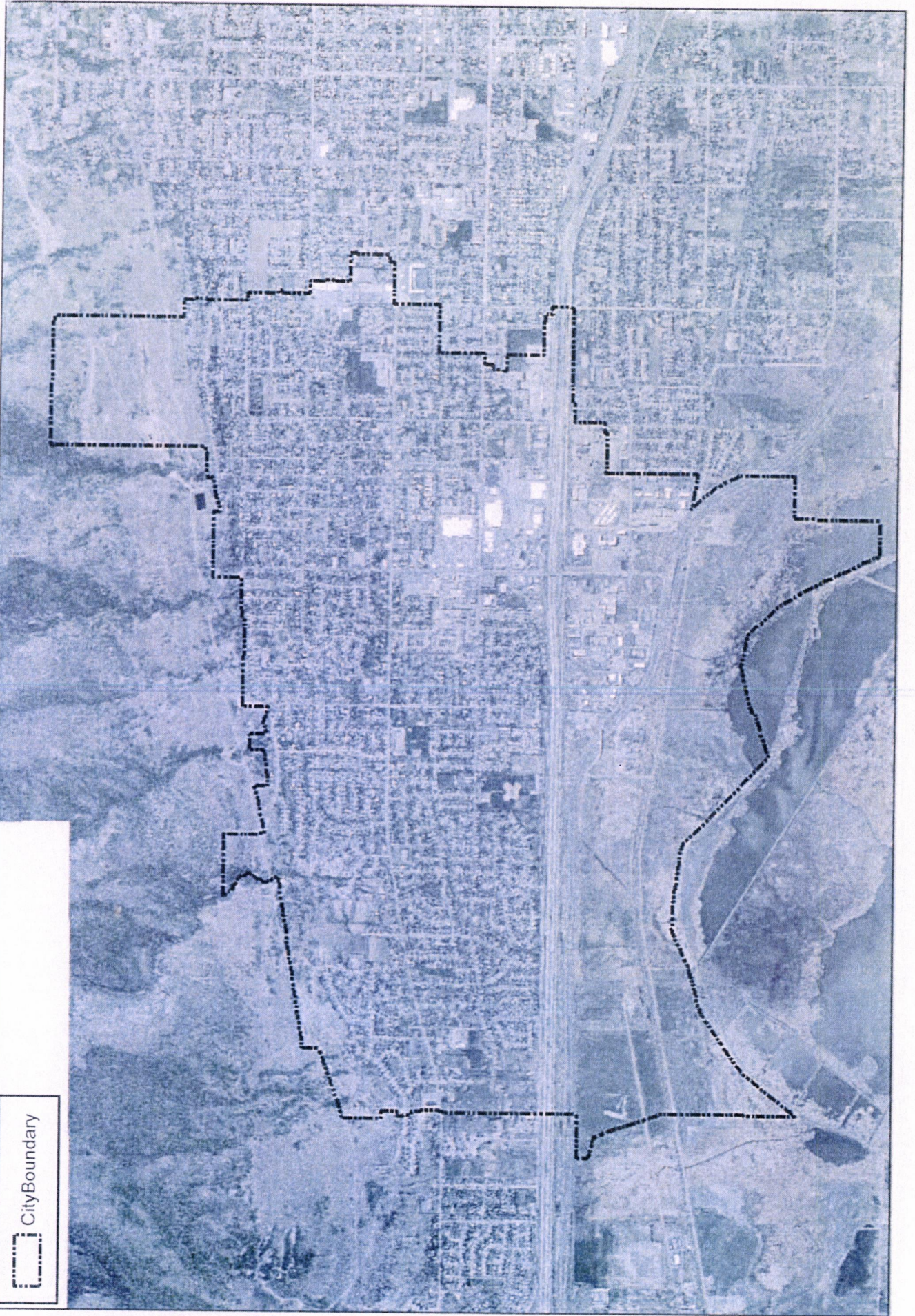


EXHIBIT B

PARK IMPACT FEE FACILITIES PLAN AND PARK IMPACT FEE ANALYSIS

CENTERVILLE CITY PARK IMPACT FEE FACILITIES PLAN AND PARK IMPACT FEE ANALYSIS



December 2012
(amended January 2018)

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

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Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE FACILITIES PLAN CERTIFICATION

I certify that the attached impact fee facilities plan:

1. Includes only the costs of public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. Costs of operation and maintenance of public facilities;
 - b. Costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. An expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodology standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fee Act.

Centerville City

Jacob J. Smith
Management Assistant

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE ANALYSIS CERTIFICATION

I certify that the attached impact fee analysis:

1. Includes only the costs of public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. Costs of operation and maintenance of public facilities;
 - b. Costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. An expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
3. Offsets costs with grants or other alternate sources of payment; and
4. Complies in each and every relevant respect with the Impact Fees Act.

Centerville City

Jacob J. Smith
Management Assistant

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

EXECUTIVE SUMMARY

Centerville City is growing and that growth increases the demand on the City's public systems including its parks, recreational facilities, and trails. An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. The Utah Impact Fees Act allows cities and towns to charge impact fees for "parks, recreation facilities, open space and trails," as long as there exists a reasonable relationship between the fees imposed and the needs generated by new development [Utah Code 11-36a-102 (15)(f)].

Park impact fees may be implemented to sustain the current level of service (LOS) for developed parks, recreational facilities, and paved trails, but park impact fees may not be used to increase the LOS. The purpose of this Park Impact Fee Facilities Plan (IFFP) and Park Impact Fee Analysis (IFA) is to identify the parks, park amenities and trails LOS standards to ensure that the capacities of projects financed through impact fees do not exceed the standard. This is done through estimating future demand, explaining how future demand will be met along with the associated costs, and distributing the impacts equally with a park impact fee.

The Centerville parks, park amenities, and trails standards as identified in the Park IFFP and IFA is 2.79 acres of developed parks per 1,000 residents, 1 pavilion/restroom and playground per 2,723 residents, 1 sport court per 3,268 residents, and .51 miles of paved trails per 1,000 residents.

It is estimated that Centerville currently has 16,339 residents and according to current land availability and zoning designations, it is anticipated the City will add an additional 1,215 units or 3,815 new residents to its population. Build out is projected to occur sometime in 2029 with a total population of 20,154 residents. To maintain the current LOS with an additional 3,815 residents, the City will need to provide an additional 10.64 acres of developed parks, 1 additional sport court, pavilion, restroom, and playground (park amenities) and 1.95 miles of paved trails.

The Park IFFP identifies the planned parks, park amenities, and trails needed to maintain the current LOS along with the associated costs. The total cost to add the additional park acreage, park amenities, and paved trails is estimated to be around \$2,500,000. Impact fees will be charged only to residential development as commercial development is assumed to create no new demand on the parks, park amenities and trail systems. Impact fees will also be the primary source for funding the additional improvements.

Centerville currently charges and has been charging since July 7, 1998 a park impact fee of \$1,200 per residential unit. This is the lowest fee in South Davis County except for the notable exception of Bountiful, which does not charge a park impact fee. The average park impact fee in neighboring communities is \$2,238.17 (\$1,918.43 including Bountiful).

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is \$2,500,000. This cost distributed equally to the new residential units would justify a maximum park impact fee of \$2,057.61.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

LEGISLATIVE FRAMEWORK

Centerville City is authorized to impose impact fees subject to and in accordance with applicable provisions of the Utah Impact Fees Act, as set forth in *Utah Code Ann.* §§ 11-36a-101, *et seq.*, as amended (“Impact Fees Act”). An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fees may only be established for public facilities as defined in Section 11-36a-102 that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision. Public facilities for which impact fees may be imposed includes public facilities for “parks, recreation facilities, open space and trails.”

Impact fees may not be imposed or calculated to: (1) cure deficiencies in public facilities serving existing development; (2) raise the established level of service of a public facility serving existing development; (3) recoup more than the local political subdivision’s costs actually incurred for excess capacity in an existing system improvement; or (4) include an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement. *Utah Code Ann.* § 11-36a-202. Notwithstanding any other provisions of the Impact Fees Act, a political subdivision “may not impose an impact fee . . . on a school district or charter school for a park, recreation facility, open space or trail.” *Utah Code Ann.* § 11-36a-202.

IMPACT FEE FACILITIES PLAN EXPLANATION

Before imposing or amending an impact fee, the City is required to prepare an impact fee facilities plan (“IFFP”) to determine the public facilities required to serve development resulting from new development activity. *Utah Code Ann.* § 11-36a-301. The IFFP is required by law to identify demands placed upon existing public facilities by new development activity and the proposed means by which the city will meet those demands. In preparing the IFFP, the City shall generally consider all revenue sources, including impact fees and anticipated dedication of system improvements, to finance the impacts on system improvements. The City may only impose impact fees on development activities when the City’s plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. *Utah Code Ann.* § 11-36a-302.

IMPACT FEE ANALYSIS EXPLANATION

Before imposing or amending an impact fee, the City is required to prepare a written analysis of each impact fee (“IFA”), together with a summary of such impact fee analysis designed to be understood by a lay person. *Utah Code Ann.* § 11-36a-303. The IFA shall: (1) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity; (2) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility; (3) demonstrate how the anticipated impacts described are reasonably related to the anticipated development activity; (4) estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity; and (4) identify how the impact fee was calculated. *Utah Code Ann.* § 11-36a-304.

In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the City shall identify, if applicable: (1) the cost of each existing public facility

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

that has excess capacity to serve the anticipated development resulting from the new development activity; (2) the cost of system improvements for each public facility; (3) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants; (4) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by payment from the proceeds of general taxes; (5) the relative extent to which development activity will contribute the cost of existing public facilities and system improvements in the future; (6) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development; (7) extraordinary costs, if any, in servicing the newly developed properties; and (8) the time-price differential inherent in fair comparison of amounts paid at different times.

IMPACT FEE CALCULATION

In calculating an impact fee, the City may include: (1) the construction contract price; (2) the cost of acquiring land, improvements, materials and fixtures; (3) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvement; and (4) debt service charges, if the City might use impact fees as a revenue stream to pay the principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements. *Utah Code Ann.* § 11-36a-305. All impact fee calculations shall be based on realistic estimates and the assumptions underlying such estimates shall be disclosed in the IFA.

SERVICE AREA

The Impact Fees Act requires the City to establish one or more service areas within which the City will calculate and impose a particular impact fee. The service area within which the proposed Park Impact Fees will be imposed includes all of the area within the corporate limits and jurisdictional boundaries of the City. The City has concluded, based on analysis and usage, that the City's parks are a system of regional and City-wide amenities and are considered a parks and trails system for all citizens and residents of the City. Any improvements to this parks and trails system—meaning that they serve the entire community at large—are considered “system improvements”. Park improvements serving only specific developments (such as pocket parks) are considered “project improvements”. As a matter of fairness and equity, project improvements within the service area are excluded from the level of service or impact fee calculations.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CENTERVILLE PARK AND PARK AMENITY STANDARDS

According to Centerville City's General Plan [12-460-1(3)(a)], the City's LOS for developed parks based on 2010 census data is 3.24 acres per 1,000 residents. The following data illustrates the current inventory of developed parks and park amenities.

TABLE A: DEVELOPED PARK INVENTORY

Park Name	Developed Acres	Planned Acres	Pavilion/ Restrooms	Playgrounds	Sport Courts
Centerville Community Park	21.23	6.0	1	1	-
Freedom Hills Park	9.28	-	1	1	-
Island View Park	6.00	-	1	1	2
Parrish Creek Parkway	0.00	1.5	-	-	-
Centerville Commons	0.68	-	-	-	-
Founders Park	2.52	-	1	1	-
Porter-Walton Park	3.00	-	1	1	1
Smoot Park	6.90	-	1	1	2
Total	49.61	7.5	6	6	5

According to the 2010 U.S. Census, Centerville had a population of 15,335 with an average of 3.14 persons per household. Table A shows a total of 49.61 acres of developed parks. The LOS was determined using the following formula:

$$\frac{49.61 \text{ ACRES OF DEVELOPED PARK}}{15,335 \text{ RESIDENTS}} \times 1,000 = 3.24 \text{ ACRES OF DEVELOPED PARKS PER 1,000 RESIDENTS}$$

ADJUSTMENTS TO THE PARK STANDARDS FOR IMPACT FEES

The standard of 3.24 acres/1,000 residents as outlined in the General Plan was based on the inventory of developed parks and the population in 2010. The population has since changed. In 2011, 212 building permits were issued and in 2012 there were 127 (339 total). Based on the following calculation, Centerville's estimated population is 16,339.

$$339 \text{ BUILDING PERMITS} \times 3.14 \text{ PERSON PER HOUSEHOLD} + 15,335 \text{ 2010 POPULATION} = 16,339$$

When determining the LOS that should be used to determine the maximum park impact fee, the inventory of parks needs to be adjusted to reflect the following: how the parks were financed to arrive at the 49.61 acres of developed parks, any park parcels donated to the City or owned by other entities and any pocket parks that should not be included in the park inventory as they do not serve the entire population of Centerville.

PARK FINANCING

The Centerville Community Park, the developed part of the Freedom Hills Park, Island View Park, and the Porter-Walton Park were all purchased and developed by the City either through the sale of other city-owned property, impact fees, or General Funds.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

NON-CITY OWNED/DONATED PARCELS

The City owns 1.15 of the 2.52 acres of Founders Park, but developed and maintains all of it. All 6.9 acres of Smoot Park was donated to Centerville City as the land was located in a flood plain and unbuildable. The original owners donated the land with an agreement the City would develop and maintain the property as a park. The City developed and maintains all of Smoot Park.

As the Park Impact Fee Facilities Plan (Table D) shows, development of a park can conservatively be estimated to be 60% of the cost of a city park. For this reason, 1.97 acres of Founders park (1.15 city owned + .82 county owned) and 4.14 acres of Smoot Park will remain in this analysis as being financed and developed by the City. The remaining 3.31 will be removed from the total acres of developed parks for an adjusted total of 46.3 acres.

POCKET PARKS

The Centerville Commons Park does not serve the entire population of Centerville; for this reason, the .68 acres will not be considered when determining the park impact fee. The total acres of developed parks for this study will then be adjusted to 45.62 acres.

ADJUSTED LOS FOR DEVELOPED PARKS AND PARK AMENITIES

The current estimated population is 16,339 residents and the adjusted amount of developed parks is 45.62 acres. The actual LOS for developed parks is then 2.79 acres of developed parks per 1,000 residents.

$$\frac{45.62 \text{ ACRES OF DEVELOPED PARK}}{16,339 \text{ RESIDENTS}} \times 1,000 = 2.79 \text{ ACRES OF DEVELOPED PARKS PER 1,000 RESIDENTS}$$

In addition, Centerville currently has six (6) pavilions and restrooms, (6) community playgrounds and five (5) sport courts used for either tennis or basketball. Together, these are referred to as the park amenities. The LOS for the park amenities are one (1) pavilion/restroom and playground per 2,723 residents and one (1) sport court per 3,268 residents.

$$\frac{6 \text{ PAVILIONS/RESTROOMS AND PLAYGROUNDS}}{16,339} = 1 \text{ PER } 2,723 \text{ RESIDENTS}$$
$$\frac{5 \text{ COURTS}}{16,339 \text{ RESIDENTS}} = 1 \text{ PER } 3,268 \text{ RESIDENTS}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CENTERVILLE PAVED TRAILS STANDARD

Table B is an inventory of paved trails in Centerville.

TABLE B: PAVED TRAILS INVENTORY

Trail Location/Name	Miles
Freedom Hills Park	1.66
Community Park	0.86
Frontage Road Parkway	1.80
Porter/Walton Park	0.33
Island View Park	0.22
Legacy Parkway	2.86
Bamberger Trail	0.58
Total	8.31

Using the same methodology for determining parks per 1,000 residents, the LOS for paved trails in Centerville is .51 miles of paved trail per 1,000 residents. The LOS was determined using the following formula:

$$\frac{8.31 \text{ MILES OF PAVED TRAILS}}{16,339 \text{ RESIDENTS}} \times 1,000 = .51 \text{ MILES OF PAVED TRAILS PER 1,000 RESIDENTS}$$

FUTURE DEMAND

The build out population for Centerville is projected to include an additional 1,215 units or 3,815 new residents based on December 2012 data of available land and the zoning designations for that land.

$$1,215 \text{ UNITS} \times 3.14 \text{ PERSONS PER HOUSEHOLD} = 3,815 \text{ NEW RESIDENTS}$$

This land and zoning data is provided below.

TABLE C-1: AVAILABLE LAND AND ZONING DESIGNATIONS

Zone	Acres	Units/Acre	~New Units
R-H	1.4	12	17
R-L	37.7	4	151
A-L Redevelopment	179.1	3	537
A-L Undeveloped	127.6	4	510
Total New Units			1,215

Source: Cory Snyder, Centerville Community Development Director

Based on demographic and economic projections provided by the Utah Governor's Office of Planning and Budget (GOPB) for Davis County beginning in 2013 and beyond, the assumption Centerville will grow at the same rate as the County, building permit data in 2011 and 2012 (1,004 new residents), and census data of 3.14 persons per household, Centerville is projected to reach build-out sometime in 2029 with a population of 20,154 as shown in the Table C-2.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

TABLE C-2: PROJECTED GROWTH FOR CENTERVILLE

Year	Growth Rate	Population	Additional Units	Year	Growth Rate	Population	Additional Units
2012		16,339		2021	1.25%	18,568	73
2013	1.60%	16,600	83	2022	1.22%	18,791	72
2014	1.56%	16,859	82	2023	1.19%	19,012	71
2015	1.52%	17,115	82	2024	1.16%	19,230	70
2016	1.48%	17,368	81	2025	1.13%	19,444	69
2017	1.44%	17,618	80	2026	1.10%	19,656	68
2018	1.41%	17,866	79	2027	1.07%	19,865	67
2019	1.37%	18,111	78	2028	1.05%	20,070	66
2020	1.28%	18,341	74	2029	0.31%	20,154	20
				Total			1,215

To maintain the LOS of 2.79 acres of developed community and neighborhood parks per 1,000 residents, 1 pavilion/restroom and playground per 2,723 residents and 1 sport court per 3,268 residents for the estimated 3,815 future residents, the City will need an additional 10.64 acres of developed parks as well as 1 additional pavilion/restroom, playground, and sport court.

$$3,815 \text{ NEW RESIDENTS} \times 2.79 \text{ ACRES OF DEVELOPED PARK}/1,000 = 10.64 \text{ ACRES}$$

$$3,815 \text{ NEW RESIDENTS}/2,723 = \sim 1 \text{ PAVILION/RESTROOM AND PLAYGROUND}$$

$$3,815 \text{ NEW RESIDENTS}/3,268 = \sim 1 \text{ SPORT COURT}$$

Further, the current LOS for paved trails is .51 paved miles per 1,000 residents. To maintain this LOS with the additional residents, the City will need to provide an additional 1.95 miles of paved trails.

$$3,815 \text{ NEW RESIDENTS} \times .51 \text{ MILES}/1,000 = 1.95 \text{ MILES PAVED TRAILS}$$

MEETING THE DEMAND

Centerville has purchased undeveloped land to provide for future development. As a result, the City now owns six (6) undeveloped acres next to the Community Park for future Community Park Expansion and one and one-half (1.5) acres on Frontage Road south of Chase Lane currently designated as the Parrish Creek Parkway.

Centerville uses a plan-based methodology to determine the total cost and the maximum park impact fee allowed. A park impact fee would fund the demand created by the additional 3,815 residents on the City's developed parks, park amenities and paved trails. Centerville has adopted a Parks Capital Improvement Plan (CIP) outlining the future development and improvement of the City's park system. Table D constitutes the Park Impact Fee Facilities Plan (IFFP) incorporating elements of the Parks CIP that can be funded with park impact fees. Included in the Park IFFP is a description of the planned parks, park amenities and trails and the estimated costs as of December 2012, provided by Centerville City's Engineer from ESI Engineering, Inc. ESI has been involved extensively in developing the City's current parks.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

TABLE D: PARK IMPACT FEE FACILITIES PLAN

Park/Trail	Description	Cost
Trail Improvements	D&RG Trail Match (pave 1.34 miles)	\$ 40,000
Community Park Expansion (6.0 acres)	Total	\$ 820,000
	<i>Phase 1: Concept and Design</i>	\$ 20,000
	<i>Phase 2: Grading</i>	\$ 50,000
	<i>Phase 3: Drainage and Utilities</i>	\$ 100,000
	<i>Phase 4: Irrigation and Seed</i>	\$ 500,000
	<i>Phase 5: Parking and Path (pave .26 miles)</i>	\$ 150,000
Parrish Creek Parkway (1.5 acres)		\$ 150,000
Future Park(s) (Location Not Yet Determined)*	Total	\$ 490,000
	<i>Purchase of Property (2.16 acres)</i>	\$ 205,000
	<i>Phase 1: Concept and Design</i>	\$ 6,000
	<i>Phase 2: Grading</i>	\$ 18,000
	<i>Phase 3: Drainage and Utilities</i>	\$ 36,000
	<i>Phase 4: Irrigation and Seed</i>	\$ 180,000
	<i>Phase 5: Parking and Path (pave .35 miles)</i>	\$ 45,000
Park Amenities (Sport Court, Pavilion/Restroom, Playground)		\$ 300,000
City Hall/Founders Park Expansion (.98 acres)	Purchase and Improve	\$ 700,000
	Total	\$ 2,500,000

Included in the Park IFFP are 10.64 acres of developed parks, park amenities including 1 pavilion/restroom, playground, and sport court and 1.95 miles of paved trails needed to maintain the current LOS in Centerville for parks, park amenities and trails with the additional 3,815 future residents.

*The Parks CIP shows Future Park(s) at 7.21 additional acres, this is based on a park standard of 3.24 acres per 1,000 residents. The Park IFFP shows 2.16 acres; this is the portion of the Future Park(s) required to maintain the adjusted LOS of 2.79 acres of developed parks per 1,000 residents.

FUNDING

Centerville will use park impact fees as the primary source of revenue for new parks, park amenities and trails identified in the Park IFFP in an effort to maintain the LOS. Impact fees are necessary to achieve an equitable allocation of costs incurred as a direct result of new growth.

At the discretion of the City and in accordance with the applicable ordinances, General Plan and Parks CIP, a developer may choose to donate land for parks and trails in lieu of paying park impact fees. The City would determine if a potential donation would meet City needs and determine the fair market value of the donation.

Because commercial development is assumed to create no new demand for developed parks, park amenities or paved trails, only residential development will be charged a park impact fee.

CASH FLOW ANALYSIS FOR PARKS, PARK AMENITIES AND TRAILS

The cash flow summary shown below in Table E indicates impact fee revenue and expenditures necessary to meet demand for growth-related parks, park amenities and trail facilities. This cash flow analysis is for illustrative purposes only and is based on the Park IFFP and maximum justified park impact fee; The City

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

Council will determine the actual timing and costs of specific park improvements and trails as well as the actual amount of the park impact fee.

Population estimates are based on demographic projections provided by the GOPB, building permit information and assume Centerville will grow at the same rate as Davis County. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the cash flow and timing of projects.

TABLE E: CASH FLOW ANALYSIS

Year	Population	New Units	Impact Fee Revenue	Park/Trail Project (Identified in IFFP)	Capital Costs	Surplus (Deficit)
2013	16,600	83	\$ 170,781.89	D&RG Trail Match; Community Park Exp P1 & 2	\$ 110,000.00	\$ 60,781.89
2014	16,859	82	\$ 168,724.28	Community Park Exp P3	\$ 100,000.00	\$ 129,506.17
2015	17,115	82	\$ 168,724.28			\$ 298,230.45
2016	17,368	81	\$ 166,666.67	Community Park Exp P4	\$ 500,000.00	\$ (35,102.88)
2017	17,618	80	\$ 164,609.05	Community Park Exp P5	\$ 150,000.00	\$ (20,493.83)
2018	17,866	79	\$ 162,551.44	Parrish Creek Parkway	\$ 150,000.00	\$ (7,942.39)
2019	18,111	78	\$ 160,493.83			\$ 152,551.44
2020	18,344	74	\$ 152,263.37	Future Park Purchase	\$ 205,000.00	\$ 99,814.81
2021	18,573	73	\$ 150,205.76	Future Park P1 & 2	\$ 24,000.00	\$ 226,020.58
2022	18,799	72	\$ 148,148.15	Future Park P3 & 4	\$ 216,000.00	\$ 158,168.72
2023	19,022	71	\$ 146,090.53	Future Park P5	\$ 45,000.00	\$ 259,259.26
2024	19,242	70	\$ 144,032.92	Park Amenities	\$ 300,000.00	\$ 103,292.18
2025	19,459	69	\$ 141,975.31			\$ 245,267.49
2026	19,674	68	\$ 139,917.70			\$ 385,185.19
2027	19,885	67	\$ 137,860.08			\$ 523,045.27
2028	20,093	66	\$ 135,802.47	Founders Park Expansion	\$ 700,000.00	\$ (41,152.26)
2029	20,154	20	\$ 41,152.26			\$ 0.00
Total			\$ 2,500,000.00		Balance	\$ 0.00

The Impact Fee Act requires that any funds collected by impact fees be used within six years of collection and must be used for projects identified on the Park IFFP. This cash flow analysis assumes park improvements outlined on the Park IFFP would take place in a timely manner as development occurs and impact fees are collected. However, if City Council chooses to accelerate the construction of park improvements, they could ask voters to approve a bond issue. Any related indebtedness could then be paid, at least in part, with future park impact fees as they become available.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CURRENT PARK IMPACT FEES

Centerville currently charges and has been charging since July 7, 1998 a park impact fee of \$1,200 per residential unit. This is the lowest fee in South Davis County except for the notable exception of Bountiful, which does not charge a park impact fee. The average park impact fee in neighboring communities is \$2,238.17 (\$1,918.43 including Bountiful). Kaysville is currently reviewing their park impact fee.

TABLE F: PARK IMPACT FEE COMPARISON

City	Park Impact Fee
West Bountiful	\$ 2,822.00
Bountiful	\$ -
Farmington	\$ 2,500.00
Woods Cross	\$ 2,314.00
North Salt Lake	\$ 2,300.00
Layton	\$ 1,873.00
Kaysville	\$ 1,620.00
Centerville	\$ 1,200.00

RECOMMENDED PARK IMPACT FEE

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is \$2,500,000. This cost distributed equally to the new residential units would justify a maximum park impact fee of \$2,057.61.

$$\text{\$2,500,000 TOTAL COSTS} / \text{1,215 UNITS} = \text{\$2,057.61}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

AMENDMENT TO THE 2012 PARK IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS (JANUARY 2017)

At the time the City prepared the 2012 Park Impact Fee Facilities Plan and Impact Fee Analysis (IFFP/IFA), the City relied upon estimates for future park development. Since that time, the City has initiated the development of an expansion of the Centerville Community Park. Due to the inflation of construction costs, actual costs are much higher than estimated. The city is now amending the 2012 Park IFFP/IFA to reflect actual costs.

EXECUTIVE SUMMARY AMENDMENTS

The following paragraphs have been amended to read as follows:

The Park IFFP identifies the planned parks, park amenities, and trails needed to maintain the current LOS along with the associated costs. The total cost to add the additional park acreage, park amenities, and paved trails is estimated to be around ~~\$2,500,000~~ **3,486,028**. Impact fees will be charged only to residential development as commercial development is assumed to create no new demand on the parks, park amenities and trail systems. Impact fees will also be the primary source for funding the additional improvements.

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is ~~\$2,500,000~~ **3,486,028**. This cost distributed equally to the new residential units would justify a maximum park impact fee of ~~\$2,057.64~~ **2,869.16**.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

TABLE D: PARK IMPACT FEE FACILITIES PLAN AMENDMENTS

The following amended table shows updated actual costs for the Community Park Expansion and new estimates for the Future Park(s) based on actual costs. The cost per acre to develop the park is \$286,166 (\$1,716,995/6.0 acres).

Water requirements at the park expansion required an irrigation reservoir but may not be needed at future park(s); also, the City anticipates parking requirements for the future park(s) and associated costs will be half what they are for the park expansion. The associated costs (\$498,471 for the reservoir and half of the parking costs) taken from the total cost to develop the park expansion give a cost per acre to develop a park of \$203,081 (\$1,716,955-\$498,471/6.0 acres).

AMENDED TABLE D: PARK IMPACT FEE FACILITIES PLAN

Park/Trail	Description	Cost	Amended
Trail Improvements	D&RG Trail Match (pave 1.34 miles)	\$ 40,000	\$ 25,379
Community Park Expansion (6.0 acres)	Total	\$ 820,000	\$ 1,716,995
	<i>Phase 1: Concept and Design</i>	\$ 20,000	
	<i>Phase 2: Grading 2015 Phase</i>	\$ 50,000	\$ 408,560
	<i>Phase 3: Drainage and Utilities 2017 Phase</i>	\$ 100,000	\$ 671,955
	<i>Phase 4: Irrigation and Seed 2018 Phase</i>	\$ 500,000	\$ 636,480
	<i>Phase 5: Parking and Path (pave .26 miles)</i>	\$ 150,000	
Parrish Creek Parkway (1.5 acres)		\$ 150,000	\$ 150,000
Future Park(s) (Location Not Yet Determined)*	Total	\$ 490,000	\$ 643,654
	<i>Purchase of Property (2.16 acres)</i>	\$ 205,000	\$ 205,000
	<i>Phase 1: Concept and Design</i>	\$ 6,000	
	<i>Phase 2: Grading-Park Development</i>	\$ 18,000	\$ 438,654
	<i>Phase 3: Drainage and Utilities</i>	\$ 36,000	
	<i>Phase 4: Irrigation and Seed</i>	\$ 180,000	
	<i>Phase 5: Parking and Path (pave .35 miles)</i>	\$ 45,000	
Park Amenities (Sport Court, Pavilion/Restroom, Playground)		\$ 300,000	\$ 250,000
City Hall/Founders Park Expansion (.98 acres)	Purchase and Improve	\$ 700,000	\$ 700,000
	Total	\$ 2,500,000	\$ 3,486,028

*The Parks CIP shows Future Park(s) at 7.21 additional acres, this is based on a park standard of 3.24 acres per 1,000 residents. The Park IFFP shows 2.16 acres; this is the portion of the Future Park(s) required to maintain the adjusted LOS of 2.79 acres of developed parks per 1,000 residents.

RECOMMENDED PARK IMPACT FEE AMENDMENT

Based on the amended Park Impact Fee Facilities Plan (Amended Table D above), the recommended park impact fee calculation is amended to read as follows:

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is ~~\$2,500,000~~ **\$3,486,028**. This cost distributed equally to the new residential units would justify a maximum park impact fee of ~~\$2,057.61~~ **2,869.16**.

$$\text{\$2,500,000 TOTAL COSTS/1,215 UNITS} = \text{\$2,057.61}$$

$$\text{\$3,486,028 TOTAL COSTS/1,215 UNITS} = \text{\$2,869.16}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE FACILITIES PLAN RECERTIFICATION

I certify the impact fee facilities plan as amended:

1. Includes only the costs of public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. Costs of operation and maintenance of public facilities;
 - b. Costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. An expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodology standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fee Act.

Centerville City

Jacob J. Smith
Management Services Director

Date

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE ANALYSIS RECERTIFICATION

I certify the impact fee analysis as amended:

1. Includes only the costs of public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. Costs of operation and maintenance of public facilities;
 - b. Costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. An expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
3. Offsets costs with grants or other alternate sources of payment; and
4. Complies in each and every relevant respect with the Impact Fees Act.

Centerville City

Jacob J. Smith
Management Services Director

Date

Park Impact Fees, Davis County

	Single Unit	Multiple Unit	Last Update	Changes upcoming
Bountiful*				
Clearfield	2,339	1,441	2016	
Clinton	2,027		2007	2018
Farmington	4,049	3,828	2016	
Fruit Heights	1,115	743	2007	2018
Kaysville	1,525		2011	2018
Layton	1,873	1,381		
North Salt Lake	2,200	1,800	2012	
South Weber	2,096	2,061	2017	
Sunset*				
Syracuse	2,393		2013	
West Bountiful	2,096		2013	
West Point	2,380	1,780	2002	2018 or 2019
Woods Cross	2,929	1,678	2017	

* No Park Impact Fee

Last Updated: 12/29/17

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 6

Short Title: Fee Schedule Amendments - Employee Resident Status

Initiated By: Employees Association

Scheduled Time: 7:55

SUBJECT

Consider proposed Fee Schedule Amendments to various sections of the Centerville Fee Schedule to provide current employees resident status for purposes of certain fees - Resolution No. 2018-03

RECOMMENDATION

Approve Resolution No. 2018-03 amending various sections of the Centerville Fee Schedule to provide current employees resident status for purposes of certain fees.

BACKGROUND

The Employees Association requested the City Council consider providing current and former employees with resident status for purposes of certain fees charged by the City, such as cemetery, burial and park pavillion fees. The Council discussed this matter at previous meetings and directed Staff to prepare proposed amendments to the Centerville Fee Schedule to provide current (but not former) employees with resident status for purposes of cemetery, burial, park pavillion, and recreation program fees. Resolution No. 2018-03 has been prepared for this purpose for Council consideration. In preparing this Resolution, Staff also found that the City distinguishes between residents and non-residents for purposes of fingerprinting costs provided by the Police Department as set forth in Section 16.010. Staff recommends amending this section as well to provide employees with resident pricing for fingerprinting services. Such proposed amendments to Section 16.010 are included in the attached Resolution No. 2018-03.

ATTACHMENTS:

Description

- Resolution No. 2018-03 - Employee Resident Status

RESOLUTION NO. 2018-03

A RESOLUTION AMENDING VARIOUS SECTIONS OF THE CENTERVILLE FEE SCHEDULE TO PROVIDE CURRENT EMPLOYEES RESIDENT STATUS FOR PURPOSES OF CERTAIN FEES

WHEREAS, the City Council desires to amend various sections of the Centerville Fee Schedule in order to provide current employees resident status for purposes of certain fees as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed amendments to the Centerville Fee Schedule are desirable and beneficial to provide current employees with resident status for purposes of certain fees.

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

Section 1. Amendment. Footnote 1 to Section 6.010 of the Centerville Fee Schedule regarding the definition of “resident” for purposes of Cemetery and Burial Fees is hereby amended to read in its entirety as follows:

1. As used herein, the term “Resident” shall be defined as:
 - a. Any person who was domiciled within the corporate limits of Centerville City, Utah, at the time of death, regardless of actual place of death; or
 - b. Any person owning real property within the corporate limits of Centerville City, Utah, at the time of death, regardless of the residence or domicile of such person; or
 - c. Any person who was a legal resident of Centerville, Utah, at the time of death, regardless of domicile; ~~or~~
 - d. Any person who was formally domiciled within the corporate limits of Centerville City, Utah, immediately prior to moving from the City for the purpose of becoming domiciled in any facility for the purpose of receiving medical or residential care; or
 - d.e. Any current employees of Centerville City and their immediate family members living in the same household.

Section 2. Amendment. Section 15.020 of the Centerville Fee Schedule regarding Park Pavillion Fees is hereby amended to add a new Footnote 4 regarding the definition of “Resident” and a new Footnote 5 regarding the definition of “Non-resident” to read as follows:

4. As used herein, the term “Resident” shall be defined as:
 - a. Any person who is a legal resident of Centerville; or
 - b. Any current employees of Centerville City and their immediate family members living in the same household.
5. As used herein, the term “Non-resident” shall be defined as any person who does not meet the definition of “Resident” as set forth herein.

Section 3. Enactment. Section 15.040 of the Centerville Fee Schedule regarding Recreation Program Fees is hereby enacted to read in its entirety as follows:

15.040. Recreation Program Fees

Centerville City provides certain recreational programs on an annual, seasonal or limited basis. Such recreation program fees shall be determined by the Recreation Program Director and set forth on the City Website or other reasonable means of notice. For purposes of City recreational programs and fees, the term “Resident” shall be defined as: (1) any person who is a legal resident of Centerville; or (2) any current employees of Centerville City and their immediate family members living in the same household. For purposes of such programs and fees, the term “Non-resident” shall be defined as any person who does not meet the definition of “Resident” as set forth herein.

Section 4. Amendment. Section 16.010 of the Centerville Fee Schedule regarding Police Department Fees is hereby amended to add a new Footnote 1 regarding the definition of “Resident” and a new Footnote 2 regarding the definition of “Non-resident” to read as follows:

1. As used herein, the term “Resident” shall be defined as:
 - a. Any person who is a legal resident of Centerville; or
 - b. Any current employee of Centerville City and their immediate family members living in the same household.
2. As used herein, the term “Non-resident” shall be defined as any person who does not meet the definition of “Resident” as set forth herein.

Section 5. Severability Clause. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 6. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 2nd DAY OF JANUARY, 2018.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Clark A. Wilkinson

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 2018.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 7

Short Title: Review 1250 West Pathway Plan

Initiated By: City staff

Scheduled Time: 8:05

SUBJECT

RECOMMENDATION

Allow staff to explain the proposed alignment, design and cost estimate for a multi-use pathway on 1250 West from Parrish Lane to 1275 North. Give direction regarding the submittal of a federal funding application for this project.

BACKGROUND

The City submitted a Letter of Intent in October 2017 to WFRC for federal funding for pedestrian and bicycle paths in the 1250 West corridor. The next step is submittal of a concept report to WFRC by January 18, 2018. Since October, staff have discussed this matter further and propose a single, multi-use pathway instead of a sidewalk and bike lanes on the road. Staff's proposal is now a 10-foot wide asphalt pathway to be used by both pedestrians and bicyclists, along the west side of 1250 West from Parrish Lane to 1275 North where it would tie into the Legacy Parkway Trail.

The southern segment would be constructed by the developer of the property on the northwest corner of Parrish/1250 West. The RDA could also provide some of the match by using some tax increment generated in the Barnard Creek CDA.

The attached cost estimates from the City Engineer show how the cost estimate has increased from \$337,350 to \$457,600 with the change in width and related landscaping impacts. The pathway could be constructed in phases over a number of years, which may make the City's application more likely to be at least partially funded.

ATTACHMENTS:

Description

- ☐ City Engineer Cost Estimates
- ☐ 1250 West Multi-use Trail Cross Section

Marsha Morrow

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Thursday, December 28, 2017 12:43 PM
To: Steve Thacker
Subject: TAP - 1250 West Multi-use Trail - Parrish Ln. to 1275 North - UPDATED ESTIMATE
Attachments: 1250 West - Multi-use Trail.pdf

Steve,

I am having a tough time accessing the TAP cost estimate form from the WFRC website. They are transitioning their website and say the forms will be accessible, but I can't get them to pull up right now. Below is an updated estimate and attached is a concept cross section. We can input the numbers below into the TAP form later when I am able to pull it up.

Legacy Commons (Wright Property):

1. 650 LF of 10' wide asphalt path (including road-base) x \$38 / LF = \$24,700
2. 400 CY of Grubbing and clearing x \$20 / CY = \$8,000
3. 800 CY of granular fill x \$25 / CY = \$20,000
4. 5 Ped ramps x \$1,000 / Each = \$5,000

SUBTOTAL = \$57,700

North Property line of Wright Property to 1275 North:

1. 2,600 LF of 10' wide asphalt path (including road-base) x \$38 / LF = \$98,800
2. 850 CY of grubbing and clearing x \$20 / CY = \$17,000
3. 800 CY of granular fill x \$25 / CY = \$20,000
4. 16 Ped ramps x \$1,000 Each = \$16,000
5. 25 Remove trees as needed x \$1,000 / Each = \$25,000
6. 25 Replace trees as needed x \$500 = \$12,500
7. 800 LF of slope retainage x \$50 / LF = \$40,000
8. 20,000 SF of restore landscaping and sprinklers x \$3 / SF = \$60,000
9. 10 Each - Relocate utility boxes x \$500 = \$5,000

SUB-TOTAL = \$294,300

TOTAL CONSTRUCTION COST = \$352,000

Engineering 15% = \$52,800

Contingency 15% = \$52,800

TOTAL COST ESTIMATE = \$457,600

From: Kevin Campbell
Sent: Friday, October 27, 2017 4:08 PM
To: Steve Thacker <stevet@centervilleut.com>
Subject: 1250 West Sidewalk - Parrish Ln. to 1275 North

Steve,

Here is a rough estimate:

Legacy Commons (Wright Property):

1. 650 LF of 6' wide sidewalk (incl. road-base) x \$ 35 / LF = \$22,750
2. 250 CY of Grubbing and clearing x \$20 / CY = \$5,000
3. 500 CY of granular fill x \$25 / CY = \$12,500
4. 5 Ped ramps x \$750 / Each = \$3,750

SUB-TOTAL = \$44,000

North Property line of Wright Property to 1275 North:

1. 2,600 LF of 6' wide sidewalk (incl. road-base) x \$35 / LF = \$91,000
2. 700 CY of grubbing and clearing x \$20 / CY = \$14,000
3. 500 CY of granular fill x \$25 / CY = 12,500
4. 16 Ped ramps x \$750 Each = \$12,000
5. 12 Remove trees as needed x \$1,000 / Each = \$12,000
6. 10 Remove and Replace trees as needed x \$1,500 = \$15,000
7. 800 LF of slope retainage x \$50 / LF = \$40,000
8. 3,000 SF of restore landscaping and sprinklers x \$3 / SF = \$9,000
9. 20 Each - Relocate utility boxes x \$500 = \$10,000

SUB-TOTAL = \$215,500

TOTAL CONSTRUCTION COST = \$259,500

Engineering 15% = \$38,925

Contingency 15% = \$38,925

TOTAL COST ESTIMATE = \$337,350

Let me know of any questions on assumptions that were used for this concept estimate.

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

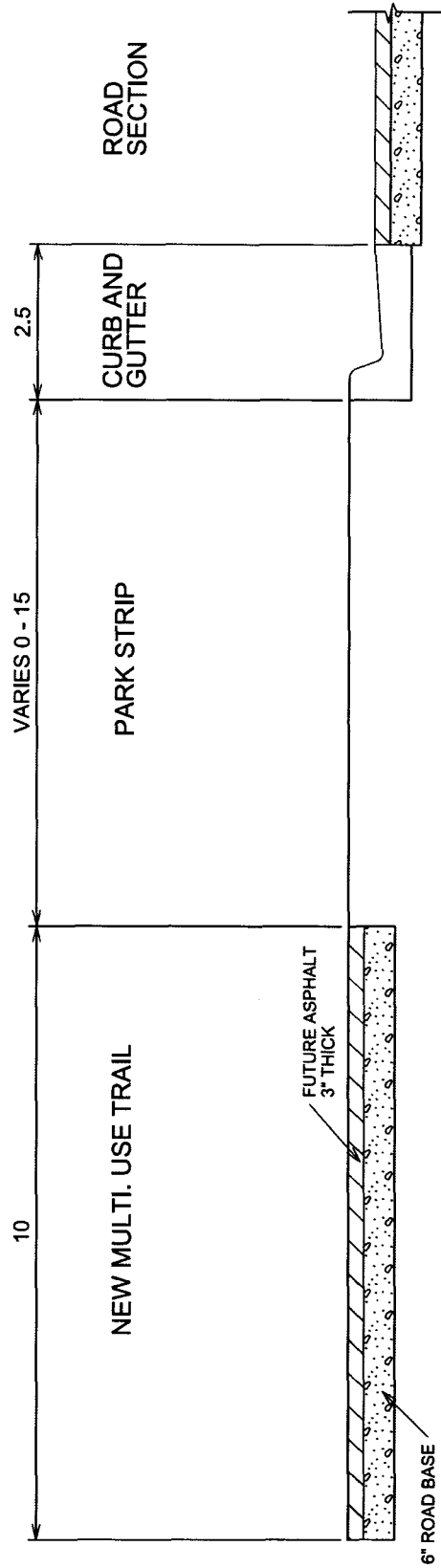
DESIGN	HMC
DRAWN	HMC
CHECKED	K.C.
DATE	12/08/17

TAP APPLICATION
1250 W. PARRISH LN TO 1275 N.
MULTI. USE TRAIL



ESI ENGINEERING
CONSULTING ENGINEERS AND LAND SURVEYORS
3500 SOUTH MAIN STREET SUITE 206
SALT LAKE CITY, UTAH 84115
TEL: (801) 263-1752

SHEET	1
OF	1
PROJECT NO.	16-088



- NOTES:
1. DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 8.

Short Title: Mayor's Report

Initiated By: Mayor Wilkinson

Scheduled Time: 8:20

SUBJECT

RECOMMENDATION

Although no topics are shown under this heading, Mayor Wilkinson may report on several matters of City interest.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 9

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 8:30

SUBJECT

- a. List of 2017 projects and issues
- b. List of 2018 projects and issues
- c. Update re 1250 West extension
- d. Preparation for work session with Legislators
- e. Schedule work sessions for South Main Street and Pages Lane
- f. Local Officials Day at Legislature

RECOMMENDATION

BACKGROUND

a. and b. At the end of each calendar year, the City Manager prepares a list of projects and issues City officials have dealt with during the year ending, and a list of projects and issues anticipated for the coming year. He began this practice many years ago to have a record of the past year in his own career file, and to help him plan and manage the workload in the year to come. He has shared these lists with the City Council in case they also want a summary of what they accomplished and a tool to help them anticipate and plan ahead. The 2017 and 2018 lists (attached) do **not** include the normal daily operations/activities of the various City departments.

c. The City Manager will report on staff's recent involvement in planning for the future extension of 1250 West north of 1275 North. See the attached aerial photo with proposed road alignment overlaid.

d. The City Manager will make recommendations regarding the Council's preparation for a January 16 work session with the State Legislators representing Centerville residents. All three Legislators--Senators Weiler and Adams and Rep. Hawkes--have confirmed their attendance for that work session.

e. The City Manager recommends the Council set dates for work sessions for these discussion topics: 1) replacement of South Main Street Corridor Plan with design guidelines and expanded land uses; and 2) Pages Lane corridor redevelopment vision (General Plan amendment tabled in November 2017).

f. The annual Local Officials Day at the Legislature, sponsored by the Utah League of Cities and Towns, will be on January 24th. The agenda is attached. Youth Council members meet first at the Capitol and then move to the Salt Palace Convention Center. Municipal leaders are welcome to begin at the Capitol if they wish, but there is no program for them until 11:00 a.m. at the Salt Palace, followed by lunch with keynote speaker. The cost for adults is \$85. State Legislators representing Centerville will be invited to sit at the

same table as Centerville leaders and Youth Council members. In the past, Youth Council members who are high school seniors and have been actively participating will be given priority for use of the Youth Council budget designated for this activity. In other words, not all Youth Council members will attend.

ATTACHMENTS:

Description

- ▣ 2017 Projects and Issues
- ▣ 2018 Projects and Issues
- ▣ Aerial Photo - 1250 West Extension

Projects & Issues—Looking Back to 2017

Transportation Planning/Improvements

- Completed trailhead improvements at 1250 West/Parrish Lane intersection via Maverik agreement and partnership with UTA
- Extension of 1250 West—cooperated with property owners in planning this road extension to serve Shorelands Commerce Park area (continuing project)
- Worked with UTA to identify desired bus stop improvements on Main Street
- Submitted concept reports/funding applications to WFRC for improvements to two Parrish Lane intersections and South Frontage Road (bike lanes); funding approved for 400 West/Parrish Lane
- Submitted joint app with W. Bountiful for County funding of 1250 West road/pedestrian/bike improvements
- Annual street maintenance/paving/reconstruction projects
- Approved Federal Aid Agreement and began design of Frontage Road widening/bike lane project
- Sidewalk Study implementation: corrected worst conditions (faults over 3 inches); began phased funding/correction of faults under 3 inches

Public Safety

- Emergency Management—continued employee and community preparedness activities
- Participated in location decision re new Centerville fire station
- Began implementation of Community Wildfire Protection Plan
- Revised Police Physical Fitness Policy
- Authorized incentives for hiring police officers
- Converted PO position to Administrative Sgt. Position
- Supported increase in staffing for SDM Fire Service Area
- Repealed Fire Impact Fees in lieu of fees imposed by SDMFSA; Agreement re collection of impact fees by the City
- Community Foundation sponsored “Police Appreciation Week”
- Agreement re use of gun range by other law enforcement agencies
- Approved new agreement with County re dispatch services
- Agreement with UDOT re pedestrian flags at crosswalks on Main Street
- Code amendment re enforcement of parking in fire lanes

Drainage

- Removed abandoned storm drain on Main Street during a water main replacement project
- Completed replacement of Frontage Road culverts
- Awarded contract for drainage system maintenance

Water System

- Constructed new water main under I-15/railroad tracks at Chase Lane
- Replaced pumps in three wells

- Implemented 2nd step in multi-year rate increase to fund water main replacements
- Replaced water main on Main Street using new revenue from 2016 & 2017 rate increases
- Filled new electrician position
- Installed new emergency generators at two wells

Parks & Recreation

- Completed Maverik trailhead improvements (also listed under “Transportation . . .”)
- CC made allocation decisions re use of RAP Tax revenue and began distributions to Museum and Centerpoint Theatre
- Constructed Phase 2 of Community Park Expansion, including paved trail, reservoir/pump station to use groundwater for irrigation, expansion of parking lot, and additional Weber Basin connection for irrigation of existing park
- Completed conceptual design of Island View Park renovation; applied for federal funding for Phase 1
- Asphalt maintenance activities: repaved Community Park pathway; slurry sealed Bamberger Parkway and parking lots
- Authorized preparation of conceptual plan for a mountain bike trail
- Renamed Founders Park as “William R. Smith Park”
- Secured commitment from RSL to fund a futsal court in Community Park
- Prepared update of Park Impact Fee Facilities Plan and Analysis
- Studied options for creating more burial spaces in cemetery; identified spaces available in older sections; revised cemetery fees; implemented burial rights repurchase program

Community Planning/Development

- Reviewed accessory buildings setbacks; CC approved amendments re R-L zone but denied ordinance re A-L zone
- Removed high-density housing as allowable use in SE Neighborhood in General Plan, per CC direction
- Amended R-M zone density provisions
- CC denied General Plan amendment re Brighton proposal for Pages Lane
- Studied Pages Lane corridor for redevelopment/revitalization potential; CC tabled action on proposed General Plan amendment
- Began review of South Main Street Corridor Plan to consider expanding allowable land uses and replacing plan/regulations with design guidelines
- Continued update of subdivision ordinance with help of consultant
- Conducted biennial review of Moderate Income Housing Plan and submitted report to State
- Code amendment re business licensing fees (home occupations)
- Business license revocation matter (Cleaner Image Dry Cleaning)
- Nomination of Ron’s Service Station for National Register of Historic Places--submitted to State
- Approved preservation incentives for Historic Landmark Register properties
- Sidewalk deferral agreement with Samuelson

- Authorized RDA funding to assist with 400 West improvements relating to QuickQuack Car Wash
- CC considered subdivision plats and zoning code/map amendments forwarded from Planning Commission—**see attached list of 2017 ordinances**

Miscellaneous

- Identified and addressed financial issues affecting RDA and Cemetery Perpetual Care Fund
- Contracted with CPA firm to serve as financial advisor; addressed audit issues
- Reorganized Finance Department into Management Services Department
- Increased certified property tax rate through Truth-in-Taxation process
- Performing Arts Center—authorized HVAC commissioning review
- Added HSA/High-Deductible Plan to employee health insurance options
- Completed comprehensive update of Municipal Code and made it available online via MCO contract
- Comprehensive update of Fee Schedule and made available online via MCO
- Oversight of construction of Dominion Energy (Questar) transmission main through Centerville west side
- Constructed parking lot on Whitaker Home property
- Code amendments re Museum property (Title 8)
- Hired City Recorder replacement
- Executed agreement with County officials regarding 100 South property
- Contracted with County to administer “vote-by-mail” municipal election
- Studied alternatives to traditional curbside green waste pickup program
- Participated in State Legislative Session via ULCT
- Request from Employee Association re “resident” status for fees
- Personnel Policies amendments
- Resolution supporting extension of Legacy Parkway Scenic Byway designation
- Annual approval of Salary Administration Guidelines and related documents
- Replaced PC recording secretary twice
- **See attached list of 2017 Resolutions**

Centerville City – Ordinances Adopted in 2017

December 20, 2017

[illegible]

Centerville City – Resolutions Adopted in 2017
December 20, 2017

[illegible]

Projects and Issues—Looking Ahead to 2018
(as anticipated by City Manager as of 12/29/17)

Transportation Planning/Improvements

- Redesign SE corner improvements and monument sign at 1250 West/Parrish Lane (Hogan donation?)
- Approve NW corner improvements at 1250 West/Parrish Lane as part of private development on that corner
- Determine implementation steps for Complete Streets Policy?? (carry over from 2016 list)
- Extension of 1250 West— continue cooperation with property owners in planning this road extension to serve future Shorelands Commerce Park area
- Construct 1250 West road/pedestrian/bike improvements as joint project with W. Bountiful, if awarded County funding
- Continue working with UTA during planning and construction phases for bus stop improvements
- Submit concept plan/funding apps for Active Transportation Plan (3 cities) and pathway on 1250 West (north of Parrish)
- Design and construct Frontage Road widening/bike lane project—mostly federal funding
- Annual street maintenance/paving/reconstruction projects, including overlay of Frontage Road in conjunction with federal project
- Sidewalk Study implementation: continue phased funding to correct hazards; establish policy re trees in parkstrips; address vegetation conditions
- Determine bike lane striping to be incorporated in 2018 Main Street paving project by UDOT

Public Safety

- Emergency Management—continue employee and community preparedness activities
- Engage property owners in implementation of Community Wildfire Protection Plan
- Participate in design of new Centerville fire station; amend Code to allow Main Street access
- Continue implementation of Community Wildfire Protection Plan
- Community Foundation again sponsor “Police Appreciation Week”
- Evaluate possible transition to Bountiful City dispatch services

Drainage

- Obtain stream alteration permit for future Deuel Creek project on Porter Lane
- Design decant building to meet stormwater quality regulations; CC consider funding

Water System

- Implement 3rd step in multi-year rate increase to fund water main replacement projects
- Review fluoride fee as a component of water rates
- Replace water mains per master plan
- Continue efforts to transfer water system knowledge to other employees in preparation for Randy's retirement

Parks & Recreation

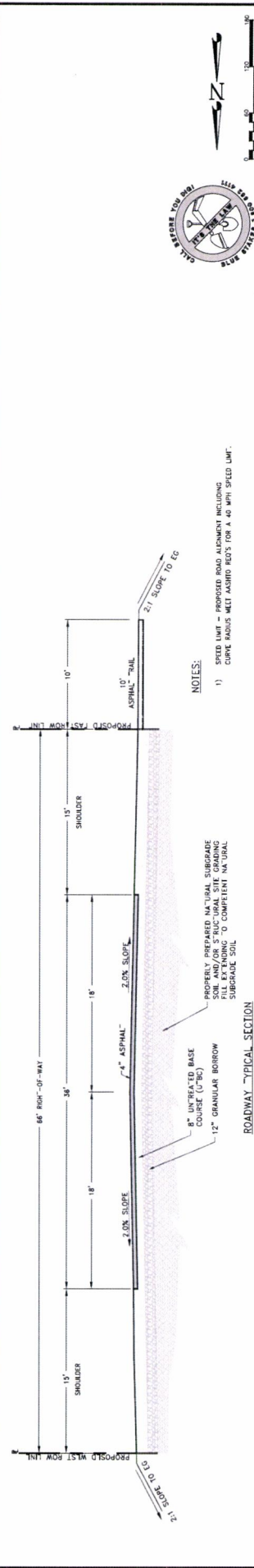
- Construct Phase 3 of Community Park Expansion, including pavilion funded by Tingey family; secure loan from SDRD
- Complete process for receiving federal funding for Island View Park Renovation Phase 1; begin final design; determine how to fund local match
- Prepare conceptual plan for mountain bike trail and proceed with construction if CC approves
- Replace signage in Smith Park; install plaques (fundraising??)
- Construct futsal court in Community Park with RSL funding
- Construct pathway from 100 South to 200 South through natural park
- Asphalt maintenance activities for trails and parking lots
- Adopt update of Park Impact Fee Facilities Plan and Analysis and increase impact fee
- Continue study of ways to create more cemetery burial space

Community Planning/Development

- Continue process of removing high-density housing as allowable use in General Plan, per CC direction
- Prepare foothills recreation development plan with Davis County
- West side General Plan—restart visioning process
- Continue discussion of proposed General Plan amendments re Pages Lane corridor
- Continue review of South Main Street Corridor Plan—consider replacement with design guidelines and expanded land uses
- Shorelands Commerce Park—reactivate effort to create an Economic Development Project Area
- Complete update of Subdivision Ordinance
- Oversee construction of approved new development, including QuickQuack Car Wash, Legacy Commons mixed use project, Parrish Creek Business Park, Moto United motor sports sales site

Miscellaneous

- Performing Arts Center—Complete HVAC commissioning review and prepare long-term comprehensive facility maintenance plan
- Approve Museum policies
- Update employee job descriptions
- Renew Comcast franchise agreement?? (carry over from 2016 list)
- Consider implementation of alternative to traditional curbside green waste pickup program
- Conduct CC goal-setting process??
- Participate in State Legislative Session via ULCT
- Update loans between RDA project areas
- RDA—develop plan for how to use remaining tax increment revenues expected from Parrish Gateway Project Area (carry over from 2016 list)
- Analyze street lighting in commercial corridors (carry over from 2016 list)



- NOTES:
- 1) SPEED LIMIT - PROPOSED ROAD ALIGNMENT INCLUDING CURVE RADIUS MEET AASHTO RECS FOR A 40 MPH SPEED LIMIT.

DRAWN: DECEMBER 2017				CHECKED: DATE			
DESIGNED: DATE				PROJECT MANAGER: DATE			
APPROVED: DATE				PROJECT MANAGER: DATE			
PROJECT NO. 2575				SHEET NO. RD-1			
PROJECT NAME				BY DATE			
REVISIONS				BY DATE			
NO.				NO.			

CENTERVILLE PROJECT

FRONTAGE ROAD CONCEPT PLAN - UDOT



HILLCREST INVESTMENT COMPANY, LLC

CENTERVILLE CITY, UTAH

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 10.

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:

SUBJECT

RECOMMENDATION

At this time staff is not aware of a need for a closed Council meeting, but the agenda allows for that possibility.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
1/2/2018**

Item No. 11.

Short Title: Appointments to boards and committees

Initiated By:

Scheduled Time: 8:45

SUBJECT

RECOMMENDATION

Mayor Wilkinson may recommend a number of appointments.

BACKGROUND

Mayor Wilkinson has been reviewing the current assignments of Council Members to various boards/committees, as well as any expired or soon-to-expire appointments of citizens to City boards/committees. Two documents have been attached showing the current status of appointments (for Council access only, to protect phone numbers). Mayor Wilkinson may recommend one or more appointments, including a Mayor Pro Tem.

ATTACHMENTS:

Description