



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 Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager *A. Thacker*
subject: City Manager's Summary of February 2, 2016 Council Meetings
date: January 29, 2016

5:00 **Financial Work Session** – The Council will meet at 5:00 p.m. to receive a presentation from Ed Erickson, CPA, about the FY 2015 financial audit which his firm performed. Following his presentation and answers to questions from the Council, staff will use the remaining time to educate the Council about City and RDA finances. An outline of the topics to be addressed is in the staff report. The FY 2015 audit report is available to the public as a part of the meeting packet which is accessed via this link: <http://centerville.novusagenda.com/agendapublic>. Dinner will be available for Council, staff and auditor beginning about 4:45 p.m.

7:00 **Regular City Council Meeting**

E.1. **Minutes Review** – The minutes to be approved are available online.

E.2. **Reconsideration of Deuel Creek Historic District Ordinance** – At its January 5, 2016 meeting, the City Council agreed to reconsider the Historic District Ordinance for the possibility of including commercial properties in the incentive program. They directed the Landmarks Commission to discuss this matter and make recommendations to the Council. The Commission has met and now is forwarding their recommendations for the Council to consider, which includes a tiered incentive approach for commercial properties within the District's boundaries.

E.3. **Replacement of Infield Soil in Community Park** – The Parks & Recreation Director and Baseball Coordinator are requesting funding to replace the infield soil on the northeast ballfield at Community Park, similar to what was done years ago for the other three baseball diamonds. The proposed funding sources would be donations from baseball program supporters, profits from baseball concessions, and RAP Tax revenues.

E.4. **Amendments to Urban Deer Control Plan** – In late 2015 the City Council and Utah Division of Wildlife Resources (DWR) approved a plan for lethal reduction of the number of "resident deer" living year-round within the city. DWR required suspension of this effort as of December 31, with startup authorized again on August 1, 2016. Since approving the City's plan, DWR has decided that relocation is now an option for Centerville, and could be done throughout the year. The City would



trap the deer and DWR would relocate the deer to an area that can support more deer. However, if the City chooses this option, it would have to pay DWR \$100 per deer for transmitter tags and blood samples. I am seeking the Council's direction regarding this option.

- E.5. Video Streaming Council Meetings** – Blaine Lutz has done additional research on the equipment and related services for video streaming council meetings. Councilman McEwan proposed this action in an earlier meeting. Blaine's recommendations regarding a camera and archiving/storage services are in his staff report.
- E.6. Amendments to Code re Discharge of Projectiles** – Councilmembers Ivie and McEwan proposed in an earlier meeting either the deletion or amendment of a Code provision regulating the discharge of pellet guns, bb guns, bow & arrow, etc. within City limits. Councilman McEwan and staff have been discussing possible amendments. Two drafts are provided in the staff report for discussion—one from McEwan and staff's redlined version of his draft.
- E.7. Municipal Code Amendments – Title 13 – Criminal Code** – This is the latest Title to be updated/reformatted by the City Attorney in preparation for converting the Code to an online service. If the Council approves an amendment to the section regarding discharge of projectiles (see agenda item immediately above), this will be included.
- E.8. Whitaker Museum Director Position** – Councilmembers Ivie and McEwan have added this item to the agenda. They want to discuss the possibility of upgrading the status of the Museum Director's position from "Limited" to "Part-Time", which would result in an increase in the number of authorized work hours per week and would entitle this employee to additional benefits.
- E.9. Mayor's Report** – Mayor Cutler will report on several matters, including the following: a) invitation to State Legislators to attend a dinner and performance at CenterPoint Theatre; b) a recent COG discussion about potential uses of the County's share of Proposition One revenues; and c) an update about the County-owned property on 100 South Street (sedimentation basin site).
- E.10. City Manager's Report** – I will report on another opportunity to apply for a CLG grant from the Utah Division of State History, and an update of the bid process for fencing on the pedestrian bridge and north side of Parrish Lane.
- E.11. Miscellaneous Business** -- Councilman Ince has proposed a citizen outreach idea that involves one or two councilmembers being available at city hall once a month to discuss City matters with any citizen. Since this would involve a City facility and the City would advertise this, the Council should give its approval before proceeding.
- E.12. Closed Meeting, if needed** – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.
- E.13. Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments to City boards or committees.

Potential Agenda Items for February 16, 2016 City Council or RDA meetings (subject to change):

- 5:30 work session re Streets, Drainage and Water System master plans/CIP and culinary water rates
- Cost-sharing agreement with Maverik re trailhead improvements
- Bid award for pedestrian bridge/Parrish Lane fencing and approval of RDA funding for cost of "betterment"

Mayor
City Council
Department Heads
Planning Commission
January 29, 2016
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- Council liaison report – Stephanie Ivie (Museum and Landmarks Commission)
- Financial Report for seven-month period ending January 31, 2016

mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, FEBRUARY 2, 2016 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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

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

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

Time:

5:00 Financial Work Session, including discussion of FY 2015 Audit

7:00 A. ROLL CALL

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

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Councilman Bill Ince

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

E. BUSINESS

7:10 1. MINUTES REVIEW AND ACCEPTANCE

January 19, 2016 work session and regular Council meeting

(OVER)

- 7:10 2. Reconsideration of Ordinance No. 2015-30 - Creation of Centerville Deuel Creek Historic District - Chapter 12-49
Reconsider Ordinance No. 2015-30 regarding the creation of the Centerville Deuel Creek Historic District and Chapter 12-49 of the Centerville Zoning Code
- 7:20 3. Consider request for replacement of infield soil on northeast baseball diamond in Community Park
- 7:35 4. Discuss possible amendments to Urban Deer Control Plan
- 7:55 5. Consider options for video streaming Council meetings
- 8:15 6. Discuss proposed amendments to Section 13-03-062 of the Centerville Municipal Code regarding Discharge of Missiles or Projectiles
- 8:30 7. Municipal Code Amendments - Title 13 - Criminal Code
Consider Ordinance No. 2016-06 amending and renumbering various provisions of Title 13 of the Centerville Municipal Code regarding the Criminal Code
- 8:40 8. Discussion re hours authorized for Whitaker Museum Director
- 9:00 9. Mayor's Report
a. Legislative Evening at CenterPoint Theatre
b. COG discussion re potential uses of County's share of Prop 1 revenues
c. Update on Davis County property on 100 South Street
- 9:10 10. City Manager's Report
a. CLG grant application funding
b. Pedestrian Bridge/Parrish Lane fencing project
- 9:20 11. Miscellaneous Business
a. Councilmember Ince proposal re citizen outreach
- 9:30 12. Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to *Utah Code Ann.* § 78B-1-137, as amended.
- 9:30 13. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

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

Marsha L. Morrow, MMC
Centerville City Recorder

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E. BUSINESS

- | | | |
|------|-----|--|
| 7:10 | 1. | Minutes Review and Acceptance
January 19, 2016 work session and regular Council meeting |
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Marsha L. Morrow, MMC
Centerville City Recorder

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No.

Short Title: Financial Work Session, including discussion of FY 2015 Audit

Initiated By:

Scheduled Time: 5:00

SUBJECT

RECOMMENDATION

Use the outline below to guide the work session presentations and discussion.

BACKGROUND

- Presentation of Comprehensive Annual Financial Report for FY 2015 (attached), which includes the audit report. Ed Erickson, audit firm partner, will report on audit opinion, findings, and significant audit information, and answer questions from the Council.
- Review of City debt (summary attached)
- Review 6-month Interim Financial Report (attached). This will acquaint the Council with the source of revenues and nature of expenditures in the various accounting funds. Blaine has attached a graph illustrating the fluctuations in the General Fund balance over a number of years. Note that the second page of graphs illustrates an "adjusted" General Fund balance after accounting for the numbers in the table below the last graph. This is a fairer comparison of the FY 2015 end-of-year balance with the prior years. Blaine will explain this adjustment in the work session. He has also attached an educational document about funds and fund balances.
- Impact of RAP Tax revenue, HB 354 gasoline tax increase, Proposition One (transportation sales tax) and creation of Fire Service Area
- Redevelopment Agency Primer--project areas, tax increment revenue, performing arts center, etc. See the attached RDA Annual Report.
- Summary of Parks Capital Improvement Plan (attached) and potential funding sources
- Explanation of annual budget process

ATTACHMENTS:

Description

- ☐ FY 2015 CAFR
- ☐ Debt summary
- ☐ Interim Report 12/2015
- ☐ FY 2015 year end fund balances
- ☐ Guide to funds and fund balances
- ☐ RDA Annual Report
- ☐ Parks Capital Improvement Plan

CENTERVILLE CITY CORPORATION
Notes to the Financial Statements (Continued)
June 30, 2015

4. DETAILED NOTES FOR ALL FUNDS (CONTINUED)

Interfund Receivable, Payables and Transfers (Continued)

In addition to the above amounts which will be repaid by the respective funds, transfers were made which will not be repaid. Such amounts for the fiscal year ended June 30, 2015 were as follows:

<u>Fund Transferring Out</u>	<u>Fund Receiving Transfer</u>	<u>Amount</u>
General	Nonmajor Governmental Funds	\$ 629,276
General	Telecom	20,840
Redevelopment Agency	Arts Center Debt Service	654,422
Redevelopment Agency	Nonmajor Governmental Funds	175,000
General	Fiduciary Fund	32,810
Nonmajor Governmental Funds	General	7,500
		<u>\$ 1,519,848</u>

Transfers are generally for debt service of governmental funds, and for capital outlay in governmental funds.

Revenue Bonds

The City has issued bonds where the revenues and assets of the issuing fund are pledged as security for the bonds.

Revenue bonds outstanding at June 30, 2015 by issue are as follows:

<u>Bond Description</u>	<u>Original Issue</u>	<u>Annual Principal</u>	<u>Interest Rate</u>	<u>Final Due Date</u>	<u>Amount</u>
Sales Tax Revenue, Series 2009	\$ 11,655,000	\$495,000 to \$1,510,000	3.00% to 4.00%	5/1/2021	\$ 4,165,000
Water Series 2012	4,210,000	\$100,000 to \$425,000	2.00% to 4.00%	9/1/2031	3,155,000
	<u>\$ 15,865,000</u>				<u>\$ 7,320,000</u>

**General Fund
Unaudited Summary
December 31, 2015**

	This Month	Year to Date	FY 16 Budget	50% % Budget
Revenues				
Property Tax	\$839,152	\$989,949	\$1,031,826	95.94%
RDA Increment	\$0	\$0	\$164,412	0.00%
Fee in Lieu	\$6,130	\$52,923	\$95,000	55.71%
Sales & Use Tax	\$287,604	\$1,875,699	\$3,750,500	50.01%
Franchise Taxes	\$70,644	\$551,619	\$1,330,000	41.48%
RAP Tax (10%)	\$3,014	\$20,794	\$38,850	53.52%
Licenses & Permits	\$61,288	\$289,150	\$358,075	80.75%
Intergovernmental	\$18,681	\$313,170	\$549,800	56.96%
Charges for Services	\$67,338	\$482,786	\$997,175	48.42%
Fines	\$32,436	\$239,955	\$535,000	44.85%
Miscellaneous	\$307	\$15,270	\$50,750	30.09%
Transfers/Contributions	\$925	\$2,351	\$2,000	117.55%
Total	\$1,387,519	\$4,833,666	\$8,738,976	55.31%
Expenditures				
City Council	\$3,685	\$36,554	\$95,202	38.40%
Judicial	\$15,512	\$99,827	\$230,289	43.35%
Executive	\$29,539	\$185,465	\$416,504	44.53%
Attorney	\$11,364	\$71,385	\$172,701	41.33%
Finance	\$44,234	\$262,313	\$535,191	49.01%
Attorney Services	\$450	\$8,808	\$31,000	28.41%
Emergency Management	\$300	\$3,304	\$16,000	20.65%
Fire	\$0	\$439,231	\$878,460	50.00%
Elections	\$3,974	\$12,486	\$16,272	76.73%
Youth Council	\$367	\$2,292	\$7,000	32.74%
Police	\$168,265	\$1,097,286	\$2,422,433	45.30%
Liquor Law	\$149	\$5,043	\$20,400	24.72%
School Xing	\$5,122	\$25,238	\$55,285	45.65%
DARE	\$6,860	\$41,160	\$90,073	45.70%
K-9	\$119	\$1,086	\$2,250	48.27%
Animal Control	\$1,723	\$8,618	\$22,000	39.17%
PW Admin	\$21,345	\$139,931	\$296,784	47.15%
Streets	\$39,417	\$313,560	\$776,970	40.36%
Projects	\$272	\$71,705	\$705,000	10.17%
GIS	\$7,635	\$42,074	\$102,534	41.03%
Engineering	\$18,424	\$81,667	\$86,500	94.41%
Parks	\$59,887	\$373,764	\$857,144	43.61%
Community Events	\$163	\$630	\$23,650	2.66%
Parks & Rec Facility	\$824	\$3,935	\$13,760	28.60%
Maint Facility	\$2,579	\$17,038	\$50,250	33.91%
Maint Facility Storage	\$586	\$1,192	\$6,360	18.74%
City Hall	\$20,412	\$138,895	\$214,095	64.88%
Community Dev.	\$25,886	\$142,326	\$309,579	45.97%
Building Inspection	\$4,713	\$18,278	\$80,600	22.68%
Transfers - Non Dep.	\$0	\$75,480	\$272,226	27.73%
UTOPIA -Pledges	\$37,822	\$188,864	\$248,876	75.89%
UIA Assessment	\$0	\$0	\$0	0.00%
Total	\$531,628	\$3,909,435	\$9,055,388	43.17%

Use/Contribution to Fund balance \$ 924,231 \$ (316,412)
(Revenues Over/Under Expenditures)

Fund Balance at Beginning of Year \$831,617
Fund Balance estimate 12/31/2015 \$1,755,848
Projected Fund Balance % 23.39%

Capital Projects Unaudited Summary December 31, 2015

	This	Year to	FY 16	50%
	Month	Date	Budget	%
				Budget

Capital Improvement

Storm Drain

Revenues:

Fund Balance				
Impact Fees	\$0	\$34,257	\$25,000	137.03%
Grants	\$0	\$0	\$0	0.00%
Other	\$83	\$457	\$575	79.48%
Total Revenues	\$83	\$34,714	\$25,575	135.73%

Expenditures	\$0	\$0	\$0	0.00%
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Fund Balance at Beginning of Year \$140,768

Fund Balance estimate 12/31/2015 \$175,482

Park

Revenues:

Fund Balance				
Impact Fees	\$12,342	\$234,500	\$125,000	187.60%
Transfer	\$0	\$0	\$0	0.00%
Grants	\$0	\$0	\$0	0.00%
Other	\$0	\$0	\$400	0.00%
Total Revenues	\$12,342	\$234,500	\$125,400	187.00%

Expenditures	\$0	\$65,828	\$0	0.00%
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Fund Balance at Beginning of Year (est.) -\$151,882

Fund Balance estimate 12/31/2015 \$16,790

Capital Projects Fund

Revenues:

Fund Balance			\$323,598	
Transfers - General	\$37,822	\$188,864	\$255,466	73.93%
RDA additional increment	\$0	\$0	\$163,000	0.00%
Other	\$532,696	\$532,696	\$0	0.00%
Total Revenues	\$570,518	\$721,560	\$742,064	97.24%

Expenditures

UTOPIA Pledge	\$37,822	\$188,864	\$453,876	41.61%
Street Projects	\$163,056	\$471,280	\$315,400	149.42%
Total Expenditures	\$200,878	\$660,144	\$769,276	85.81%

Balance at Beginning of Year \$323,598

Fund Balance estimate 12/31/2015 \$385,014

RDA/Special Revenue Unaudited Summary December 31, 2015
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	This Month	Year to Date	FY 16 Budget	<u>50%</u> % Budget
<u>RDA</u>				
Revenues	\$56,538	\$202,149	\$1,651,000	12.24%
Expenditures	\$10,193	\$209,085	\$1,651,000	12.66%
Fund Balance at Beginning of Year		\$342,835		
Fund Balance estimate 12/31/2015		\$335,899		

Recreation

<u>Revenues</u>				
Recreation	\$590	\$24,335	\$77,000	31.60%
Youth Baseball	\$0	\$0	\$36,000	0.00%
Concession Sales	\$0	\$0	\$20,000	0.00%
Other	\$0	\$41,000	\$41,000	100.00%
Total Revenues	\$590	\$65,335	\$174,000	37.55%

Expenditures

Recreation	\$2,089	\$51,419	\$116,062	44.30%
Concessions	\$0	\$403	\$20,000	2.02%
Youth Baseball/Softball	\$0	\$2,241	\$36,000	6.23%
Total Expenditures	\$2,089	\$54,063	\$172,062	31.42%

Revenue Over/Under Expend \$ (1,499) \$ 11,272 \$ 1,938

Balance at Beginning of Year (est.) \$51,824
Fund Balance estimate 12/31/2015 \$63,096

Sales Tax Debt Service (DCAC)

Revenues	\$61,176	\$61,176	\$1,567,088	3.90%
Expenditures	\$61,176	\$61,176	\$1,567,088	3.90%
Reserved Fund Balance		\$15,850		
Fund Balance estimate 12/31/2015		\$15,850		

Whitaker Trust

Beginning fund balance				
Revenues	\$0	\$55,910	\$39,320	142.19%
Expenditures	\$1,714	\$51,003	\$37,680	135.36%
Fund Balance at Beginning of Year		\$34,739		
Fund Balance estimate 12/31/2015		\$39,646		

Enterprise Funds Unaudited Summary December 31, 2015

	This Month	Year to Date	FY 15 Budget	50% % Budget
Water				
Revenues:				
Impact/construction Fees	\$6,078	\$398,947	\$230,500	173.08%
Water Sales	\$158,246	\$993,231	\$1,945,267	51.06%
Bond Revenue	\$0	\$0	\$0	0.00%
Other	\$2,345	\$32,055	\$66,000	48.57%
Total Revenues	\$166,669	\$1,424,233	\$2,241,767	63.53%
Expenditures				
Operating/Dep/Debt	\$167,511	\$697,380	\$2,033,967	34.29%
Capital Improvement	\$18,606	\$153,149	\$325,000	47.12%
Total Expenditures	\$186,117	\$850,529	\$2,358,967	36.06%

Sanitation

Revenues:				
Collection Fees	\$57,884	\$347,608	\$708,000	49.10%
Recycling fees	\$14,660	\$87,871	\$176,000	49.93%
Green Waste fees	\$4,545	\$42,305	\$87,000	48.63%
Other	\$560	\$1,330	\$7,500	17.73%
Total Revenues	\$77,649	\$479,114	\$978,500	48.96%
Expenditures:				
Disposal	\$28,188	\$141,276	\$311,000	45.43%
Collection	\$20,826	\$104,555	\$245,000	42.68%
Recycling	\$14,525	\$72,685	\$164,000	44.32%
Green Waste Disposal	\$3,080	\$15,385	\$33,000	46.62%
Other	\$7,024	\$53,611	\$185,750	28.86%
Total Expenditures	\$73,643	\$387,512	\$938,750	41.28%

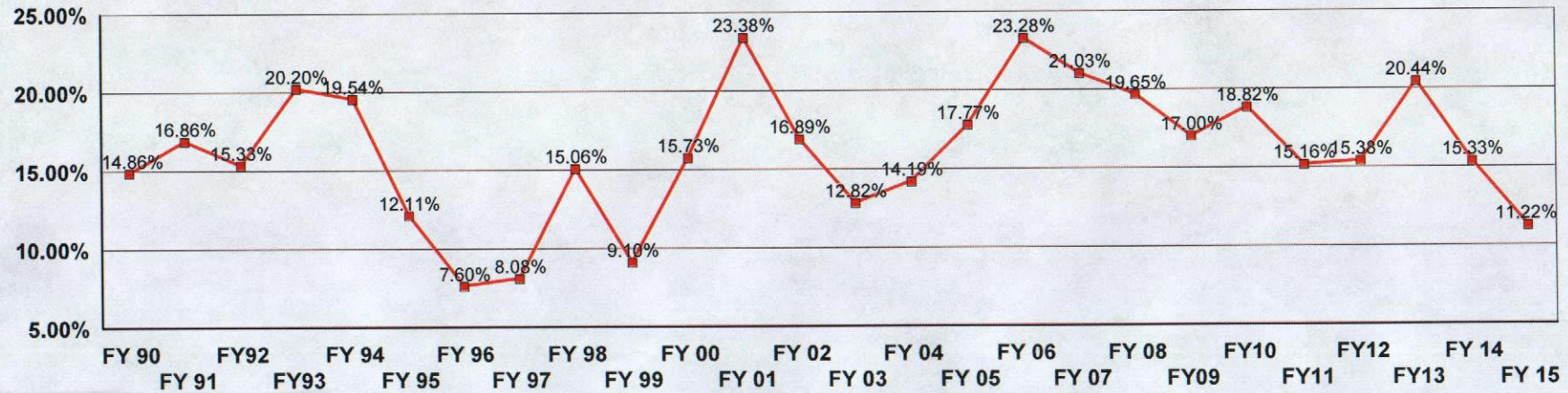
Drainage

Revenues	\$103,416	\$517,080	\$1,246,940	41.47%
Operating Expenditures	\$29,547	\$172,405	\$722,839	23.85%
Capital Expenditures	\$1,971	\$116,540	\$604,101	19.29%
Total Expenditures	\$31,518	\$288,945	\$1,326,940	21.78%

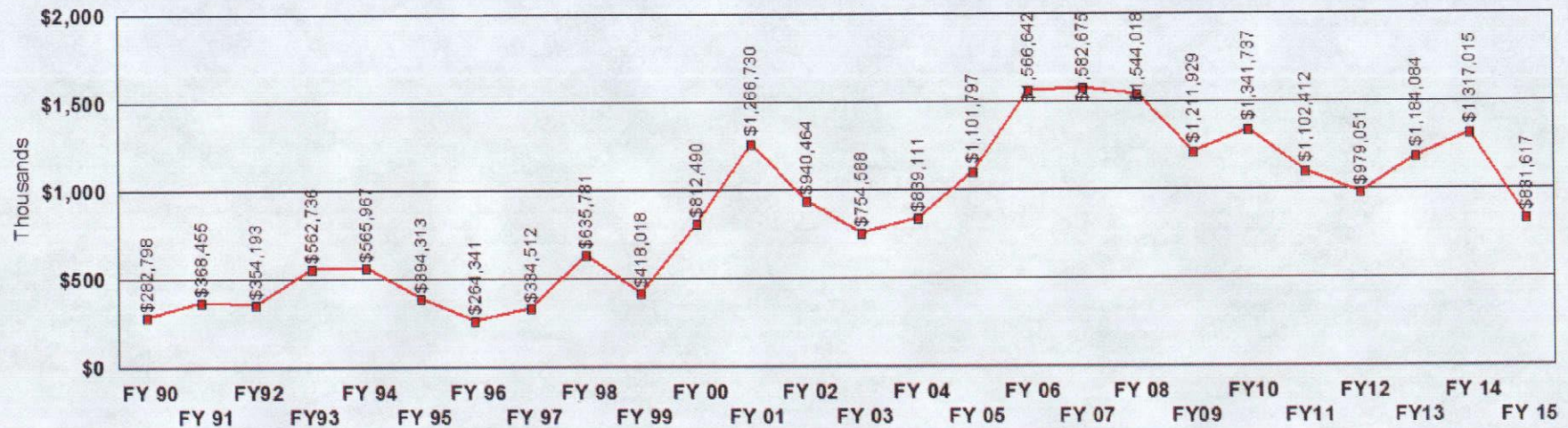
Telecommunications

Revenues:				
Connection Fees	\$19,756	\$116,542	\$270,000	43.16%
Transfers - GF	\$0	\$0	\$0	100.00%
Total Revenues	\$19,756	\$116,542	\$270,000	43.16%
Expenditures:				
Utility Service charges	\$21,861	\$96,782	\$257,000	37.66%
UIA operating assessment	\$0	\$0	\$0	0.00%
Operating service charge	\$1,515	\$6,060	\$13,000	46.62%
Total Expenditures	\$23,376	\$102,842	\$270,000	38.09%

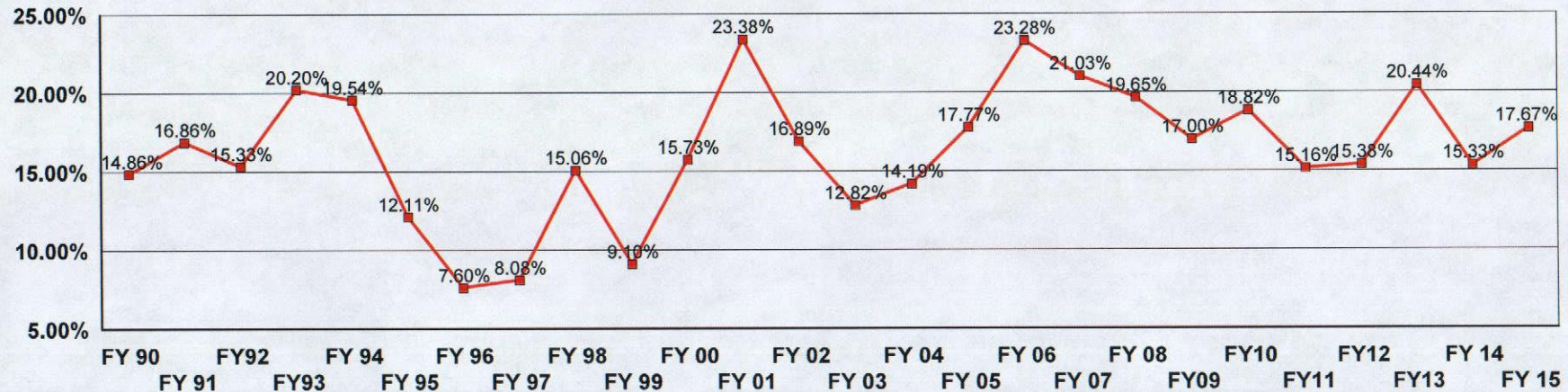
Fund Balance 6/30/2015 estimate as a percent of revenues



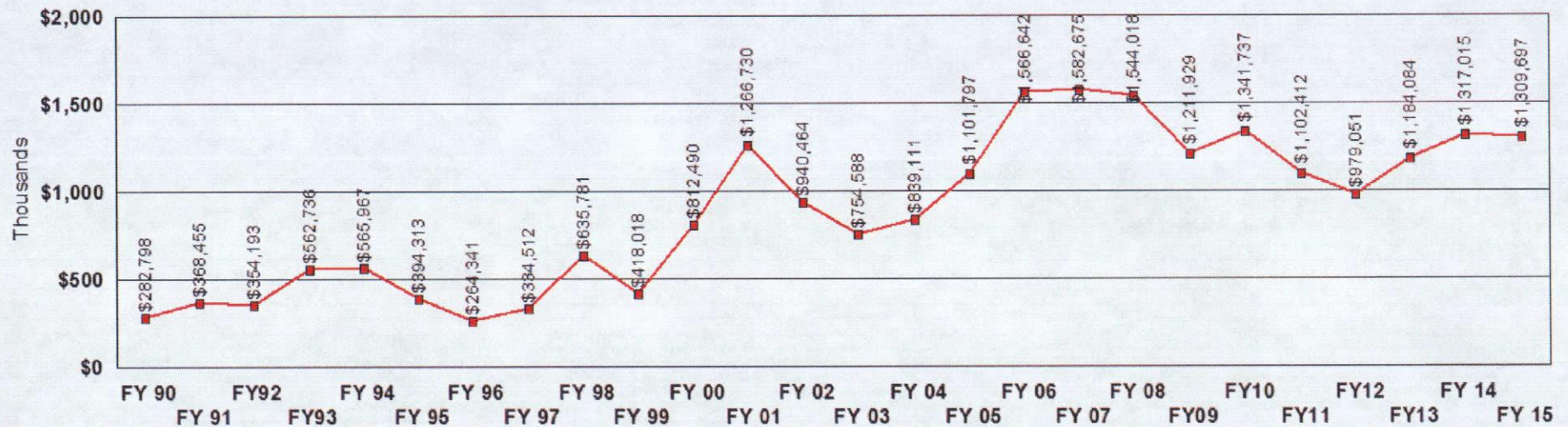
Fund Balances 6/30/2015 in \$'s



Fund Balance 6/30/2015 estimate as a percent of revenues



Fund Balances 6/30/2015 in \$'s



Fund Balances

General Fund Balance	\$ 831,617
Streets CIF	\$ 320,000
Class C reserved	\$ 92,522
Park CIF	\$ 65,828
Balance(s) Total	\$ 1,309,967

State of Utah Uniform Accounting Manual

Fund Balances

Retained Earnings of Funds

Local governments are permitted to accumulate retained earnings or fund balances in any fund. The general fund however, is subject to certain restraints in order to eliminate large fund balances. **Governments should tax its constituents on a "pay as you go" basis. This means that purchases of economic resources which benefit taxpayers today should not be made with funds accumulated from prior taxpayers,** or by issuing excessive debt which places the burden on future taxpayers. The limit on the accumulative total of the general fund varies across local governments and will be discussed in the "Entity Specific Information" section following this discussion. The accumulation of funds in the general fund are restricted to the following purposes: (a) to finance expenditures from the beginning of the period until general property taxes, sales taxes, and other revenues are collected, (b) to provide a reserve to meet emergency expenditures, and (c) to cover unanticipated deficits for future years.

C: 10-6-116
T: 10-5-113
CO: 17-36-16
D: 17B-1-612

Excess Fund Balance

If a local government's general fund balance is in excess of the limits described in the "Entity Specific Information" section below, the local government needs to correct the situation during the next fiscal year. This can be accomplished by including the excess in the general fund as available resources. The excess can then be transferred to a capital projects fund or left as an available resource in the general fund, which would have the effect of reducing current year property taxes.

C: 10-6-117-(2)
T: 10-5-113-(3)
CO: 17-36-16-(2)
D: 17B-1-612-(3)

Deficit Fund Balance

Local governments that find themselves with a deficit fund balance shall appropriate five percent of their fund revenues per year to pay off this deficit. However, if the deficit was created illegally (i.e., expenditures in excess of those budgeted), the State Auditor requires that the total deficit should be appropriated in the following fiscal year.

C: 10-6-117-(3)
T:
CO: 17-36-17-(2)
D: 17B-1-613-(3)

Transfer of Balances in Special Funds & Inter-fund Loans

When it becomes no longer necessary for maintaining a special fund, the remaining fund balance can be transferred to the fund balance in the general fund. Any balance remaining in a capital improvement or project fund is to be transferred to the corresponding debt service fund as the bond covenant requires. Local governments may authorize inter-fund loans subject to certain specifications. These specific guidelines can be found in the code references mentioned herein.

C: 10-6-131-132
T: 10-5-119-120
CO: 17-36-29-30
D: 17B-1-625-626

*An
Elected
Official's
Guide to*
FUND BALANCE

By Stephen J. Gauthier

*Government Finance
Officers Association*



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FOREWORD

Almost any discussion of a government's financial condition will eventually touch upon the issue of "fund balance." Indeed, fund balance is probably the greatest single item of interest to many, if not most, users of state and local government financial statements. Yet in spite of all of the attention it has traditionally received, fund balance remains, at best, an elusive concept for many involved in public finance.

This publication is designed to provide elected officials with clear and practical answers to the most commonly asked questions about fund balance. The publication not only provides a simple explanation of fund balance that is readily understandable to the nonaccountant, but it also dispels many misconceptions about fund balance frequently encountered in practice.

The fiscal situation confronting state and local governments in the 1990s has made it increasingly difficult for elected officials to balance the requirements of sound financial administration and citizens' demands for increased levels of services. The GFOA hopes that this publication will be of practical assistance to elected officials in weighing conflicting claims about fund balance in the course of allocating scarce public resources.

The GFOA wishes to thank Stephen Gauthier, the Director of the GFOA's Technical Services Center, for writing this publication. We hope that this booklet, along with others in the "Elected Officials" series, will provide needed guidance to elected officials seeking to improve the financial management of their governments.

Jeffrey L. Esser
Executive Director
December 1991

PREFACE

In our system of government, crucial decisions involving the lives of citizens are placed in the hands of elected officials. Many of these decisions involve the allocation of scarce financial resources. Arguments for and against proposed allocations of financial resources often focus on "fund balance." Unfortunately, published discussions of fund balance, as a rule, are directed toward the professional accountant rather than toward the elected official or others who may not have background or experience in governmental accounting and financial reporting. Accordingly, elected officials often find themselves in the difficult position of having to weigh arguments involving fund balance with only a vague, or even erroneous understanding of its true nature and significance.

The purpose of this publication is to provide elected officials with a nontechnical discussion of the nature and significance of fund balance for state and local governments. In addition, information is provided about a number of closely related topics (e.g., "retained earnings"). Throughout, a simple question-and-answer format has been followed. This format is designed both to highlight the critical points discussed in the text and to furnish busy elected officials easy access to needed information.

I gratefully acknowledge Patrick Hardiman (Deloitte & Touche), Gary Norstrom (City of Saint Paul, Minnesota) and David Bean (Governmental Accounting Standards Board) for their invaluable assistance in reviewing the manuscript and offering suggestions for

improvement. In this regard, special thanks are due to Patrick Hardiman, who chaired the review effort. It is also my pleasure to thank the various members of the staff of the GFOA who read the manuscript at various stages of production.

Stephen J. Gauthier
December 1991

AN ELECTED OFFICIAL'S GUIDE TO FUND BALANCE

Introduction

A government's financial statements are designed to serve the needs of a variety of user groups including taxpayers and citizens, legislative and oversight bodies, and investors and creditors. While some in these user groups may enjoy considerable expertise in governmental accounting and financial reporting, many more do not. The purpose of this booklet is to aid those without specialized expertise to interpret perhaps the single most cited and disputed element found in government financial reporting: "fund balance."¹

This booklet will focus on the meaning of fund balance for the four "governmental funds" found on the typical state or local government balance sheet, with special emphasis on the general fund. This booklet also goes beyond "fund balance" to deal with the meaning of the various components of "equity" found in proprietary funds. Finally, the special situation of trust and agency funds and account groups is briefly discussed.

Throughout the booklet, a question and answer format has been used to highlight the fundamental questions at issue and to facilitate understanding by those unfamiliar with financial reporting.

¹The term "fund balance" is often used differently by accountants and budget professionals when the budget is prepared on a basis other than generally accepted accounting principles (GAAP). This publication will focus on the term fund balance as defined by GAAP and reported on the balance sheet and the governmental fund operating statement.

What are funds?

Perhaps the biggest surprise encountered by someone examining the financial statements of a government for the first time is the presence of numerous "funds." Whereas even the largest commercial enterprise generally will report only a single amount for each item in its financial statements (e.g., "cash," "sales"), governments both large and small will typically report a number of separate columns or "funds."

Each of these funds is considered to function as a separate fiscal and accounting entity. Funds normally are used by governments to segregate resources related to specific activities (e.g., highway construction). For most governments, the principal operating fund is known as the "general fund."

What different kinds of funds do governments use?

Governments may use any number of individual funds in their financial reporting (although they are encouraged to use the least number of funds practical in their specific circumstances). Regardless of the number of individual funds used, generally accepted accounting principles (GAAP) require all of these individual funds to be aggregated into no more than seven specified "fund types" on the combined balance sheet (see Exhibit 1).

Four of these fund types are known as the "governmental funds." They are the *general fund*, the *special revenue funds*, the *debt service funds* and the *capital projects funds*. These funds are typically used to account for most of a government's operations. Two other fund types are known as the "proprietary funds" because they function in a manner similar to private enterprises. These funds are the *enterprise funds* and the *internal service funds*.

The last of the seven fund types that may be found on a combined balance sheet is the *trust and agency fund* type. In fact, as will be discussed later, this fund type may combine data from up to four different types of subfunds.²

²The specific uses of each of these different fund types are described in the *Governmental Accounting Standards Board's (GASB) 1990 Codification of Governmental Accounting and Financial Reporting Standards, Section 1300*, and in the *GFOA's 1988 Governmental Accounting, Auditing and Financial Reporting, p. 11*.

Exhibit 1

Name of Government
Combined Balance Sheet—All Fund Types and Account Groups
December 31, 19X8
(With comparative totals for December 31, 19X7)
(amounts expressed in thousands)

	Governmental Fund Types				Proprietary Fund Types		Fiduciary Fund Type	Account Groups		Totals	
	General	Special Revenue	Debt Service	Capital Projects	Enterprise	Internal Service	Trust and Agency	General Fixed Assets	General Long-term Debt	(Memorandum Only)	
										19X8	19X7
Assets and other debits											
Assets:											
Cash	\$1,369	\$ 211	\$ 10	\$ 562	\$ 1,184	\$ 100	\$ 293	—	—	\$ 3,696	\$ 1,693
Investments	2,091	1,577	1,513	11,051	15,523	50	17,327	—	—	49,132	36,301
Receivables (net of allowances for uncollectibles):											
Interest	92	2	30	411	420	2	494	—	—	1,351	1,014
Taxes	952	—	18	—	2,822	—	—	—	—	962	897
Accounts	72	—	—	—	—	—	—	—	—	2,064	2,386
Special assessments	—	—	4,230	—	—	—	—	—	—	4,230	—
Intragovernmental	215	—	—	199	—	4	—	—	—	418	422
Due from other funds	73	—	—	335	39	125	—	—	—	573	382
Interfund receivables	32	—	—	—	—	—	—	—	—	32	—
Inventories	39	—	—	—	308	23	—	—	—	370	496
Prepaid items	—	—	—	—	—	38	—	—	—	38	—
Advances to other funds	78	—	—	—	—	—	—	—	—	78	50
Restricted assets	—	—	—	—	27,454	—	—	—	—	27,454	5,290
Deferred charges	—	—	—	—	651	—	—	—	—	651	581
Fixed assets (net, where applicable, of accumulated depreciation)	—	—	—	—	120,053	2,904	—	\$58,912	—	181,869	167,074
Other debits:											
Amount available in debt service fund	—	—	—	—	—	—	—	—	\$ 1,384	1,384	10
Amount to be provided for retirement of general long-term debt	—	—	—	—	—	—	—	—	41,479	41,479	39,236
Total assets	\$5,013	\$1,790	\$5,783	\$12,548	\$168,294	\$ 3,247	\$18,054	\$58,912	\$42,857	\$316,448	\$256,054

Liabilities, equity and other credits

Liabilities:											
Vouchers payable	\$ 705	\$ 340	—	—	\$ 933	—	—	—	—	\$ 1,978	\$ 1,378
Accounts payable	165	75	—	—	358	242	38	—	—	1,399	1,001
Compensated absences payable	225	—	—	\$ 532	390	—	—	—	2,022	2,565	2,414
Claims and judgments payable	—	—	—	—	—	—	—	—	253	—	—
Contracts payable	57	—	—	—	—	—	—	—	—	67	151
Refundable payables	—	—	—	282	536	—	—	—	—	818	11
Intergovernmental payable	—	—	—	—	—	—	—	—	—	—	11
Due to other funds	476	—	—	—	87	10	—	—	—	573	382
Interfund payables	—	—	—	—	—	32	—	—	—	32	—
Matured bonds payable	—	—	\$ 5	—	60	—	—	—	—	73	—
Matured interest payable	—	—	3	—	55	—	—	—	—	58	—
Accrued interest payable	—	—	—	—	1,201	—	—	—	—	1,201	1,261
Deferred revenue	240	—	4,240	—	—	—	—	—	—	4,480	230
General obligation bonds payable—current	—	—	—	—	1,641	—	—	—	—	1,641	1,523
Capital leases—current	—	—	—	—	23	—	—	—	—	23	—
Liabilities payable from restricted assets	—	—	—	—	4,358	—	—	—	—	4,358	2,177
Advances from other funds	—	—	—	—	—	78	—	—	—	78	50
General obligation bonds payable	—	—	—	—	32,904	—	—	—	36,790	69,724	65,009
Special assessment debt with government commitment	—	—	—	—	—	—	—	—	—	—	—
Revenue bonds payable	—	—	—	—	—	—	—	4,700	—	4,700	—
Capital leases payable	—	—	—	—	32,828	—	—	—	—	32,828	8,590
Deferred compensation benefits payable	—	—	—	—	79	—	—	—	125	205	—
Total liabilities	1,879	418	4,248	784	75,468	380	1,254	—	42,857	127,295	85,069
Equity and other credits:											
Unexpended in general fixed assets	—	—	—	—	59,395	2,485	—	\$58,912	—	\$58,912	\$6,377
Contributed capital	—	—	—	—	—	—	—	—	—	61,881	52,152
Retained earnings:											
Reserved	—	—	—	—	3,617	—	—	—	—	3,617	2,560
Unreserved	—	—	—	—	29,554	371	—	—	—	29,926	26,258
Fund balances:											
Reserved for encumbrances	320	961	—	6,563	—	—	—	—	—	7,244	840
Reserved for advances	78	—	—	—	—	—	—	—	—	78	50
Reserved for debt service	—	—	1,545	—	—	—	—	—	—	1,545	—
Reserved for perpetual care	—	—	—	—	—	—	1,193	—	—	1,193	1,402
Reserved for employee retirement system	—	—	—	—	—	—	—	—	—	—	—
Unreserved, undesignated	2,737	1,013	—	6,201	—	—	16,670	—	—	16,670	14,246
Total equity and other credits	3,135	1,374	1,545	11,764	32,766	2,857	16,800	\$8,912	—	189,153	170,985
Total liabilities, equity and other credits	\$5,013	\$1,790	\$5,783	\$12,548	\$168,294	\$ 3,247	\$18,054	\$58,912	\$42,857	\$316,448	\$256,054

The notes to the financial statements are an integral part of this statement.

Source: *Governmental Accounting, Auditing and Financial Reporting* (Chicago: Government Finance Officers Association, 1986), pp. 16-17.

What is the difference in focus among the various types of funds?

Governments typically offer a wide range of services to their citizens. While many or most government services are supported by tax or grant revenues (e.g., public safety, education), other activities more closely resemble private-sector, fee-supported enterprises (e.g., utilities). Accordingly, the goal or "measurement focus" of a given fund will depend upon the types of activity reported in that fund.

Governmental funds are designed to measure those *financial* resources on hand at the end of a period that are available to be spent or appropriated in future periods. Proprietary funds, on the other hand, are designed to reflect the overall *economic* health of the fund. A simplified analogy may be useful in clarifying this critical distinction.

The focus of a governmental fund (e.g., general fund) is similar to that of an individual wishing to know what his or her checkbook balance will be *after* the last paycheck for the month has been deposited, and *after* all of the checks written to pay this month's bills have been cashed. This balance is significant because it represents the financial resources available to help pay next month's bills.

The focus of a proprietary fund (e.g., enterprise fund), on the other hand, is similar in some ways to that of an individual wishing to determine his or her "net worth." A checkbook balance alone would not necessarily provide the information needed for this purpose. Rather, all of the individual's assets and liabilities (i.e., economic resources), not merely the individual's checkbook balance, would need to be taken into account.

As will be discussed later, trust funds use one or the other of these focuses, depending on the specific type of trust fund used.

What is equity?

Simply put, a fund's equity is the difference between its assets and its liabilities. This situation holds true for both governmental funds and proprietary funds. Nonetheless, the meaning of equity is different for governmental funds than it is for proprietary funds because of important differences in the types of assets and liabilities reported in each.

Since the focus of governmental funds is on resources that may be spent or appropriated, these funds, for the most part, report only *financial* assets (i.e., assets that are or will eventually be converted into cash).³ Fixed assets (i.e., land, buildings, equipment, improvements other than buildings and construction in progress) related to governmental funds are *nonfinancial* in character and so are *not* reported in individual governmental funds, but are reported instead in a separate "general fixed assets account group."

Also, governmental funds do not report all liabilities that will eventually be paid from those funds. Long-term debt, for instance, is reported in a separate "general long-term debt account group," where it typically remains until it is due. Likewise, certain obligations (e.g., compensated absences, claims and judgments, unfunded pension contributions) generally are only reported as liabilities in governmental funds to the extent that they are expected to be liquidated in the near future with available financial resources.

In summary, equity in a governmental fund is the difference between the *financial* assets of

the fund and certain liabilities expected to be liquidated in the near future from those assets.

Proprietary funds, on the other hand, are concerned with measuring *economic* rather than strictly financial resources. Accordingly, all assets related to a proprietary fund's operations, including fixed assets, are reported within the proprietary fund. Similarly, all debt and obligations of a proprietary fund are reported in the fund itself, regardless of when they are expected to be paid. Therefore, equity in a proprietary fund reflects all of the fund's resources, financial and nonfinancial, as well as all of the claims against those resources.

Exhibits 2 and 3 illustrate the differences between governmental fund equity and proprietary fund equity.

Modified by GASB 34. Statements of Net Position includes assets and liabilities of governmental funds.

³"Inventories" and "prepaids" are an exception to this general rule.

Exhibit 2

Presentation of Assets, Liabilities and Equity Related to Governmental Funds

GOVERNMENTAL FUND	
Financial Assets	Liabilities to be Paid in Near Future (Normally not including the current portion of long-term debt)
	Unreserved Fund Balance (Designated)
	Unreserved Fund Balance (Undesignated)
Legally Restricted	Reserved Fund Balance
Not Spendable (e.g., long-term receivables)	
General Fixed Assets Account Group	General Long-Term Debt Account Group
Fixed Assets	Non-Current Obligations Long-Term Debt

Exhibit 3

Presentation of Assets, Liabilities and Equity Related to Proprietary Fund

PROPRIETARY FUND	
All Assets	All Liabilities
	Contributed Capital
	Retained Earnings (Reserved)
	Retained Earnings (Unreserved)

How is fund equity related to cash balances?

As mentioned earlier, fund equity is defined as the difference between fund assets and fund liabilities, as expressed in the following equation:

$$\text{Fund assets} - \text{fund liabilities} = \text{fund equity.}$$

Because cash is a fund asset of both governmental funds and proprietary funds, it enters into this equation and has an effect upon fund balance. Cash, however, is only one of a number of fund assets and liabilities. Therefore, it is possible for fund equity to remain unchanged while cash balances decline or increase.

Take, for example, the situation of a fund that lends money to another fund. The lender fund decreases its cash balances (an asset), but at the same time increases its receivables (also an asset). Accordingly, the total assets of the fund remain unchanged and there is no net effect upon fund equity, even though cash balances have declined.

Similarly, assume that a fund borrows money on a short-term basis from another fund. The borrower fund increases the amount of cash in its possession (an asset), but at the same time also increases its liabilities by the same amount (a liability). Since the increase in assets is matched by an increase in liabilities, there is no net effect on fund equity, although cash balances have increased.

Therefore, users of financial statements should be careful to distinguish increases or decreases in fund equity from increases or decreases in cash balances.

What is the meaning of equity in a governmental fund?

While all of the assets reported in governmental funds are financial, they are not all equally spendable or appropriable. Therefore, if governmental funds are to meet their objective of providing useful information on resources available for spending or appropriation, a distinction must be made between the portion of equity (i.e., net assets) that is, in fact, "spendable" or "available for appropriation" and that portion which is not. This distinction is achieved on the balance sheet by dividing governmental fund equity (i.e., "fund balance") into "reserved" and "unreserved" components.

"Reserved fund balance" is used to segregate net financial assets that are *not* spendable or available for appropriation. Some financial assets are not spendable by their very nature (e.g., long-term receivables will not be converted into cash soon enough to be considered "spendable" today). Other financial assets are spendable by nature, but not available for appropriation because of legal restrictions (e.g., amounts set aside to meet encumbrances from the prior year's budget).

Once a portion of fund balance has been reserved, the remaining amount or "unreserved fund balance" represents a measure of the net financial resources available for spending or appropriation in the future.

What is the difference between "designated unreserved fund balance" and "reserved fund balance"?

Sometimes governments wish to specially segregate or " earmark " financial resources for specified purposes. Such " earmarking " is reflected in financial statements by means of " designations . " For example, a government may " designate " resources to help meet obligations expected to arise in connection with claims and judgments. Only the chief executive officer or the legislative body of a government may create a designation.

It is very important to distinguish between " reserves " (i.e., " reserved fund balance ") and " designations . " The former are an indication that financial resources are not available for appropriation, whereas the latter only indicate that management would *prefer* to use available financial resources for a specified purpose. Accordingly, although earmarked, designations remain an integral part of a government's spendable or appropriable resources (i.e., " unreserved fund balance ").

Is "unreserved fund balance" a good measure of economic health?

As noted earlier, "unreserved fund balance" is not designed to reflect economic health, but simply to provide a measure of the financial resources available for future spending or appropriation. While an absence of spendable resources may well be an indication of actual or potential economic problems, the presence of such resources is no guarantee of sound economic health. For example, just as an individual can increase his or her checkbook balance by taking out a loan, so too can a governmental fund increase its spendable resources (i.e., "unreserved fund balance") by issuing long-term debt. In neither case would the *economic* position of the individual or government be improved because the debt must be repaid. Accordingly, a significant level of "unreserved fund balance" should *not* be taken alone as evidence of sound economic health. Rather, users of government balance sheets should also take care to evaluate *future* claims on governmental fund assets when assessing the economic health of a governmental fund. In particular, users of government balance sheets should be careful to consider a governmental fund's obligation to finance long-term debt (reported separately in the general long-term debt account group), as well as the potential future drain on governmental fund resources posed by deficits in other funds (e.g., enterprise funds).

What is the impact of "deferred revenue"?

Many state and local governments report "deferred revenue" on their balance sheets. This liability indicates that financial resources reported as assets have not yet been recognized as revenue and so have not been included in fund balance.

Revenue may be deferred because a government has received financial resources, but has not yet "earned" them. For example, grant proceeds received in advance of related expenditures would typically be offset by a liability for "deferred revenue" on the balance sheet.

Revenue also may be deferred because particular revenue sources are not expected to be collected in cash soon enough after the end of the fiscal year to pay liabilities of that period. Such revenues are described by accountants as not being "available." For example, a receivable for property taxes that will not be collected until three months after the end of the fiscal year would be offset by a liability for "deferred revenue."⁴

Property tax revenue also may be deferred if the "due date" for the property taxes falls outside the fiscal year. For instance, a government with a June 30 fiscal year end would recognize a liability for deferred revenue for any property taxes levied during the fiscal year that are due on July 15 of the following year.

⁴In the specific case of property taxes, the GASB's 1990 Codification of Governmental Accounting and Financial Reporting Standards, Section P70.103, sets an explicit "availability" period for revenue recognition purposes of 60 days.

How high a level of "unreserved fund balance" should be maintained in the general fund?

In cases where revenue is available, but cannot be recognized for technical reasons (e.g., taxes collected prior to the year for which levied, property taxes due early the following year), users of government balance sheets may wish to take deferred revenue into consideration when evaluating the amount of resources available for appropriation. For example, if a government has unreserved fund balance of \$1 million and deferred revenue of \$47,000 related to early property tax collections, the government may be considered, in fact, to have \$1,047,000 available to spend. Such would not be the case, however, for revenue that has been "deferred" because it is not available (e.g., property taxes expected to be collected more than 60 days following the close of the fiscal year).

There is little argument that a deficit "unreserved fund balance" is normally to be avoided. Indeed, such deficits are illegal in a number of jurisdictions. The "right amount" of unreserved fund balance, however, is a question open to some debate, particularly in the general fund.

Bond raters and others often use "rules of thumb" to measure the adequacy of unreserved fund balance in the general fund. For example, 5 percent of annual operating expenditures is a commonly cited minimum amount. Others argue that unreserved fund balance should equal no less than one month's operating expenditures (i.e., 8.3 percent). Care must be taken, however, to avoid applying such rules of thumb mechanically. A variety of factors must be taken into account when evaluating the adequacy of fund balance in the general fund.

One important consideration is the reliability of a government's revenue sources. Whereas some governmental revenues are traditionally quite stable (e.g., property taxes), others often can vary significantly depending on conditions in the economy (e.g., sales tax). Governments depending upon less reliable revenue sources may need to maintain significantly higher levels of unreserved fund balance than those relying upon more stable sources of revenue.

Another important factor is the timing of cash inflows and outflows. Governments whose cash flows are less predictable may need relatively higher levels of unreserved fund balance to maintain liquidity than those with highly predictable cash inflows and outflows.

Yet another important consideration involves resources available in other funds. Some governments, for example, establish separate "budget stabilization funds" to meet unexpected contingencies. When such additional resources are available in other funds, a lesser amount of unreserved fund balance may be appropriate in the general fund.

In short, the specific financial history, prospects and circumstances of each individual government must be carefully weighed when evaluating the adequacy of "unreserved fund balance."

Can a government have "too much" unreserved fund balance?

Many citizens and taxpayer groups subscribe to the view that governments ought to do all in their power to minimize the time between the receipt of tax revenues and their subsequent disbursement. Put simply, they believe a government "should not raise money until it's needed." Accordingly, some users of government financial statements occasionally object to what they perceive as an excessive amount of unreserved fund balance, arguing that high levels of unreserved fund balance are an indication of overtaxation.

Of course, it is possible for governments to raise more revenues than needed, and high levels of unreserved fund balance, in some cases, may indicate such a situation has occurred. In practice, however, high levels of unreserved fund balance are very often justified for a variety of reasons (e.g., timing of revenue receipts, unpredictable revenue sources). Moreover, it should not be forgotten that inadequate or unstable levels of unreserved fund balance can lead to added costs in the form of unnecessary borrowings and worsened credit ratings. Therefore, citizens and taxpayer groups need to approach the issue of an appropriate level of unreserved fund balance carefully to avoid drawing erroneous conclusions based on insufficient data.

What is the relationship between "unreserved fund balance" and liquidity?

As mentioned earlier, unreserved fund balance in a governmental fund is designed to measure the net financial resources that are available to finance expenditures of future periods. Not all such "available" financial resources, however, are equally liquid. While cash on hand may be spent at will, differing time periods typically are needed to convert a government's various receivables into cash. Moreover, fund liabilities payable from those assets may be due at different times. Therefore, while unreserved fund balance provides a good measure of the financial resources that will be available for appropriation in the following year's budget, it is *not* necessarily a good measure of the governmental fund's net liquid resources as of the date of the balance sheet.

What is the meaning of equity in proprietary funds?

As with governmental funds, equity in proprietary funds is the difference between fund assets and fund liabilities. Unlike governmental funds, however, proprietary funds should report *all* related assets and liabilities. Therefore, equity in proprietary funds serves as a rough barometer of the economic health of such funds.

Unlike governmental funds, proprietary funds do not report "fund balance." Instead, the equity of proprietary funds is reported in one of two categories: "contributed capital" and "retained earnings."

What is "contributed capital"?

The types of activities accounted for in proprietary funds, unlike those typically accounted for in governmental funds, are designed to function in a manner similar to commercial enterprises. Nonetheless, equity in proprietary funds is not uniquely the result of profits earned by the operation of those funds. Rather, some equity is normally the result of "contributions" of capital from outside parties.

One common example of "contributed capital" is the initial contribution made by the general government to establish a new proprietary fund. Subsequent additions to "contributed capital" may arise from grants and gifts of fixed assets, impact fees received from developers, the receipt of property financed through special assessments, and portions of tap fees and other systems development fees charged to new customers of an existing utility.

Contributed capital does not result from operating subsidies. Thus, if a proprietary fund receives a grant restricted to capital acquisition (e.g., buildings, equipment), the grant would be reflected as contributed capital. On the other hand, if a proprietary fund receives a grant that is not restricted to capital acquisition, the grant would be reported as nonoperating revenue and become a part of retained earnings rather than contributed capital.

What ever happens to "contributed capital"?

In some ways, contributed capital of a proprietary fund functions in a manner similar to "capital stock" and "paid in capital in excess of par" for a commercial enterprise. In other words, a contribution, once received, generally remains on the balance sheet indefinitely unless returned to the provider.

In an era when the federal government played a more active role in financing state and local government activities, some argued that this treatment would result in ever-increasing amounts of "contributed capital" being reported on proprietary fund balance sheets as the federal government replaced one exhausted fixed asset with another. Therefore, an accounting rule was created that allowed governments to systematically reduce contributed capital related to capital grants from other governments. This provision is commonly referred to by accountants as the "addback" of depreciation (i.e., depreciation expense that would otherwise have reduced retained earnings is "added back" to retained earnings and charged instead to contributed capital). When governments use the "addback" option, contributed capital is systematically reduced to reflect decreases in the depreciated value of the related asset.

Of course, substantial reductions in the amounts of federal aid received by state and local governments have greatly diminished the accounting "problem" of excess capital contributions from the federal government. Nevertheless, the systematic reduction of contributed capital for these assets (i.e., "addback of depreciation") continues to remain an option. In addition, many governments now also use the "addback of depreciation" approach for assets contributed from sources other than the federal government (e.g., developers).

What is "retained earnings"?

The second component of equity for proprietary funds is "retained earnings." Retained earnings is the cumulative amount by which revenues and operating transfers from other funds (i.e., earnings and subsidies) have exceeded expenses and transfers to other funds (see Exhibit 4). As such, retained earnings, to some extent, can be seen as a measure of how well the fund has succeeded in recovering its costs through earnings and subsidies.

Exhibit 4

Composition of Retained Earnings

Increases	Decreases
Net income of all previous periods*	Net losses of all previous periods*
Operating transfers from other funds (all prior periods)	Operating transfers to other funds (all prior periods)
	Residual equity transfers out (all prior periods)

*For this purpose, net income (loss) is increased (decreased) by any amounts of depreciation that were charged against contributed capital.

Is a high level of "retained earnings" necessarily a sign of good economic health?

Clearly, a deficit balance in retained earnings indicates that the fund may be facing economic problems. A positive balance of retained earnings, however, must be interpreted with care. Regular subsidies from other funds are reported as "operating transfers" that increase the amount of "retained earnings" reported by a fund. Therefore, a proprietary fund may report a healthy balance of "retained earnings," not because its activities are self-supporting, but because its losses are being continually subsidized by the general government.

Similarly, subsidies from other governments may help to maintain a high level of "retained earnings" despite operating losses. Therefore, users of financial statements should carefully examine proprietary fund operating statements⁵ for "nonoperating revenues" and "operating transfers in" when attempting to interpret the significance of retained earnings.

A special problem also exists for internal service funds. These funds often serve as "cost-allocation" mechanisms for goods or services provided by one fund to a number of other funds within the government (e.g., motor pools, print shops). In theory, charges to other funds by internal service funds should be designed only to recover cost. Therefore, a substantial balance of retained earnings in an internal service fund over a period of time, rather than indicating economic health, may indicate instead that other funds are being overcharged for the goods or services they receive from the internal service fund.

⁵Referred to as the "statement of revenues, expenses and changes in retained earnings/fund equity."

It also should be noted in passing that transfers of resources from enterprise funds to other funds can result in a relatively low balance of retained earnings, even though the fund may be generating healthy levels of net income. Again, the user of governmental balance sheets is advised to consult the proprietary fund operating statement to gain the perspective needed to properly interpret the significance of the balance of retained earnings in a given fund.

What is "reserved retained earnings"?

Some of the resources of a proprietary fund may be legally restricted for specific uses by outside parties. In such instances, a portion of retained earnings may be "reserved" to indicate that there is an external limitation on the use of those resources for other purposes. For example, proprietary funds issuing revenue bonds may be required to set up special restricted asset accounts to provide a special margin of comfort to bondholders. The excess of such restricted assets over related liabilities is often reflected as "reserved retained earnings."

It is important to note that "reserved retained earnings" differs considerably from "reserved fund balance" despite the similarity of terminology. "Reserved fund balance" in a governmental fund can result not only from legal restrictions, but also from the fact that certain financial resources are not considered spendable or appropriable (e.g., long-term receivables). "Reserved retained earnings," on the other hand, is exclusively used to reflect external legal restrictions upon the use of resources.

*Can "retained earnings" be
"designated"?*

"Designations" are closely linked conceptually with the idea of *financial* resources. Accordingly, designations traditionally have not been reported in proprietary funds because the latter focus on *economic* rather than financial resources.

A recent change in accounting standards appears to step away from traditional practice by *requiring* designations to be reported in certain circumstances for internal service funds that are used to report risk-financing activities. It should be noted, however, that this new accounting requirement explicitly calls for reporting such designations in the notes to the financial statements rather than on the face of the balance sheet.

In the private sector, retained earnings can be earmarked by reporting "appropriated retained earnings." This approach is not taken in proprietary funds, however, probably because of the potential confusion between this specialized use of the term "appropriation" and the more common use of that term in the public sector to refer to the budget.

*What is the relationship between
"retained earnings" and liquidity?*

Retained earnings is simply the difference between a proprietary fund's assets and its liabilities and contributed capital. Typically, at least some assets of a proprietary fund are never expected to be converted into cash and so are not considered to be liquid (e.g., fixed assets). Other assets, while liquid, may be converted into cash at varying intervals (e.g., receivables). Accordingly, the balance of "retained earnings" in a proprietary fund should not be taken as a reflection of that fund's liquidity as of the date of the balance sheet. Instead, liquidity in proprietary funds is better judged on the basis of the difference between current assets and current liabilities (i.e., "working capital"). Even then, timing differences between when current assets will be converted into cash and when various current obligations will fall due could lead to cash flow difficulties.

How should equity be interpreted in trust funds?

There are three types of trust funds: expendable trust funds, nonexpendable trust funds and pension trust funds. Expendable trust funds function much as do governmental funds. Nonexpendable trust funds and pension trust funds, on the other hand, more closely resemble proprietary funds. Regardless of these differences, the term "fund balance" is always used to describe the equity of a trust fund. Likewise, "contributed capital" is never reported in trust funds. Instead, items that would be reported as "contributed capital" in a proprietary fund are reported in trust funds as "reserved fund balance."

In spite of the common terminology used by all trust funds, "fund balance" should be interpreted differently depending on the specific fund in question. Expendable trust funds, like their governmental fund counterparts, focus on net financial assets that are spendable or available for appropriation. Pension trust funds and nonexpendable trust funds, on the other hand, are used to measure economic (rather than financial) resources and so are similar to proprietary funds.

It is important to avoid misinterpreting "reserved fund balance," especially in expendable trust funds. Many governments reserve fund balance in these latter funds, not to indicate that resources are not spendable or appropriable (as would be the case in similar governmental funds), but merely to reflect the fact that the resources may be used only for the purposes set forth in the trust agreement. (Such a "reservation" of fund balance is normally redundant, given that the establishment of a trust fund is itself a sufficient indication that resources of that fund may not be used for

other purposes). Therefore, "reserved fund balance" of an expendable trust fund may, in fact, be available for spending or appropriation within the scope of the trust fund's activities.

Care must also be taken in reviewing the equity of pension trust funds. Under current authoritative standards, one of several approaches may be taken to balance sheet presentation. In some cases, "fund balance" may represent only the difference between assets available for benefits and liabilities related to current operations. In such instances, a pension trust fund may report positive fund balance (a portion of which may be reserved) even though assets available for benefits are insufficient to pay actuarially accrued obligations that have been incurred based on employee service to date.

In other instances, the full actuarially accrued obligation to employees is reflected as "reserved fund balance" of the pension trust fund. When this approach is taken (as indicated by the presence of a number of large, separate "reserve" accounts in the equity section of the balance sheet), unreserved fund balance (most often a "deficit") serves as a measure of whether the fund has sufficient resources at the date of the balance sheet to pay actuarially accrued obligations incurred as of balance-sheet date.

Why is no equity reported in agency funds?

Agency funds exist only to keep track of assets held by the government on behalf of others. For example, a state might use an agency fund to account for the portion of sales taxes collected on behalf of municipal governments within the state. Accordingly, anything held by an agency fund is also "owed" at the same time to some other party or fund. Therefore, agency fund assets are always exactly balanced by liabilities to the assets' rightful owners.

Why is equity not reported for account groups?

Governmental funds focus on spendable or appropriable resources. Therefore, these funds report only *financial* assets and certain liabilities expected to be liquidated in the near future. The emphasis on spendability, however, does not mean that users of financial statements do not also require information on the *nonfinancial* assets of the government. Similarly, users of the financial statements need information on all types of obligations arising from the operation of the government, regardless of when those obligations will be paid. Accordingly, government balance sheets present account groups (i.e., the general fixed assets account group and the general long-term debt account group) to reflect the assets and liabilities related to governmental funds that are not reported in the individual governmental funds. These account groups are simply memorandum lists of assets and liabilities and do not report operations or equity.

Unfortunately, the name of one of the accounts used in conjunction with the general fixed assets account group sometimes confuses users of government balance sheets. In spite of its name, the "investment in general fixed assets" account does *not* represent equity, but simply exists to meet the bookkeeping need to balance debits and credits. For example, when a government buys a piece of equipment, the "debit" is to the "equipment" account and the corresponding "credit" is to the "investment in general fixed assets" account. Why is this not a fair measure of equity?

A fair measure of equity must take into account both outstanding debt related to an asset and any exhaustion of the asset's service capacity. For example, assume that a piece of

equipment is purchased for \$20,000 and has a useful service life of 10 years. Further assume that \$10,000 of the purchase price was borrowed and is to be paid back evenly over the life of the asset. In this case, the purchaser's equity in the asset at the end of three years would be:

\$20,000 (cost)
(7,000) (outstanding debt)
(6,000) (accumulated depreciation)
\$ 7,000 Equity

The "investment in general fixed assets" account, however, does not reflect outstanding debt; nor is depreciation typically reported in the general fixed assets account group. Accordingly the "investment in general fixed assets" account represents only the original cost of assets (in this case, \$20,000), and is *not* a measure of equity in general fixed assets.

Conclusion

The proper interpretation of "unreserved fund balance," "reserved fund balance," "contributed capital," "retained earnings" and other measures of equity is vital if users of government balance sheets are to properly understand and utilize the data presented there. It is especially important that users of these balance sheets distinguish between the focus on *economic* resources characteristic of proprietary funds and the focus on *financial* resources available for spending or appropriation found in governmental funds.

In the governmental funds, "unreserved fund balance" plays a key role as the measure of spendable or appropriable resources. While such a measure is important, it should not be mistaken for a gauge of economic well being. Similarly, while there are rules of thumb that may be useful, there is no one right answer on the appropriate level of "unreserved fund balance" that should be maintained. Only a careful analysis of a government's specific circumstances, history and prospects can provide the perspective needed to properly interpret the true significance of current levels of "unreserved fund balance."

GLOSSARY

ACCOUNT GROUPS. Memorandum lists of certain assets and liabilities related to governmental funds that are not recorded in those funds.

CONTRIBUTED CAPITAL. Equity of a proprietary fund that resulted from capital contributions rather than from earnings or subsidies.

DEFERRED REVENUE. A liability reflecting assets that have not yet been recognized as revenue either because they have not yet been earned or because they are not yet considered "available" to pay liabilities of the current period.

DESIGNATED UNRESERVED FUND BALANCE. Net financial resources of a governmental fund that are spendable or available for appropriation, but which have been earmarked by the chief executive officer or the legislative body for some specific purpose.

EQUITY. The difference between fund assets and fund liabilities.

FUND. A separate fiscal and accounting entity used by governments to segregate resources related to specific activities (e.g., highway construction).

FUND BALANCE. The difference between fund assets and fund liabilities in a governmental or trust fund.

FUND TYPE. One of seven categories into which all individual funds must be classified.

LIQUIDITY. The ability to meet demands for payment on a timely basis.

RESERVED FUND BALANCE. For governmental funds and expendable trust funds, the portion of fund balance that is not available for appropriation because it is either legally restricted (e.g., encumbrances) or not spendable (e.g., long-term receivables).

For nonexpendable and pension trust funds, the portion of fund balance that is legally restricted.

RESERVED RETAINED EARNINGS. Generally, a portion of retained earnings reflecting the excess of restricted assets over related liabilities.

RETAINED EARNINGS. Net income and losses of all prior periods adjusted for transfers and amounts of depreciation charged to contributed capital.

UNRESERVED FUND BALANCE. In a governmental or expendable trust fund, the balance of net financial resources that are spendable or available for appropriation. In a nonexpendable or pension trust fund, the portion of fund balance that is not legally restricted.

2015

ANNUAL REPORT

REDEVELOPMENT AGENCY OF CENTERVILLE CITY, UT

IN COMPLIANCE WITH UTAH CODE SECTION 17C-1-603 AND 17C-1-402(9)(b)



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EXECUTIVE SUMMARY

INTRODUCTION

Lewis Young Robertson & Burningham, Inc ("LYRB") has been retained by the Centerville City Redevelopment Agency (the "Agency") to assist with the management of the Agency's three project areas:

- Parrish Gateway RDA;
- Legacy Crossing CDA; and,
- Barnard Creek CDA.

The purpose of this report, in part, is to fulfill the requirements of Utah Code section 17C-1-402(9)(b) and section 17C-1-603 – Agency Report. As new reporting requirements were adopted in legislation and became effective in 2011, this report facilitates the RDA's compliance with the new code, providing the data necessary to fulfill these new reporting requirements. This section of Utah Code mandates that the Agency provide an annual report to the county auditor, the State Tax Commission, the State Board of Education, as well as each of the taxing entities that levy a tax on property from which the Agency collects tax increment. The taxing entities involved in the various project areas of the Centerville City RDA, to which this report is being provided, are summarized in the table below.

TABLE 1.1: RDA TAXING ENTITIES

RDA TAXING ENTITIES	
Blaine Lutz	Centerville City
Heidi Voordeckers	Davis County
Curtis Koch	Davis County
Bryan Bowles	Davis School District
Craig Carter	Davis School District
John Miller	South Davis Recreation District
Gary Hatch	Davis County Mosquito Abatement District
Dal Wayment	South Davis Sewer District
Tage Flint	Weber Basin Water Conservancy District
Natalie Grange	Utah State Board of Education
Lorraine Austin	Utah State Board of Education
Barry Conover	Utah State Tax Commission

This report also fulfills the reporting requirements described in UC 17C-1-402(9)(b), allowing the report to be used in place of an annual taxing entity committee meeting. This annual report is for informational purposes and is intended to provide an overview of each Project Area that lies within the boundaries of the Centerville RDA.

OVERVIEW OF THE REDEVELOPMENT AGENCY

The Centerville City Redevelopment Agency was created in accordance with the provision of the Utah Neighborhood Development Act, UCA 17A-2-1201, 17A-2-1202, and 17A-2-1203.

UCA 17C has expanded the ability of the Redevelopment Agencies, allowing the creation of various types of project areas, including Community Development Area (CDA), Urban Renewal Area (URA), and Economic Development Area (EDA). A CDA differs from an URA and an EDA in that it is meant to encourage, promote, or provide for development, but does not require the vote, approval, or governance of a taxing entity committee. Various taxing entities can elect to participate on an individual basis through interlocal agreements. In comparison, an EDA is intended to create jobs or economic opportunity and requires a taxing entity committee. A URA is meant to initiate or intensify development of a blighted or under-used area. In the case of a URA, blight finding is required, limited use of eminent domain is allowed, and a taxing entity committee is required.

As the Parrish Gateway RDA was created prior to this expansion of UCA 17C, and prior to 1993, this Project Area has been classified simply as a Redevelopment Area, or RDA. The Legacy Crossing CDA Project Area and Barnard Creek, which were created subsequent to this expansion, have been classified as a CDA, and tax increment participation is agreed to by each of the taxing entities through interlocal agreement.

AUTHORITIES AND POWERS OF THE AGENCY

The authority of the Agency is directed by UCA Title 17C as follows:

I. A community development and renewal agency may:

-  Sue and be sued;
-  Enter into contracts generally;
-  Buy, obtain an option upon, or otherwise acquire an interest in real or personal property;
-  Sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or personal property;
-  Enter into a lease agreement on real or personal property, either as lessee or lessor;
-  Provide for urban renewal, economic development, and community development as provided in this title;
-  Receive tax increment as provided in this title;
-  If disposing of or leasing land, retain controls or establish restrictions and covenants running with the land consistent with the project area plan;
-  Accept financial or other assistance from any public or private source for the agency's activities, powers, and duties, and expend any funds so received for any of the purposes of this title;
-  Borrow money or accept financial or other assistance from the federal government, a public entity, or any other source for any of the purposes of this title and comply with any conditions of the loan or assistance;
-  Issue bonds to finance the undertaking of any urban renewal, economic development, or community development or for any of the agency's other purposes, including:
 -  Reimbursing an advance made by the agency or by a public entity or the federal government to the agency;
 -  Refunding bonds to pay or retire bonds previously issued by the agency; and
 -  Refunding bonds to pay or retire bonds previously issued by the community that created the agency for expenses associated with an urban renewal, economic development, or community development project; and
-  Transact other business and exercise all other powers provided for in this title.

GOVERNING BOARD OF TRUSTEES AND STAFF MEMBERS

TABLE 1.2: BOARD OF TRUSTEES

GOVERNING BOARD OF TRUSTEES		
Paul Cutler	Chairman	Centerville City Mayor
Ken Averett	Board Member	Centerville City Council Member
Stephanie Ivie	Board Member	Centerville City Council Member
John Higginson	Board Member	Centerville City Council Member
Tami Fillmore	Board Member	Centerville City Council Member
Lawrence Wright	Board Member	Centerville City Council Member

SUMMARY OF REQUESTED FUNDS

The Agency **requests all funds it is legally entitled to receive**, and estimates those funds according to the chart below. Per UC 17C-1-603(3), these projected figures are provided for informational purposes only, and do not alter the amount of tax increment that this Agency is entitled to collect. The Agency requests all tax increment legally available from each of the Agency's project areas described below; however these estimates should in no way be interpreted or applied as a limitation upon the amount the Agency is entitled to receive under applicable statute(s), project area budget(s), and/or interlocal cooperation agreements.

TABLE 1.3: ESTIMATE OF TAX INCREMENT

ESTIMATE OF TAX INCREMENT TO BE PAID TO THE AGENCY		
	Tax Year 2015 (Ending Dec. 31, 2015)	Tax Year 2016 (Beginning Jan. 1, 2016)
Property Tax Increment		
Parrish Gateway RDA	\$1,267,493	\$1,267,493
Legacy Crossing CDA	\$274,881	\$313,565
Barnard Creek CDA	\$93,968	\$130,530
Total Revenue	\$1,636,342	\$1,711,588



PARRISH GATEWAY RDA



LEGACY CROSSING CDA



BARNARD CREEK CDA

SECTION 1: PARRISH GATEWAY RDA PROJECT AREA

The Parrish Lane Gateway Project Area was created in 1989 and has been active with development of the Centerville Marketplace Project in 1995 that includes a Super Target, Home Depot, Kohls and several thousand square feet of other medium and small box retail. More recent major developments have been a Walmart, small box retail and restaurants. The Marketplace Business park is a two building development of class A office park consisting of 140,000 square feet of space. The development was augmented with a two level parking structure. The Redevelopment Agency partnered with other governmental entities to construct a 60,000 square foot regional performing arts center. The Davis Center for the Performing Arts opened in 2011. The facility is operated by CenterPoint Legacy Theater. The addition of the Art Center has contributed to the overall vitality of the area, restaurants and retail businesses.

TABLE 2.1: PROJECT AREA OVERVIEW

Type	Acres	Purpose	Taxing Area	Tax Rate
RDA	96.4	Commercial Development	#8	0.012565
Creation Year	Term	Trigger Year	Expiration Year	
1989	25 Years	FY 1997	FY 2021	
Base Value	TY 2014 Value	Increase	FY 2015 Increment	
\$4,160,860	\$120,892,172	2805%	\$1,267,493	

The Parrish Gateway RDA Project Area was created in September 1989 with the purpose of incentivizing commercial development in Centerville. As the Parish Gateway RDA Project Area was created prior to 1993, a taxing entity committee was not established for this Project Area.



SOURCES OF FUNDS

TABLE 2.2: SOURCES OF FUNDS

2015 SOURCES OF FUNDS	
Property Tax Increment	\$1,267,493
Total Sources of Funds	\$1,267,493

TABLE 2.3: TAX INCREMENT LEVELS

TAX INCREMENT LEVELS	
Years	%
1997-2001	100%
2002-2006	80%
2007-2011	75%
2012-2016	70%
2017-2021	60%

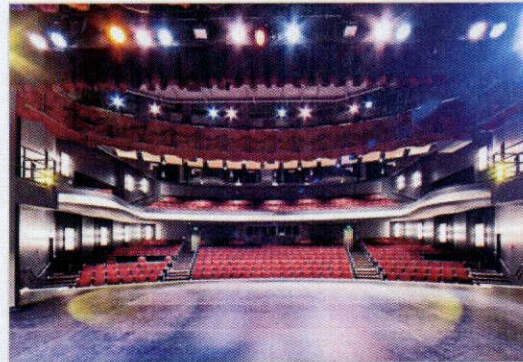
USES OF FUNDS

TABLE 2.4: USES OF FUNDS

2015 USES OF FUNDS	
RDA Administration (5%)	\$63,375
Redevelopment Activities ¹	1,204,118
Total Uses of Funds	\$1,267,493

Redevelopment activities will include the following developer/bond obligations:

- Land Rover Participation Agreement annual allocation at approximately \$43K through 2021.
- Repayment of the Series 2009 Centerville City Sales Tax Revenue Bonds which will be paid in part through tax increment received from the Parrish Gateway RDA. In FY2015 the total debt service payment is \$1,621,387.50, but the amount to be repaid from TIF will be a minimum of \$623K for FY2015 and FY2016.



PROJECT AREA BUDGET UPDATE

The budget summarized below displays revenue in the fiscal year received rather than the calendar year collected.

TABLE 2.5: PROJECT AREA BUDGET

PROJECT AREA BUDGET	FY 2015	FY 2016
REVENUES		
Property Tax Increment	\$1,267,493	\$1,267,493
Total Revenue	\$1,267,493	\$1,267,493
EXPENDITURES		
RDA Administration @ 5%	\$63,375	\$63,375
Redevelopment Activities	1,204,118	1,204,118
Total Expenditures	\$1,267,493	\$1,267,493

¹ Redevelopment Activities include reimbursements to City for land, developer payments, and debt service payments on RDA Bonds.



PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following represent the projected multi-year budgets from 2015 to 2021.

CENTERVILLE, UTAH

Parrish Gateway RDA

Tax Increment Projections

Tax Year	Actual Data	Projected						
	2014	2015	2016	2017	2018	2019	2020	2021 ⁽¹⁾
Total Taxable Value	\$120,892,272	\$120,892,272	\$120,892,272	\$120,892,272	\$120,892,272	\$120,892,272	\$120,892,272	\$120,892,272
Base Tax Value*	4,160,860	4,160,860	4,160,860	4,160,860	4,160,860	4,160,860	4,160,860	4,160,860
Marginal Value	125,053,132	125,053,132	125,053,132	125,053,132	125,053,132	125,053,132	125,053,132	125,053,132
Haircut	70%	70%	70%	60%	60%	60%	60%	60%
Incremental Value	87,537,192	87,537,192	87,537,192	75,031,879	75,031,879	75,031,879	75,031,879	75,031,879
Rate	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565	0.012565
Total Incremental Tax	\$1,099,905	\$1,099,905	\$1,099,905	\$942,776	\$942,776	\$942,776	\$942,776	\$942,776
Haircut	\$167,588	\$167,588	\$167,588	\$143,647	\$143,647	\$143,647	\$143,647	\$143,647
Total Increment	\$1,267,493	\$1,267,493	\$1,267,493	\$1,086,422	\$1,086,422	\$1,086,422	\$1,086,422	\$1,086,422

Note 1: According to the Project Area Plan, increment ceases to flow to the RDA after 32 years from adoption (19 Sept 2021).

* The Base Tax Value is a negative value and is therefore added to the Total Taxable Value.

SECTION 2: LEGACY CROSSING CDA PROJECT AREA

The Legacy Crossing Community Development Area (CDA) was adopted to facilitate development in an area that was lacking in infrastructure including water, drainage, sewer, roads and traffic control. This area has also become a gateway to the City, with the completion of the Legacy Parkway. The initial project was the Larry H. Miller Megaplex, a 14 screen theater complex and an IMAX theater. Recent projects has been a 75,000 square foot class A office, several smaller office and retail buildings. Additional development of a 20,000 square foot office building, multifamily housing and commercial pads have commenced construction.

TABLE 3.1: PROJECT AREA OVERVIEW

<u>Type</u>	<u>Acres</u>	<u>Purpose</u>	<u>Taxing Area</u>	<u>Tax Rate</u>
CDA	102 acres*	Commercial & Residential Development	#8	0.012565
<u>Creation Year</u>	<u>Base Year</u>	<u>Term</u>	<u>Trigger Year</u>	<u>Expiration Year</u>
FY 2010	FY 2010	15 Years	FY 2014	FY 2028
<u>Base Value</u>	<u>TY 2014 Value</u>	<u>Increase</u>	<u>FY 2015 Increment</u>	
\$17,300,027	\$67,395,002	290%	\$199,573	

* 80.63 Acres within the Project Area are privately owned and are the focus of the CDA Plan.



The Legacy Crossing CDA Project Area was created in 2010 and is governed by the Project Area Plan dated March 16, 2010, as well as Interlocal Agreements and Resolutions between the Agency and Davis County, Davis County School District, Centerville City, Weber Basin Water Conservancy District, Davis County Mosquito Abatement District, South Davis County Sewer Improvement District, South Davis Recreation District, and Davis County Library. These documents define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and each participating tax entity.

The purpose of this Project Area is to incentivize the commercial and residential development, which will create jobs and increase property and sales tax revenue to the taxing entities. The Project Area includes 105 acres, located entirely within the boundaries of Centerville City on the western boundary of the City adjacent to Parrish Lane and 1250 West in between Legacy Highway and Interstate 15. A map of the Project Area is included as Exhibit A.

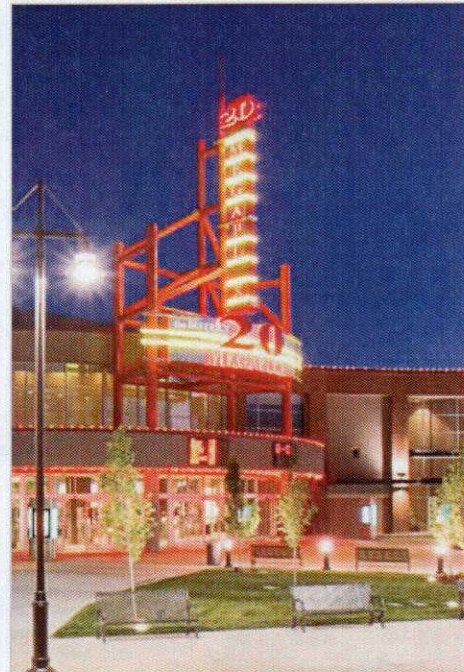
SOURCES OF FUNDS

TABLE 3.2: SOURCES OF FUNDS

2015 SOURCES OF FUNDS	
Property Tax Increment	\$199,573
Total Sources of Funds	\$199,573

TABLE 3.3: TAX INCREMENT LEVELS

TAX INCREMENT LEVELS		
Taxing Entity	Length	%
Davis County	15 Years	30%
David County School District	15 Years	30%
Centerville City	15 Years	50%
Weber Basin Water Conservancy District	15 Years	30%
Davis County Mosquito Abatement District	15 Years	30%
South Davis Sewer Improvement District	15 Years	30%
South Davis Recreation District	15 Years	30%
Davis County Library	15 Years	30%



USES OF FUNDS

TABLE 3.4: USES OF FUNDS

2015 USES OF FUNDS	
CDA Administration (5%)	\$9,979
Public Infrastructure (59%)	117,748
Development Enhancements (36%)	71,846
Total Uses of Funds	\$199,573

PROJECT AREA BUDGET UPDATE

The budget summarized below displays revenue in the fiscal year received rather than the calendar year collected.

TABLE 3.5: PROJECT AREA BUDGET

PROJECT AREA BUDGET	FY 2015	FY 2016*
REVENUES		
Property Tax Increment	\$199,573	\$274,881
Total Revenue	\$199,573	\$274,881
EXPENDITURES		
CDA Administration (5%)	\$9,979	\$13,744
Public Infrastructure (59%)	117,748	131,084
Development Enhancements (36%)	71,846	100,053
Total Expenditures	\$199,573	\$274,881
*Projected		

EXHIBIT A: MAP OF LEGACY CROSSING CDA PROJECT AREA





PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following represent the projected multi-year budgets from 2015 to 2026.

CENTERVILLE, UTAH

Legacy Crossing CDA

Tax Increment Projection

	Payment Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026		
INCREMENTAL PROPERTY TAX ANALYSIS:	Tax Year													TOTALS	NPV
Cumulative Taxable Value	Year	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15		
Total Assessed Value:		67,395,002	84,725,748	94,214,546	98,719,083	103,088,999	107,739,387	108,778,772	107,432,557	114,567,112	113,220,898	111,874,684	110,952,755		
LESS BASE YEAR VALUE (2010):		(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)	(17,300,027)		
TOTAL INCREMENTAL VALUE:		50,094,975	67,425,721	76,914,519	81,419,056	85,788,972	90,439,360	91,478,745	90,132,530	97,267,085	95,920,871	94,574,657	93,652,728		
TAX RATE & INCREMENT ANALYSIS:	2015 RATES														
Totals:	0.012864	629,443	867,364	989,428	1,047,375	1,103,589	1,163,412	1,176,783	1,159,465	1,251,244	1,233,926	1,216,608	1,204,749	14,982,000	9,393,156

CDA PROJECT AREA BUDGET		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026		
Sources of Funds:	% Participation													TOTALS	NPV
Davis County	30%	28,719	38,534	43,957	46,531	49,028	51,686	52,280	51,511	55,588	54,819	54,049	53,523	686,850	435,422
Davis County School District	30%	124,120	173,048	197,401	208,962	220,177	232,113	234,780	231,325	249,636	246,181	242,726	240,360	2,960,867	1,850,029
Centerville City (50% Participation)	50%	26,851	36,680	41,841	44,292	46,669	49,199	49,764	49,032	52,913	52,181	51,449	50,947	635,868	399,173
Weber Basin Water Conservancy District	30%	2,991	3,965	4,523	4,787	5,044	5,318	5,379	5,300	5,719	5,640	5,561	5,507	69,243	43,578
Davis County Mosquito Abatement District	30%	1,864	2,468	2,815	2,980	3,140	3,310	3,348	3,299	3,560	3,511	3,461	3,428	41,887	26,088
South Davis County Sewer Improvement District	30%	4,524	6,129	6,992	7,401	7,798	8,221	8,315	8,193	8,842	8,719	8,597	8,513	106,912	67,263
South Davis Recreation District	30%	5,080	6,756	7,707	8,158	8,596	9,062	9,166	9,031	9,746	9,611	9,476	9,384	119,781	75,789
Davis County Library	30%	5,425	7,302	8,330	8,818	9,291	9,795	9,907	9,761	10,534	10,388	10,242	10,143	127,539	80,274
Total Sources		199,573	274,881	313,565	331,929	349,744	368,703	372,941	367,452	396,538	391,050	385,562	381,803	4,748,947	2,977,616

Uses of Tax Increment Funds:	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	TOTALS	NPV
Total Uses	199,573	274,881	313,565	331,929	349,744	368,703	372,941	367,452	396,538	391,050	385,562	381,803	4,748,947	2,977,616
REMAINING PROPERTY TAX INCREMENTAL REVENUES FOR TAXING ENTITIES														
Total:	\$429,870	\$592,483	\$675,863	\$715,446	\$753,845	\$794,709	\$803,842	\$792,013	\$854,705	\$842,876	\$831,046	\$822,945	10,233,053	6,415,540

SECTION 3: BARNARD CREEK CDA PROJECT AREA

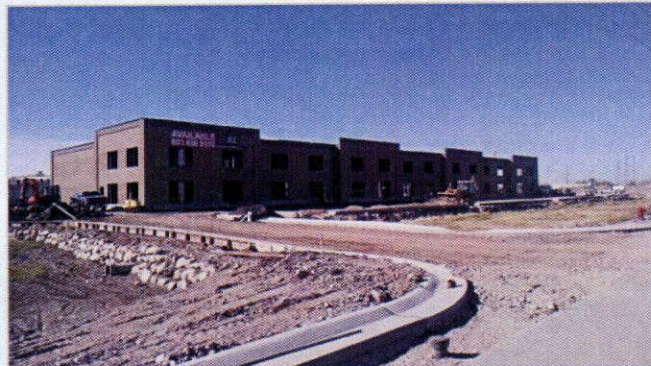
This project area is in its infancy having been created in 2013. This area lacks needed infrastructure including storm water, culinary water, roads and some areas have been a dumping ground of construction materials and are in need of remediation. This area is planned to be a job creation area including office and flex space.

TABLE 4.1: PROJECT AREA OVERVIEW

OVERVIEW				
<u>Type</u> CDA	<u>Acreage</u> 61 acres	<u>Purpose</u> Commercial Development	<u>Taxing Area</u> #8	<u>Tax Rate</u> 0.012565
<u>Creation Year</u> FY 2013	<u>Base Year</u> FY 2012	<u>Term</u> 20 Years	<u>Trigger Year</u> FY 2016	<u>Expiration Year</u> FY 2035
<u>Base Value</u> \$15,525,163	<u>TY 2014 Value</u> \$47,434,617	<u>Increase</u> 174%	<u>FY 2015 Increment</u> N/A	

The Barnard Creek CDA Project Area was created with the purpose of incentivizing commercial development within Centerville City. This will include providing for attractive business, office, commercial, and light industrial uses; reserving West Centerville for business park, office park, highway commercial, and light industrial uses; and creating a quality employment center for the South Davis Area. It is expected that the tax increment necessary to incentivize these uses will be triggered in FY 2016.

The Project Area is governed by the Project Area Plan dated July 16, 2013, as well as Interlocal Agreements and Resolutions between the Agency and Davis County, Davis County School District, Centerville City, Weber Basin Water Conservancy District, Davis County Mosquito Abatement District, South Davis County Sewer Improvement District, South Davis Recreation District, and Davis County Library. These documents define the duration and use of property tax generated within the Project Area as well as conditions and obligations by the Agency and each participating tax entity.





The Project Area lies entirely within Centerville City and includes approximately 61 acres of property located west of I-15 and north of 725 North and following 900 West up to the Legacy Parkway Trail. A map of the Project Area is included as Exhibit B.

SOURCES OF FUNDS

TABLE 4.2: SOURCES OF FUNDS

PROJECTED 2016 SOURCES OF FUNDS	
Property Tax Increment	\$93,968
Total Sources of Funds	\$93,968

TABLE 4.3: TAX INCREMENT LEVELS

TAX INCREMENT LEVELS		
Taxing Entity	Length	%
Davis County	20 Years	75%
David County School District	20 Years	75%
Centerville City	20 Years	75%
Weber Basin Water Conservancy District	20 Years	75%
Davis County Mosquito Abatement District	20 Years	75%
South Davis Sewer Improvement District	20 Years	75%
South Davis Recreation District	20 Years	75%
Davis County Library	20 Years	75%

USES OF FUNDS

TABLE 4.4: USES OF FUNDS

PROJECTED 2016 USES OF FUNDS	
CDA Administration @ 5%	\$4,698
Project Development @ 85%	79,873
Housing Revitalization @ 10%	9,397
Total Uses of Funds	\$93,968

FORECASTED PROJECT AREA BUDGET UPDATE

The multi-year budget attached to this document and summarized below displays revenue in the fiscal year received rather than the calendar year collected.

TABLE 4.5: PROJECT AREA BUDGET

FORECASTED PROJECT AREA BUDGET		FY 2016-2037
REVENUES	TOTALS	NPV @ 5%
Property Tax Increment	\$4,402,272	\$2,640,419
Total Revenue	\$4,402,272	\$2,640,419
EXPENDITURES	TOTALS	NPV @ 5%
CDA Administration @ 5%	\$220,114	\$132,021
Project Development @ 85%	3,741,932	2,244,356
Housing Revitalization @ 10%	440,227	264,042
Total Expenditures	\$4,402,272	\$2,640,419



PROJECT AREA ANNUAL AND MULTI-YEAR BUDGETS

The following sheet represent the projected multi-year budgets from 2016 to 2035.

REDEVELOPMENT AGENCY OF CENTERVILLE CITY, UT

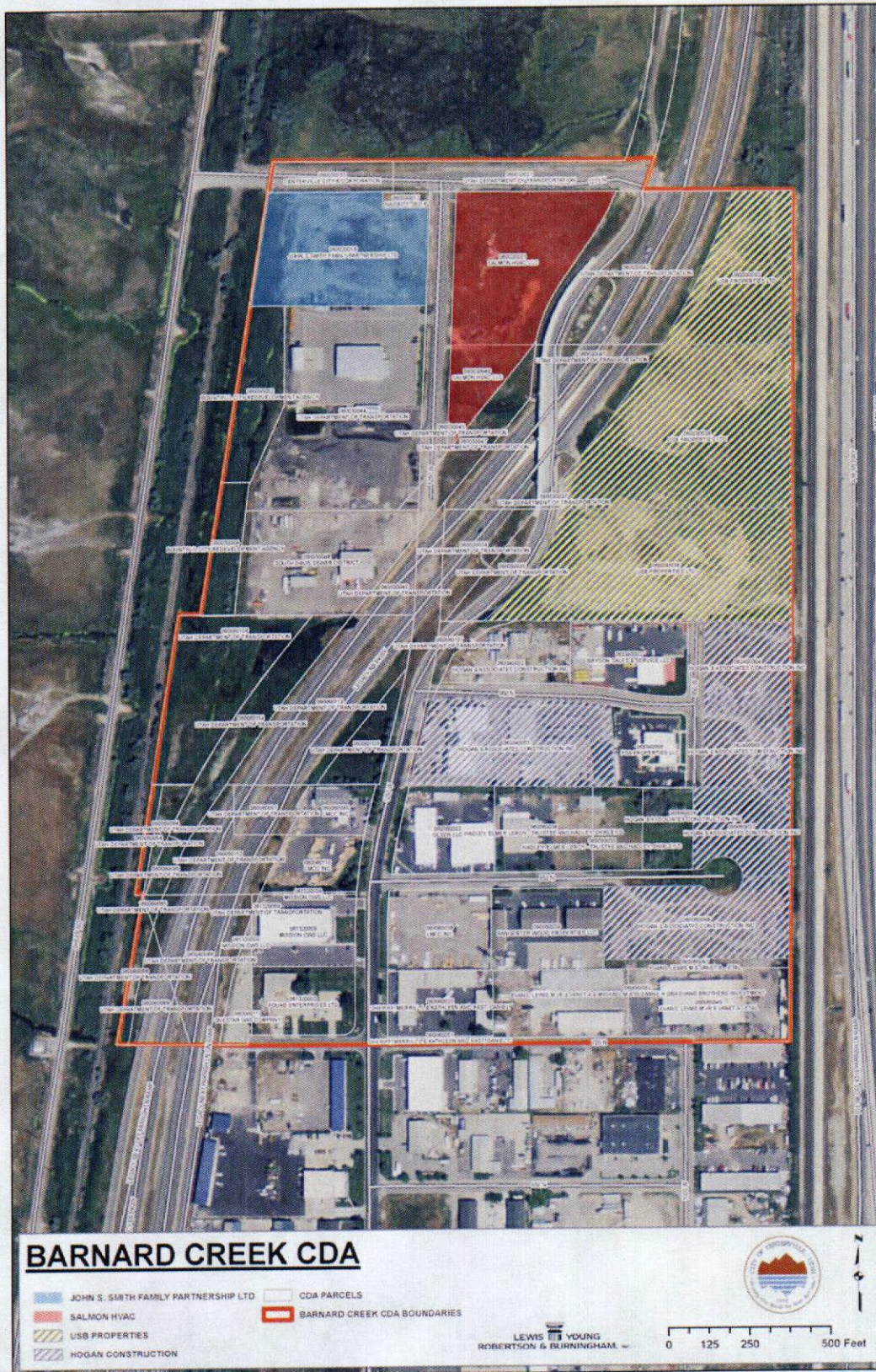
REDEVELOPMENT AGENCY OF CENTRAVILLE
Barnard Creek Project Area
Investment and Budget Analysis
Agency C.F. Multi-Year Tariff Increment Subject

ASSUMPTIONS:	
Discount Rate	5.0%
Inflation Rate	2.5%

Agreement Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTALS	NPV
Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20			
Commissions Credit Value	\$1,780,448	\$6,443,723	\$7,624,541	\$10,296,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440	\$10,729,440		
Capital Expenditure	2,322,222	2,522,222	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834	4,689,834		
Capital Development	-	-	-	\$3,763,072	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256	\$4,184,256		
Project Development	-	-	-	\$1,862,027	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053		
Joint Sales Development	-	-	-	\$1,117,552	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053	\$2,800,053		
TOTAL INVESTMENT VALUE	\$4,772,860	\$8,066,000	\$13,481,175	\$18,182,113	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717	\$18,184,717		
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EXHIBIT B: MAP OF BARNARD CREEK CDA PROJECT AREA



11/4/2015

Parks Capital Improvement Plan All dollar amounts are rough estimates only.

<u>HIGH TO LOW PRIORITY</u>			Impact Fee Eligible
1	Community Park Expansion phase 4: Irrigation and seed	\$ 600,000	\$ 600,000
2	" phase 5: Parking and Path (.26 miles)	\$ 150,000	\$ 150,000
3	" Small Bowery/restrooms	\$ 60,000	\$ 60,000
4	Porter-Walton Park Swingset + Toddler Seat	\$ 3,000	
5	Community Park Additional Lighting in Parking Lots	\$ 25,000	
6	Community Park Expansion Additional Playground	\$ 50,000	\$ 50,000
7	Community Park Ballfield Lights/Scoreboards	\$ 160,000	
8	*Island View Park Replace Playgrounds	\$ 100,000	
9	" Concept plan/Design Grading	\$ 100,000	
10	" Renovate Tennis Courts	\$ 150,000	
11	" Renovate/Rebuild Lower Level Restrooms	\$ 55,000	
12	" Remove Handball/Build Pickleball courts	\$ 150,000	
13	" New Restroom/Pavilion on Upper Level	\$ 60,000	
14	Replace/repair of existing amenities; Playgrounds, pavilions, paths, courts.	\$ 300,000	
15	Parrish Creek Pond Develop nature park	\$ 150,000	\$ 150,000
16	Location To Be Determined Splash Pad/interactive water feature	\$ 500,000	
17	Additional Park Amenities 2 Tennis Courts	\$ 300,000	
18	Location To Be Determined 2 Basketball Courts	\$ 150,000	
19	Location To Be Determined 4 Pickleball Courts	\$ 150,000	
20	Trail Improvements Legacy/D&RG Trailhead w/restrooms	\$ 100,000	
21	Frontage Road West Side Landscaping	\$ 400,000	
22	Future Park(s) Location TBD Purchase of Property (7.21 acres)	\$ 680,000	\$ 205,000
23	Phase 1: Concept Planning and Design	\$ 20,000	\$ 6,000
24	Phase 2: Grading	\$ 60,000	\$ 18,000
25	Phase 3: Drainage and Utilities	\$ 36,000	\$ 12,000
26	Phase 4: Irrigation and seed	\$ 600,000	\$ 180,000
27	Phase 5: Parking and Path	\$ 150,000	\$ 45,000
28	Additional Park Amenities Pavilion/Restroom Playground	\$ 300,000	\$ 190,000
29	City Hall/Founders Park Expansion Purchase & Improve .98 acres	\$ 700,000	\$ 700,000
Total Improvements		\$ 6,259,000	\$2,366,000

* Island View Park Complete Rebuild estimate at \$ 141,400 per acre
4.6 acres

POTENTIAL FUNDING SOURCES

\$ 650,440

- 1 Future Park Impact Fees/Developer Contributions
- 2 Grants
- 3 General Fund
- 4 RAP Tax
- 5 Recreation District
- 6 Dedicated Property Tax

CENTERVILLE

**Staff Backup Report
2/2/2016**

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 February 2, 2016 Council meeting

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No.

Short Title: Councilman Bill Ince

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 1

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:10

SUBJECT

January 19, 2016 work session and regular Council meeting

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ 1-19-2016 work session minutes
- ☐ 1-19-2016 Council meeting minutes

PRELIMINARY DRAFT

Minutes of the Centerville City Council **work session** held Tuesday, January 19, 2016 at 5:40 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

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

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Von Steenblik, Police Lieutenant
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Chief Jeff Bassett, South Davis Metro Fire District
Senator Todd Weiler
Representative Tim Hawkes (arrived at 6:11 p.m.)
Senator Stuart Adams (arrived at 6:00 p.m.)

WORK SESSION WITH STATE LEGISLATORS REPRESENTING CENTERVILLE

Senator Todd Weiler explained the desire of the South Davis Sewer District to begin collecting food waste for conversion to energy, with the hope of keeping rates down in the long run. Senator Weiler said he is helping to craft narrow legislation that would allow the Sewer District to venture into the food waste market. Senator Weiler also explained his role on a special task force regarding right to counsel in Utah. In the 1960s the US Supreme Court released a decision stating that each state is responsible for overseeing this right. Senator Weiler said that Utah has passed that responsibility on to individual counties. He described some of the difficulties involved with contracting rural defense attorneys to provide counsel, and expressed a hope that an effective solution and change will be made by the State Legislature to avoid Federal involvement. Senator Weiler emphasized that the right to counsel Legislation is his top priority for the upcoming Session. Senator Stuart Adams arrived at 6:00 p.m., and commented that Utah is a leader in finding solutions to many problems, but not on this issue.

Mayor Cutler thanked the Legislators for their influence in helping the City get the pedestrian bridge over I-15 at Parrish Lane, and thanked the Legislature for allowing citizens to vote on Proposition One. Senator Adams responded that the pedestrian bridge would not have happened without leadership and pushing on the City's part, and recognized the Mayor, City Manager, and Council for the role they played.

Senator Adams pointed out that 100% of income tax revenue goes to education in the State. A portion of property tax revenue is distributed to education based on the number of students in each school district, and primarily funds capital needs. He explained steps taken last year by the Legislature to better equalize property tax revenue distribution to the districts.

1 Mayor Cutler asked Lieutenant Steenblik to talk about police body cameras. Lieutenant
2 Steenblik stated that the biggest body camera issue for the Police Department has been storage
3 and retention. There are a lot of issues to work out, and he said they would prefer direction to
4 come from POST (Police Officer Standards and Training) rather than the Legislature. Mayor
5 Cutler commented that the Police Department would prefer to avoid unfunded mandates from
6 the Legislature, and suggested the Legislators keep local law enforcement very involved in the
7 discussions. The Council and Legislators discussed privacy and liability issues involved with
8 police body cameras. Senator Weiler stated he believes some type of hybrid approach is
9 needed. Uniform standards are needed regarding what should be subject to GRAMMA.
10 Lieutenant Steenblik explained that the Centerville Police Department currently retains footage
11 on a server until the server is full, at which time the information is dumped (approximately 9-12
12 months). Councilman McEwan commented he feels footage taken inside a private residence
13 should not be subject to GRAMMA.

14
15 Senator Adams expressed gratitude and respect for the risks taken by Lieutenant
16 Steenblik and all police officers, and stressed that the public needs to treat officers with respect.
17 Councilwoman Ivie commented that the recent changes in retirement benefits concern her,
18 because she feels communities should be willing to pay more to the officers who daily put their
19 lives on the line. Senator Weiler commented that officer death benefits can come from many
20 different sources, and a process needs to be established to inform and help families. Mayor
21 Cutler stated the City is on both sides of the issue wanting to hire good officers, as well as fulfill
22 a fiscal responsibility to taxpayers. He asked the Legislators to work with the City regarding any
23 proposed changes to carefully analyze fiscal impacts. Senator Weiler said he is not aware of
24 any changes to the retirement system this year. The change was implemented five years ago to
25 guarantee that funds would be available. Senator Weiler explained that when Senator
26 Liljenquist ran the Legislation five years ago, he stressed that the change to retirement benefits
27 needs to be coupled with a salary increase for police officers. He said that in most cases that
28 has not happened. Senator Weiler said he feels retirement benefits are a small piece of the
29 recruitment issue.

30
31 The Legislators and City Council discussed sales tax from internet sales. Senator
32 Weiler stated there is no chance of a change on the National level. Most states want online
33 sales to be taxed the same as local companies. Senator Adams agreed it is currently blatantly
34 unfair, but explained some of the difficulties involved with interstate commerce. Senator Weiler
35 said it is estimated the State is losing \$290 million per year in sales tax income, and said he
36 would vote in favor of online sales tax legislation. Councilwoman Fillmore said she is more
37 concerned about marketplace fairness than tax revenue. Senator Adams stated that Utah has
38 the fastest growing economy in the Nation.

39
40 Mayor Cutler asked the Legislators if they are aware of a push to further restrict land use
41 authority. Senator Adams responded that he has not heard of anything, but will watch for it.
42 City Manager Thacker said the City would prefer the Legislators to be careful about further
43 restricting local land use authority. He said the Utah League of Cities and Property Rights
44 Coalition have worked well together. Senator Adams commented that the State has benefited
45 from this cooperation between cities and the development community.

46
47 Mayor Cutler expressed the City's desire to work with Farmington and Davis County to
48 extend 1250 West in Centerville to connect with 650 West in Farmington, especially considering
49 the planned construction of the new high school. He stated that any help from the Legislators
50 would be appreciated. Councilwoman Ivie asked the Legislators to support a bill that would limit
51 the time frame allowed for mail-in ballots.
52

ADJOURNMENT

The Legislators gave the Council and staff their contact information, and Mayor Cutler adjourned the work session at 6:56 p.m.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

PRELIMINARY DRAFT

Minutes of the Centerville **City Council** meeting held Tuesday, January 19, 2016 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore William Ince Stephanie Ivie George McEwan Robyn Meham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Von Steenblik, Police Lieutenant
Jacob Smith, Management Assistant
Katie Rust, Recording Secretary

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Councilwoman Ivie

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the January 5, 2016 Swearing-In Ceremony, regular City Council meeting, and closed 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 (5-0).

SUMMARY ACTION CALENDAR

- a. Appointment of City Recorder and City Treasurer – Consider Resolution No. 2016-04 designating and appointing qualified persons to the offices of City Recorder and City Treasurer
- b. Appointments to the Board of Directors for the South Davis Metro Fire Service Area and Fire Agency – Consider Resolution No. 2016-05
- c. Approve allowance of Non-Right Angle Lot Line between Lot 3 and Lot 4 of the H&H Commercial Park Subdivision located at approximately 1100 West 650 North and 669 North 1000 West
- d. Authorize expenditure for replacement of infield soil on the northeast baseball diamond in Community Park

Mayor Cutler suggested the Council address item (d) on the Summary Action Calendar later in the meeting. Cory Snyder, Community Development Director, briefly explained item (c), the Non-Right Angle Lot Line request. Councilwoman Fillmore made a **motion** to approve items (a) – (c) on the Summary Action Calendar, including Resolution No. 2016-04 and Resolution No. 2016-05. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

**ZONE MAP AMENDMENT (REZONE) – HOLBROOK PROPERTY – 1851 NORTH
MAIN STREET**

Lisa Romney, City Attorney, stated that, although this item was not noticed for a public hearing, the Council could open the meeting for public comment if desired. Gary Perkins, representing the Holbrook family, commented that no one has expressed opposition specifically to the requested rezone in any of the Planning Commission or Council meetings. The primary goal of the Holbrook family with the rezone request is to separate the home from the undeveloped land and sell the home. Mr. Perkins gave a brief history of the property, and said he does not feel the easement concerns voiced by neighbors during the January 5, 2016 public hearing are relevant for consideration with the rezone. He stated that rezoning the property to Residential-Low (R-L) is consistent with the General Plan. Referring to the finding regarding adverse affect, he said he does not believe it would be pertinent to place conditions on the rezone to address hypothetical easement issues. He expressed that it is rare for a group of neighbors to unite in this way to preserve undeveloped land. If the proposed purchase does not occur, easement issues would be addressed with a subdivision request. The Holbrook family is asking for a rezone so they can move forward with whatever opportunity that might come forward consistent with the General Plan.

Mayor Cutler stated it is his impression that the Council is generally supportive of the proposed rezone, but wants to do their due diligence in terms of planning for the future. At 7:22 p.m. the Mayor opened a courtesy public hearing.

Steve Penrose – Mr. Penrose said he lives on 1850 North and is part of the group interested in buying the undeveloped property. He said he has enjoyed the undeveloped land behind his home for 24 years, and urged the Council to support the Zone Map Amendment.

Ernie Strong – Mr. Strong said he lives on 1850 North. He confirmed that representatives of both neighborhoods have met with the Holbrook family and talked through the issues as best they can. There may be some parties subject to conditions that had not been anticipated, but Mr. Strong said he feels it is going forward as well as possible for everyone concerned. He said the neighbors are very excited about the opportunity, and are trying to avoid creating hard feelings as much as possible. Mr. Strong said he has owned his property for almost 26 years, and added that all of the neighbors involved have been there for at least 10-15 years. They want the neighborhood to be a nice place to live.

Bill Gillett – Mr. Gillett said he has lived on 1850 North for 24 years. He expressed support for rezoning the property, and said he is part of the group interested in purchasing land behind his home. He stated that John Holbrook told him 15-20 years ago that he may have the opportunity to purchase the land when Mr. Holbrook passed on. He plans to keep the land undeveloped, with grass and a few trees. He said he is excited to increase the size of his property, and enjoy the beauty they all enjoy being Centerville residents. He expressed the hope that the Council will approve the rezone of the property.

Holly Reynolds – Ms. Reynolds said she lives on 1850 North, and she feels privileged to be living on the same street with her good neighbors. She said she is grateful to the Holbrook family for the chance to extend her property. She encouraged the Council to support the rezone so the Holbrook family can sell the home and move on with the healing process.

Blake Brog – Mr. Brog said he lives on 1750 North and owns undeveloped land on the south side of the property in question. He stated he is not in any way opposed to open space and back yards. His concern is that the long-time honored plan will not be honored. Mr. Brog

1 said he feels the new plan hurts the city and both the north and south neighbors. The City has
2 spent tax dollars committing itself to the master plan. The newly proposed plan would prevent
3 the infrastructure put in by the city from realizing its full potential. He said the Public Works
4 Department is concerned about potential stub problems, and has stated that access could be
5 blocked completely, which would impact all property owners. Mr. Brog said his property would
6 be reduced to a flag lot, which should never be the intent of any city plan. He said he believes it
7 would detract from Centerville City's aesthetics, and would show failure on the City's part to
8 honor the original plan. He said he believes he deserves better, and that it would be better to
9 record both 50-foot right-of-ways, addressing the desires of both north and south neighbors,
10 preserving the integrity of the original plan, and protecting all parties without restrictions.

11
12 Terry Blake – Mr. Blake said he lives on the 170 West stub road. He stated that the
13 south property owners all access their extended properties through their front properties, and
14 have never used the stub roads for access. Mr. Blake said he is very particular about his yard,
15 and promised the City that there would be no dirt or mud on the street. He reiterated that this is
16 a rezone issue. The neighboring property owners have already agreed to set aside 15-feet, and
17 he does not see why the City would need to become involved.

18
19 Peggy Strong – Ms. Strong read statements prepared by two of her neighbors who were
20 unable to attend, Mary Tullius and Kathy Goodfellow. Both statements expressed support for
21 the proposed rezone and a desire for the land to remain undeveloped. Ms. Strong said she has
22 lived in her home for 26 years, and would love to have the extended space for her grandchildren
23 to play. She expressed a desire to work together for the good of the neighborhood.

24
25 Mr. Perkins confirmed that the Holbrook family met with representatives from both
26 neighborhoods. The family was informed that those interested in purchasing the property
27 already have a plan in place for some type of easement or no-build zone. He pointed out that,
28 despite what past conceptual plans for the property may have shown, the stub roads may never
29 need to be extended. Mr. Perkins stated that past conceptual plans have no place with a
30 rezone. He said that, if the Council denies the request, they are telling the north property
31 owners they cannot have what the neighbors on the south side have already done. The
32 Holbrook family is asking for a rezone through legal means so the property can remain
33 undeveloped. He commented that Mr. Brog does not have legal access to his property through
34 the stub, a fact that would not change with the rezone. Mr. Perkins said he feels for Mr. Brog,
35 but does not feel the easement concerns have anything to do with the rezone.

36
37 Mayor Cutler said he feels some desire to plan for the future, and would feel better if he
38 knew a private no-build easement existed along that access point, but agreed it should not be
39 an official condition of the rezone. Councilwoman Fillmore commented that with standard side-
40 yard setbacks, access to the extended properties through front properties might be difficult. She
41 said this is one of the toughest decisions she has been faced with on the Planning Commission
42 and City Council. Councilwoman Fillmore said she is in support of preserving open space and
43 property rights. It looks like an easy rezone on the surface, but part of their job as City officials
44 is to have the vision to try to reduce problematic situations in the future. She said she sees this
45 plan as creating numerous problematic situations. Councilwoman Fillmore said she feels it
46 could be debated either way whether or not the proposed amendment is harmonious with the
47 overall character of existing development. She said the Council is allowed to consider public
48 comment on legislative decisions, and they have received public comment regarding how the
49 proposal might adversely affect adjacent properties.

50
51 Randy Randall, Public Works Director, explained his concerns related to run-off. He
52 said vegetation would not be a problem, but the introduction of hard surface may cause

1 flooding. Run-off concerns are mitigated during a subdivision process, which would not occur in
2 the proposed scenario. Impact fees come into play with building permits, but building permits
3 are not required for something like a sports court. Mr. Randall stated he thinks the proposed
4 use is fine from a zoning standpoint; the question is whether or not the land would ultimately be
5 used in a way that is not appropriate. He said there is no problem if the property owners plan to
6 access the extended property through their lots. He does not want to give the expectation that
7 access will be available through the stubs. Mr. Randall said he feels the City needs to ensure
8 the lots are not used for any purpose other than single-family dwellings. He agreed that a 15-
9 foot no-build easement along the back of the property would be desirable. Mr. Randall said he
10 would hope the property owners would install a storm drain system if hard surfacing is intended.
11 The extended properties on the south side do not have a storm drain system.

12
13 Councilwoman Fillmore made a **motion** to deny the request for rezone. She restated
14 that she does not think there is any problem with the area being R-L, but she feels it is a matter
15 of timing. Well-planned and well-thought out land use is an important part of the General Plan.
16 Councilwoman Fillmore stated the Council is currently dealing with difficult issues, such as
17 Accessory Dwelling Units (ADUs) and flag lots. She said she is not in favor of the flag lot
18 ordinance. A flag lot is not allowed in any sub-dividable area, and would not be allowed in this
19 situation. Councilman McEwan disagreed, speaking in favor of the property transfer that would
20 maintain green space. The motion died for lack of a second. Councilman McEwan made a
21 **motion** to adopt Ordinance No. 2016-01 amending the Centerville Zone Map by changing the
22 zoning of approximately 3.08 acres of real property located at 1851 North Main Street (Holbrook
23 Trust) from A-L (Agricultural-Low) to R-L (Residential-Low) based on the stated findings.
24 Councilwoman Ivie seconded the motion. Mayor Cutler suggested the Council add an intent
25 clause in the form of a finding (not a condition) stating that private parties have expressed the
26 intent to record a 15-foot no-build easement along the back of the property. Councilman
27 McEwan responded he does not feel that would apply to the motion. Mr. Perkins repeated that
28 the buyers have indicated willingness to allocate whatever is necessary for a 50-foot right-of-
29 way when combined with the property owned by Mr. Brog to the south. Mr. Strong added that it
30 is the property owners' intent to have the private easement to protect themselves, allow for their
31 friends on the south side, and to allow the Holbrook family to sell the home. He said they do not
32 intend to create run-off. Mr. Perkins clarified that the boundaries have not been finalized, but
33 the extended lots will be a little over one-quarter acre in most cases. Councilman McEwan
34 made a **motion** to call the question. Councilwoman Ivie seconded the motion, which passed by
35 unanimous vote (5-0). The motion to approve Ordinance No. 2016-01, with the findings
36 recommended by the Planning Commission, passed by unanimous vote (5-0).

37
38 Findings:

- 39
40 a) The Council finds that the proposed zoning change is consistent with the goals and
41 objectives of the General Plan [Section 12-480-3(1)(d)(1) & Section 12-420-2.1].
42 b) The Council finds that the recommendation to approve the proposed zone map
43 amendment has taken into account the "factors to be considered," as listed in
44 Section 12-21-080 and described in the related Staff Report dated 12-09-2015.

45
46 **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENTS, CHAPTER 12-60,**
47 **ACCESSORY DWELLING UNITS (ADUs)**

48
49 Cory Snyder, Community Development Director, gave a brief introduction and history of
50 the ADU issue in Centerville. The consideration of ADUs has been a City initiative, and was
51 included in the 2002 and 2012 Moderate Income Housing Plan. The Planning Commission has
52 recommended approval of proposed Ordinance No. 2016-04. ADUs are to be associated in

1 some manner with a single-dwelling home, and either the primary home or the ADU must be
2 owner-occupied (with an allowed sabbatical leave of up to three years). Councilman McEwan
3 asked if the ADU ordinance would provide a way to limit nightly rental situations such as Airbnb.
4 Mr. Snyder responded that renting on a daily basis would be a lodging issue, in violation of City
5 ordinance. A clause could be added to the ADU ordinance to add more teeth to rental
6 restrictions. Councilman McEwan asked where Centerville stands with moderate income
7 housing. Mr. Snyder explained moderate income calculations, and said he remembers the City
8 was just short of 1,200 units in 2012, potentially reaching up to 3,000 with anticipated growth.
9 Centerville is required to consider moderate income housing, but does not have to reach a
10 certain number. Mr. Snyder stated the opinion that Centerville is in decent shape regarding
11 moderate income housing.
12

13 Detached ADUs were the most controversial of the five types at the Planning
14 Commission level. The Planning Commission included detached units in the proposed
15 ordinance with multiple regulations. The ordinance addresses design standards, parking, and
16 limits an attached ADU to 25% of the home size or 800 square feet, whichever is less, with an
17 occupancy limitation of four people, in line with International Building Codes (one occupant per
18 200 square feet). An ADU is comprised of a bathroom, kitchen, and bedroom or living area. Mr.
19 Snyder briefly explained enforcement of ADU regulations, adding that no separate addressing
20 would be granted. Following direction from the previous Council, impact fees were removed
21 from the proposed ordinance.
22

23 Mayor Cutler opened a public hearing at 8:33 p.m.
24

25 Larry Wright – Mr. Wright stated he is glad the Council is addressing the ADU issue, and
26 wished them luck.
27

28 Dale Engberson – Mr. Engberson complimented Mr. Snyder on the well-written
29 ordinance. He said he believes more people would benefit than would be adversely affected by
30 the proposed ordinance. He commented that a lot of seniors who would like to stay in their
31 homes could benefit from younger people renting part of the home. In his experience, young
32 couples renting ADUs are a benefit to the community, and it gives them an opportunity to live in
33 the community where they could not otherwise afford to. Mr. Engberson encouraged the
34 Council to consider and address all the possible impacts.
35

36 Mayor Cutler closed the public hearing at 8:38 p.m. Mr. Snyder confirmed that a
37 separate utility account would be allowed, but would be in the name of the property owner.
38 Mayor Cutler commented that one reason for the Council to address ADUs is the fact that many
39 already exist in the community. He said many citizens have commented to him that City
40 ordinances are outdated and too difficult to comply with. The Mayor said he feels good about
41 the regulations for attached ADUs, but feels regulations for detached ADUs still need work. Mr.
42 Thacker asked if State and Federal housing non-discrimination laws apply to ADUs. Ms.
43 Romney responded that according to Utah law the non-discrimination laws generally do not
44 apply to single-family dwellings sold or rented by owner, if the owner is not a business entity or
45 partnership, does not have interest in four or more single-family homes being rented, has not
46 sold more than two single-family dwellings during the last two years, and has not retained or
47 used the facility or services of a real estate broker or sales person. However, Provision 57-21
48 states discriminating housing practices cannot be used in any written, oral, or any kind of
49 advertising statement. Anyone wanting to rent out an ADU would be subject to that provision.
50 The City would not require a business license for an ADU.
51

Councilman Ince said he originally voted against the ordinance as a Planning Commissioner because of the 25% size restriction. He said since the election many citizens have spoken to him against ADUs. Councilwoman Mecham said she did not get the same feeling, but she comes from an older neighborhood where most citizens are in favor of ADUs. Councilwoman Mecham said she would like the ordinance to specify single-family home rather than R-L Zone, since single-family homes in other zones would be excluded. Councilwoman Fillmore commented that making that change could offer complications that have not been considered. Mr. Snyder stated that detached ADUs could be removed from the ordinance to be addressed at a later time if the Council is inclined. Councilwoman Mecham agreed that detached ADUs have a lot more issues to address. The proposed ordinance references fire and building codes by default.

Councilwoman Fillmore made a **motion** to accept Chapter 12-60 regarding Accessory Dwelling Units with the following amendments: (1) delete Section 12-60-060(a)(4) regarding detached buildings, and any other statement that applies to detached units; and (2) increase the maximum size to 35% of the primary home, and remove the specified 800 square foot limit. She explained that a lot of newer homes have large family rooms in the basement, and she feels it would be safer and fairer to have a general percentage. Councilman McEwan spoke against her motion, stating he would prefer to give new Council members more time to give the issue proper consideration. The motion died for lack of a second. Councilman Ince made a **motion** to table the issue for at least 60 days but not more than 120 days, adding that he likes the basic provisions of Councilwoman Fillmore's motion, but would like more time for consideration. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

FOURTH OF JULY CELEBRATION

Mayor Cutler explained that with the 4th of July falling on Monday this year, the City could choose to schedule festivities on Friday and Saturday, or on Saturday and Monday. Mr. Thacker reported that the Parks and Recreation Department is willing to handle either schedule, but would prefer Friday/Saturday. Mayor Cutler introduced Steve and Kris Green, who have agreed to chair the 4th of July Committee. Mr. Green stated they have no strong recommendation either way. Councilman Ince commented that the F-16 flyover for the parade should be considered. Councilwoman Mecham commented that many former citizens return for the parade, and would not expect it to be on a day other than the 4th. She also pointed out that postal workers would not be able to attend or participate on a day other than the 4th. Councilwoman Fillmore asked if consolidating all the festivities into one day has been considered. Councilman Ince expressed a preference for fireworks on Saturday, July 2nd. Councilwoman Mecham added that some of the patriotic focus of the festivities would be lost with the parade on a different day. Councilman Ince made a **motion** to schedule 4th of July activities on Saturday, July 2nd, and Monday, July 4th. The fireworks, children's parade, and concert will occur on Saturday, with the parade on the 4th. Councilwoman Mecham seconded the motion. Councilwoman Ivie commented she thinks consolidating everything on one day for just one year would throw people off. The motion passed by unanimous vote (5-0).

PROPOSED AMENDMENTS TO SECTION 13-03-062 OF THE CENTERVILLE MUNICIPAL CODE REGARDING DISCHARGE OF MISSILES OR PROJECTILES

Councilwoman Ivie expressed concern for the City's ability to regulate and enforce Municipal Code Section 13-03-062 regarding the discharge of missiles or projectiles. She said she feels the regulation is overkill, and she would like to repeal the entire Section. Councilman McEwan asked Lieutenant Steenblik if the Police Department needs Section 13-03-062, or if

1 enough other ordinances are in place. He also asked how many times the ordinance has been
2 used. Lieutenant Steenblik responded that both State statutes the police would use, criminal
3 mischief and disorderly conduct, require intent. He said Section 13-03-062 is not an ordinance
4 the officers drive around looking to enforce. It has been enforced once for an air-soft gun
5 incident that did not meet the State statute for brandishing a weapon. Mayor Cutler commented
6 that his primary goal is to make Centerville a great place to raise a family. He said he originally
7 supported this ordinance with a desire to discourage airsoft wars and kids shooting BB guns at
8 each other. He suggested the Council could tweak the ordinance, but he is opposed to letting
9 teenagers and adults run around with guns in the neighborhoods. The Firearm Code does not
10 cover BB guns or airsoft guns. Councilwoman Fillmore asked if Councilwoman Ivie would feel
11 better with the ordinance specifying that a projectile cannot be launched past a property line.
12 Councilman McEwan responded he feels a property line restriction would be equally
13 unenforceable. He expressed confidence that the Police Department could use other statutes,
14 such as disorderly conduct. Councilman McEwan suggested citizens should govern themselves
15 with this, preferring not to put the police in the middle of a neighbor-to-neighbor situation if
16 possible. Councilman Ince asked if neighboring cities in Davis County have similar ordinances.

17
18 Councilwoman Fillmore made a **motion** asking staff to evaluate how important the
19 ordinance is to the safety of the community and to make a recommendation. Councilwoman
20 Ivie responded that Lieutenant Steenblik already did that in preparation for the meeting.
21 Lieutenant Steenblik said he discussed the matter with Chief Child, and they agreed that the
22 ordinance is not enforced on regular basis, and is responded to on a complaint basis. The
23 Police Department does get some complaints, and the ordinance allows the officers to stop
24 problems without having to prove intent. Lieutenant Steenblik stated he and Chief Child chose
25 to take a neutral position. The motion died for lack of a second. Ms. Romney stated that no
26 public hearing is necessary to make changes to the Criminal Code. Mayor Cutler repeated his
27 desire to not let kids run around the neighborhoods having BB gun and airsoft gun wars. He
28 said he respects the principle of liberty, but the City has a responsibility to keep children safe.
29 Councilman McEwan responded that parents are really good at enforcing what goes on in their
30 neighborhoods, and added that he feels the citizens are fairly homogenous regarding the
31 principles and standards of peace they would like in their neighborhoods. Councilman McEwan
32 agreed with Councilwoman Ivie that the Section should be repealed.

33
34 Responding to a question from Councilwoman Fillmore, Mayor Cutler explained that
35 Section 13-03-062 was part of a larger effort several years ago to update the Criminal Code.
36 Ms. Romney added that, at the time, Police Chief Worsley suggested keeping the Section in the
37 Code. Councilman Ince said he is inclined to agree with Council members Ivie and McEwan,
38 but expressed a desire to find out what is done in other communities. Mr. Thacker asked if
39 archery falls under any other provision, and Lieutenant Steenblik responded he is not aware of
40 one. Councilwoman Ivie suggested the archery class offered by the City recreation program is
41 in violation of the ordinance. Mr. Thacker said he recalls a provision that allows archery
42 situations approved by the Police Chief. Lieutenant Steenblik agreed that the City recreation
43 archery class has been approved as appropriately supervised. Mr. Thacker pointed out that
44 archery is not covered by the Firearm Code. Mayor Cutler encouraged the Council to work with
45 staff to come up with a compromise. Councilwoman Fillmore made a **motion** to direct staff to
46 gather more information regarding what other communities do, to evaluate possible negative
47 consequences of repealing Section 13-03-062, and bring back a more thorough report with a
48 recommendation. Councilman Ince seconded the motion. Councilman McEwan made a
49 **motion to amend** the motion, directing staff to bring the report back at the next Council
50 meeting, with the intention to make a decision whether to amend or repeal at that time.
51 Councilman Ince seconded the motion to amend, which passed by unanimous vote (5-0). The

1 motion as amended passed by unanimous vote (5-0). Councilwoman Ivie asked the City
2 Attorney to check State Code regarding firearms and archery.

3
4 The Council took a break from 9:31 p.m. to 9:38 p.m.

5
6 **PROPOSED AMENDMENTS TO THE SOUTH MAIN STREET CORRIDOR (SMSC)**
7 **OVERLAY ZONE REGARDING PUBLIC SPACE PLAN AND MAXIMUM GROSS DENSITY**
8

9 Public Space Plan – Councilman McEwan expressed concerned with elements included
10 in the SMSC Public Space Plan that could present a liability to the City. Councilwoman
11 Mecham added she is not sure where liability would lie if a car were to hit a break-away light
12 pole, or a skateboarder were to run into a flower pot. She also stated that maintenance of
13 elements included in the Plan could potentially be very high. Ms. Romney responded that
14 liability typically lies with the owner of a property or improvement. The City is responsible and
15 liable for public improvements in the public right-of-way; private property owners are liable for
16 private improvements on private property. Regarding maintenance of lights, Mr. Snyder stated
17 the City replaces and maintains the decorative lights on Parrish Lane. He mentioned that the
18 sporadic installation of decorative lights that tends to occur with redevelopment can be difficult
19 to connect to a City power source. Mr. Snyder agreed that maintenance and liability of the
20 planter boxes is a valid question. Councilwoman Mecham suggested the Police Department
21 discuss with the Council whether or not the tall grasses in planter boxes would be a potential
22 visibility hazard.

23
24 Councilwoman Fillmore commented that skateboarding is an issue with any City-
25 installed horizontal surface. Manufacturers offer benches with an added nub every few feet to
26 discourage skateboarders. Councilman McEwan responded that skateboarders like to show
27 they can jump over the nubs, and added he believes it would be borrowing trouble to mandate a
28 horizontal surface on a busy road with a 40 mph speed limit. He said he feels it is only a
29 question of when an incident would occur. Councilwoman Fillmore commented that through her
30 continuing education, she has seen a lot of research to support that these types of elements
31 increase the safety of a road. Councilman McEwan made a **motion** directing staff to prepare
32 amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant
33 grasses, to be redirected back to the Planning Commission. Responding to a question about
34 lights, Mr. Snyder commented that most of the newer light poles on Parrish Lane and 400 West
35 are behind the clear zone. Councilwoman Fillmore commented that during the public comment
36 process for the SMSC Overlay Zone last year citizens stated they did not want Main Street to be
37 just like Parrish Lane. As a former Planning Commissioner, Councilman Ince said he does not
38 remember some of the liability issues being raised during Planning Commission discussions of
39 the Public Space Plan. Councilwoman Fillmore said she will be grateful for the Planning
40 Commission's input. Councilman McEwan **added to the motion** a change in position of the
41 lighting. Councilman Ince seconded the motion. Due to noticing requirements, the earliest the
42 Planning Commission is able to consider the changes is February 24th. Ms. Romney
43 recommended the Council present the changes as amendments to Section 12-48-180 of the
44 Public Space Plan. Councilwoman Fillmore made a **motion to amend** the motion to add
45 direction to staff to research experiences of other cities with elements framing their main streets
46 to show the concern is valid. The motion to amend failed for lack of a second. The original
47 motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

48
49 Maximum Gross Density – Councilman McEwan stated he was not happy with the
50 maximum gross density passed by the previous Council. Councilwoman Ivie said she has had
51 conversations with citizens who have questioned the advisability of using conditional use in any
52 building projects in the future, considering the changes made by the State Legislature limiting

1 the City's ability to deny conditional use. Mr. Snyder commented that conditional use gives
2 flexibility. As an example, he stated that if the Council is comfortable with a maximum of four
3 units, the permitted would be two, and the conditional would be four. The conditional should be
4 the maximum number the Council is comfortable with. Conditional use is allowed unless a
5 negative impact cannot be mitigated. Councilwoman Fillmore cited the Walmart development
6 as a good example of conditional use. The public was able to be involved and express
7 concerns, resulting in an extraordinarily thorough process. Councilwoman Mecham agreed, and
8 said she wants to see Main Street redeveloped and wants to encourage commercial with
9 enough incentive to make it viable. She asked if the mixed-use label could be removed, and
10 commercial could be allowed with two or three accessory buildings. Mr. Snyder responded that
11 mixed-use was introduced as a component to encourage redevelopment, but has been watered
12 down to a point that the encouragement is reduced. The mixed-use label could be removed and
13 a new use category created to allow commercial with a few accessory apartments.
14

15 Councilman McEwan said he appreciated a comment made by Councilman Averett
16 predicting that any redevelopment would be office space rather than mixed-use. Mr. Snyder
17 responded that office space is a competing use in many places in Centerville, and the saturation
18 for office space is currently pretty high. Farmington Station Park is a heavy influence on retail
19 commercial, and Woods Cross is gaining ground on their retail commercial center. Mr. Snyder
20 said the long-term viability of retail in Centerville is probably not very strong. He acknowledged
21 that demand for office space could increase in the future. He expressed the opinion that the tug
22 of redevelopment is difficult with the current density numbers. If the numbers are reduced
23 further, the expectation could be for small commercial use with a small number of dwelling units
24 as support. He questioned whether tearing down and rebuilding at the street would ever
25 happen without redevelopment incentive.
26

27 Councilman McEwan said that, considering the information presented, he does not wish
28 to make a motion for action at this point. He said he can see enough competing forces that he
29 does not know what will happen on Main Street. Councilwoman Fillmore mentioned that data
30 collected by staff regarding demographics and ownership of the corridor was helpful to the
31 previous Council. She agreed that the market has yet to speak regarding where Main Street will
32 land, but said she likes giving property owners the option to have value in their land and be
33 incentivized a little to redevelop and diversify their investment. Councilman McEwan expressed
34 his concern that mixed-use is a density driver, and Centerville is not a destination city, it is a
35 bedroom community. He said he would like to see the conditional use reduced to four units.
36 Councilwoman Fillmore agreed that holding off on making changes is a good idea, and pointed
37 out that the City went from having no caps in the corridor to establishing thoroughly thought-out
38 caps that are at or below the range of the residential neighborhoods behind. Councilwoman
39 Mecham responded that density on Main Street was intensified from commercial. Councilman
40 Ince said he would prefer commercial up front with a couple ADUs above, rather than a row of
41 commercial with dwelling units behind. Mr. Snyder repeated that if redevelopment is not the
42 goal, a new use could be added providing the opportunity to have accessory apartments
43 supplementing commercial. Councilwoman Fillmore commented that density would be
44 increased without the benefit of an improved, beautified core area.
45

CONSIDER OPTIONS FOR VIDEO STREAMING COUNCIL MEETINGS

46
47

48 Mayor Cutler presented bids and information prepared by Blaine Lutz, Finance
49 Director/Assistant City Manager for video streaming Council meetings, and stated that Mr. Lutz
50 asked for more time to evaluate further. Councilwoman Ivie asked what benefit is gained with
51 the current contract for NovusAgenda, and commented she thinks many of the bells and
52 whistles are not used. Mayor Cutler responded the biggest savings is in staff time and paper.

1 Ms. Romney commented that NovusAgenda has made a huge difference for her, with definite
2 advantages and cost savings on the staff end. Mr. Thacker agreed. Ms. Romney suggested
3 further training could be given to Council members if desired. Mayor Cutler added that all cities
4 are moving toward an online agenda system. Councilwoman Ivie agreed with the idea of an
5 online agenda system, but wondered if a more cost effective option is available. She explained
6 difficulties she has had with the note-taking option on NovusAgenda. Councilman McEwan
7 expressed a desire to keep the March timeline. Councilman Ince commented he had difficulty
8 with the Kaysville YouTube site. Councilwoman Fillmore said she would be interested in the
9 ability to tie the video recording to individual agenda items. Councilman McEwan said he is a
10 proponent of a YouTube-based solution, and made a **motion** to table the issue to the next
11 Council meeting; with the understanding that comparables from Kaysville and two other quotes
12 will be presented for infrastructure equipment. Councilwoman Mecham seconded the motion,
13 which passed unanimous vote (5-0).

14
15 **MUNICIPAL CODE AMENDMENTS – TITLE 9 – WATER**
16

17 At the January 5, 2016 Council meeting the Council approved creation of Title 17
18 (regarding Telecommunications) and Title 18 (regarding Cable Systems), separating the two
19 issues from Title 9. City Attorney Romney explained proposed amendments to Title 9 regarding
20 Water. Councilwoman Ivie requested a few clarifications and corrections to the Title. She also
21 commented that the sign at the City well has grammatical errors. Councilwoman Ivie made a
22 **motion** to accept the revised Title 9 with amendments discussed. Councilman McEwan
23 seconded the motion, which passed by unanimous vote (5-0).
24

25 **FINANCIAL REPORT**
26

27 Councilman McEwan made a **motion** to table the Financial Report for the period ending
28 December 31, 2015 to a future work session. Councilwoman Ivie seconded the motion, which
29 passed by unanimous vote (5-0).
30

31 **MAYOR'S REPORT**
32

- 33
- The latest monthly report for the South Davis Metro Fire Agency, as well as the latest
34 monthly reports for UIA and UTOPIA, were attached in the staff report.
 - Councilwoman Fillmore agreed to serve as a City representative on the ULCT
35 Legislative Policy Committee. Councilman Ince also expressed a desire to attend
36 some of the meetings.
37
38

39 **CITY COUNCIL LIAISON REPORT**
40

41 Councilwoman Fillmore reported that membership and attendance at the South Davis
42 Recreation Center are increasing. Saturday, February 27th will be a free admission day at the
43 Recreation Center for Centerville citizens. She also reported that the Parks and Recreation
44 Committee made further changes to their priority plan at their November 2015 meeting.
45

46 **CITY MANAGER'S REPORT**
47

- 48
- The Council scheduled the following work sessions:
 - February 2nd prior to the regular meeting to discuss finance issues
 - February 16th prior to the regular meeting to discuss the Streets Maintenance
49 Plan and Culinary Water System CIP
50
51

- March 1st prior to the regular meeting to discuss the Employee Compensation Plan and Benefits
- Late March to set goals
- Mr. Thacker explained that the Utah Risk Management Mutual Association (URMMA) encourages cities to meet standards to limit liability. He said he feels it would be prudent to conduct a comprehensive inventory of sidewalks in the city, and prioritize the repairs that are needed. He recommended hiring an intern for the period of May – August to work under the GIS Specialist to conduct an inventory. Funds could come from the Contingency Budget in the General Fund or from the Streets Budget. A majority of the Council indicated approval.
- Mr. Thacker reported that the Division of Wildlife Resources (DWR) has given the City approval to relocate deer rather than trap and euthanize. The DWR would do the relocating for a fee of \$100 per deer, if the City does the trapping. Relocating could begin at any time. Bruce Cox will attend a future meeting to discuss the relocating option further with the Council.

MISCELLANEOUS BUSINESS

- Mr. Thacker presented a request from the Parks & Recreation Director and the coordinator of the City's baseball program that the City replace the last of Community Park's four baseball infields. The baseball program has raised almost \$5,000 to help with the cost. Bruce Cox, Parks and Recreation Director, submitted a cost estimate of \$11,500 for materials with City staff hauling the dirt, with an additional \$3,900 if an outside party is contracted to haul the dirt. Mr. Cox recommended paying an outside party. Councilwoman Fillmore commented it is extraordinary that citizens have gotten involved and raised funds, and expressed a desire to at least match the funds and add what is necessary to accomplish the work. She said that, with the RAP Tax renewed, there are some small, affordable improvements on the Parks and Recreation list that could be accomplished right away. Councilman McEwan responded that, while he is not opposed to the project, there is some due diligence that needs to be done. He said he would like to see a Parks and Recreation Department goal list, and is in favor of tabling approval pending that information. Councilman McEwan said he would prefer to have a road map for how RAP Tax revenue will be spent. Mr. Thacker reminded the Council that the Whitaker Museum Board and the Trails Committee will also submit goals for consideration. Councilman McEwan made a **motion** to table approval of funds for a baseball infield. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
- Ms. Romney provided Open and Public Meetings training.

RDA MEETING

At 11:32 p.m. Councilwoman Fillmore made a **motion** to temporarily adjourn to an RDA meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; Stephanie Ivie, Vice-Chair; Directors Fillmore, Ince, McEwan, and Mecham; Steve Thacker; Executive Director; Lisa Romney, City Attorney; Jacob Smith, Management Assistant; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 11:44 p.m.

ADJOURNMENT

At 11:47 p.m. Councilman McEwan made a **motion** to adjourn the regular meeting and move to a closed meeting for the purpose of discussing the character and competency of an individual. Councilman Ince seconded the motion, which passed by unanimous vote (5-0). Jacob Smith, Management Assistant, and Katie Rust, Recording Secretary, were excused.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 2.

Short Title: Reconsideration of Ordinance No. 2015-30 - Creation of Centerville Deuel Creek Historic District - Chapter 12-49

Initiated By: Landmarks Commission and City Council

Scheduled Time: 7:10

SUBJECT

Reconsider Ordinance No. 2015-30 regarding the creation of the Centerville Deuel Creek Historic District and Chapter 12-49 of the Centerville Zoning Code.

RECOMMENDATION

The Landmarks Commission's recommendations for a multi-tiered commercial incentive structure are shown in the redlined ordinance text in Brandon's 02-02-16 CC staff report (attached). *However, upon review of that report by the City Manager and subsequent discussion with Brandon, it appears the Commission did not have a correct understanding of the residential tiered structure the City Council had agreed upon in their January 5 meeting. Based on incorrect information in the 01-28-2016 LC staff report, the Commission mistakenly understood it to be a 100/75/50/0 structure instead of a 100/50/25/0 structure.* Brandon can tell the Council how he thinks a correct understanding of the Council's tier percentages may have affected the Commission's recommendations for a commercial tier structure.

BACKGROUND

On January 5, 2016, the City Council ratified Ordinance No. 2015-30 creating the Centerville Deuel Creek Historic District and enacting Chapter 12-49 of the Centerville Zoning Code. After ratification of the Ordinance, the Council thereafter approved a motion to reconsider Ordinance No. 2015-30. The Council directed Staff to take the Ordinance back to the Landmarks Commission to have the Commission specifically revisit and weigh in on *whether* commercial properties within the Historic District should be included or excluded from the incentives provided in the Ordinance. The Council also directed Staff to provide a fiscal impact and recommended rate structure for possible incentives for commercial properties in the Historic District. The Landmarks Commission reviewed this matter and the additional information provided by Staff on January 28, 2016. The Staff Report to the Landmarks Commission and the Transmittal Report summarizing the Landmarks Commission's recommendations are attached. The attached red-lined version of Chapter 12-49 (second attachment) is the version that was ratified by the Council at their January 5, 2016 meeting.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2015-30-Deuel Creek Historic District
- ☐ Chapter 12-49-Deuel Creek-Redline
- ☐ 02-02-16 CC Staff Report Deuel Creek Historic District
- ☐ 1-28-2016 LC staff report re Centerville Deuel Creek Historic District

ORDINANCE NO. 2015-30

AN ORDINANCE ENACTING CHAPTER 12-49 OF THE CENTERVILLE ZONING ORDINANCE REGARDING THE CREATION OF THE CENTERVILLE DEUEL CREEK HISTORIC DISTRICT AND ENACTING SECTION 12-61-062 OF THE SAME REFERENCING THE CREATION OF THE CENTERVILLE DEUEL CREEK HISTORIC DISTRICT

WHEREAS, the Centerville Landmarks Commission has been working toward the creation of the Centerville Deuel Creek Historic District for the past few years, including three work sessions with the public to obtain input regarding the proposed creation of the Historic District; and

WHEREAS, the Planning Commission has reviewed the proposed ordinance amendments for the creation of the Centerville Deuel Creek Historic District as recommended by the Landmarks Commission and recommends approval of such Zoning Ordinance texts amendments as more particularly provided herein; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Ordinance regarding the creation of the Centerville Deuel Creek Historic District are consistent with the goals, objectives and policies of the Centerville General Plan, are harmonious with the character of existing development within the City, will not adversely affect properties within the City, are in the best interest of the City and the public to provide meaningful incentives for historic preservation and to celebrate the rich historic fabric of Centerville located within the District; and

WHEREAS, the proposed amendments to the Zoning Ordinance 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 Ordinance.

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

Section 1. Enactment. Chapter 12-49 of the Centerville Zoning Ordinance creating the Centerville Deuel Creek Historic District is hereby enacted to read in its entirety as more particularly set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. Enactment. Section 12-61-062 of the Centerville Zoning Ordinance regarding the Centerville Deuel Creek Historic District is hereby enacted to read in its entirety as follows:

12-61-062. Centerville Deuel Creek Historic District. The City hereby creates the Centerville Deuel Creek Historic District consisting of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main

Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street. Refer to Section 12-49, Centerville Deuel Creek Historic District, for further standards and detail.

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 DECEMBER 15, 2015, AND RATIFIED ON JANUARY 5, 2016.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

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 _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.

Exhibit A

**Chapter 12-49 of the Centerville Zoning Ordinance
Centerville Deuel Creek Historic District**

Chapter 12-49 – Centerville Deuel Creek Historic District

- 12-49-010. Purpose.
- 12-49-020. Scope.
- 12-49-030. Permitted and Conditional Uses.
- 12-49-040. General Requirements of Applicability.
- 12-49-050. Property Classification.
- 12-49-060. Property Owner Obligation.
- 12-49-070. Procedures.
- 12-49-080. Property Development Standards.
- 12-49-090. Incentive Criteria.
- 12-49-100. Incentives.

12-49-010. Purpose.

The purpose of creating the Centerville Deuel Creek Historic District, voluntary overlay, is to preserve the integrity and characteristics of the original townsite, while educating the community concerning Centerville's past.

12-49-020. Scope.

The Centerville Deuel Creek Historic District shall consist of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street.



12-49-030. Permitted and Conditional Uses.

All permitted and conditional uses as allowed within the respective underlying zones stated within Chapter 12-36 of this Title shall still apply to all real property within the Centerville Deuel Creek Historic District.

12-49-040. General Requirements of Applicability.

Development standards as pertaining to the individual underlying zone as stated within this Title, the Centerville City Code, or other laws and standards as set forth by the governing body, shall apply to all real property found within the Centerville Deuel Creek Historic District except to the extent such provisions are altered within this Chapter.

12-49-050. Property Classification.

(a) Historic Landmark Register. Highest recognition of an historic resource found within the Centerville Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Title in relation to additions, alterations and demolition criteria.

(b) Contributing Property. Any structure constructed 50 years in the past found within the Centerville Deuel Creek Historic District and that contributes to the historic character of the district. This shall include all properties listed on the significant Historic Sites List as defined in Section 12-61-040 of this Title.

(c) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district, structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past, and future development on vacant ground.

12-49-060. Property Owner Obligation.

The Historic Preservation Program within Centerville is considered voluntary. Nothing in this section shall be construed to prevent a property owner of record within the Centerville Deuel Creek Historic District from developing his or her property as allowed by the underlying Ordinances found in this Title. Properties as listed on the Historic Landmark Register shall be subject to Section 12-61-100 of this Title in relation to modifications and alterations, which shall be satisfied to participate in the incentives found in 12-49-100.

12-49-070. Procedures.

The Zoning Administrator, or designee, shall contact the applicant to ensure they are aware of the Centerville Deuel Creek Historic District Standards and Incentives as part of the review process for an exterior building permit.

12-49-080. Property Development Standards

These standards have been created to enhance the district area and generate continuity between contributing properties, non-contributing properties and new development. The standards are desirable, yet they are not mandatory. Property owners who do not wish to follow these guidelines shall not receive any incentives as stated within Section 12-49-100, and shall be subject to all applicable Zoning Standards, fees and governing laws found within this Title for standard development.

(a) Contributing Properties:

(1) Owner of a property considered Contributing as stated in Section 12-49-050, desiring to participate in the Incentive Program shall be subject to the approval standards found in Section 12-61-100(e) of this Title and may also participate within the incentive program as stated herein.

(2) This review shall take place at the time of exterior building permit review with final incentive approval being made by the Zoning Administrator.

(b) Non-Contributing Properties and/or New Development:

(1) Owner of a property considered Non-Contributing as stated in Section 12-49-050, desiring to participate in the Incentive Program shall choose at least four of the following:

Design Standards:

- Façade material consisting of 80% of one of the following: brick, rock, wood, cement fiberboard. The remaining 20% shall consist of like material that is consistent with contributing properties
- Detached Garage *or*
- Garage setback from the front facing building line of the main structure at 18 feet
- Construction of a two-car garage, instead of 3-car garage or larger
- Front porch of at least 25 square feet
- Gable accents consistent with those found within the district

- A driveway curb cut no larger than 18 feet and driveway at its widest point at 20 feet
- Traditional exterior details (such as pillars, shutters, ornamental designs, etc.)
- Bay window
- Dormer windows
- Historic paint colors
- Other architectural features as found throughout the district (this criteria must include a photograph of the inspirational feature)

(2) This review shall take place at the time of exterior building permit review with final incentive approval being made by the Zoning Administrator.

12-49-090. Incentive Criteria.

These incentives shall apply to all property owners of record that have met the above Property Development Standards for those properties designated under Property Classification as found within Section 12-49-050. Property owners who choose not to participate in the development standards shall not receive these incentives and shall be subject to all required Zoning Regulations and Standards as set forth in this Title and all other applicable standards and fees as set forth by the City.

(a) All incentives are for residential projects on residentially zoned property only. Commercial projects or commercially zoned properties are not eligible for incentives.

(b) All incentives are for exterior projects only, such as:

- (1) New development
- (2) Alterations/additions
- (3) General exterior repairs or rehabilitation that requires a building permit

(c) All incentives shall be reviewed and approved by the Zoning Administrator.

(d) A certificate shall be given to the property owner stating that the property has been allowed incentives based on the approved standards as stated in Section 12-49-080 and be placed with the building permit.

(e) These incentives shall only be for those residential properties found within the Centerville Deuel Creek Historic District as specified in Section 12-49-020.

(f) These incentives shall only apply to residential properties within the Centerville Deuel Creek District from the date this Chapter section was approved by the City Council and shall not be retroactive.

(f) No incentives shall be given to property owners that have not completed all the required obligations as stated within this Section.

12-49-100. Incentives.

(a) Setback reduction. Setback shall be measured from the building line and a property or designated right-of-way line. Actual setback shall be determined by the property owner prior to approval of any setback reductions. Setback standards in relation to decks and patios shall still apply and follow standards found in Section 12-55-130(g) of this Title, except for approved front porches as indicated in this section.

- (1) Front Yard Setback: 20 Feet
- (2) Front Yard Setback from Porch: 15 Feet
- (3) Side Yard Setback (each side yard): 7 Feet
- (4) Street Side Setback: 18 Feet
- (5) Rear Yard Setback: 18 Feet

(b) Building Permit Review Fee Reduction. All applicants who meet the above criteria found in this Section shall be allowed a 25%-tiered reduction on the building permit review fees depending upon the classification of the property and the proposed construction or alteration as follows: (1) 0% reduction for new construction involving the demolition of a Contributing Property or an Historic Landmark Register Property; (2) 25% reduction for new construction (not involving the demolition of a Contributing Property or an Historic Landmark Register Property) or construction involving a Noncontributing Property; (3) 50% reduction for construction involving Contributing Property so long as the Contributing Property retains such classification after the new construction or alterations; and (4) 100% reduction for Historic Landmark Register Property so long as the Historic Landmark Register Property retains such classification and designation after the new construction or alteration. This tiered reduction on building permit review fees shall only be allowed within the Centerville Duell Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.

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

STAFF REPORT

APPLICANT: CENTERVILLE CITY LANDMARKS COMMISSION

**REVIEW: CLARIFICATION TO SECTION 12-49 OF THE ZONING
ORDINANCE, CENTERVILLE DEUEL CREEK HISTORIC
DISTRICT**

RECOMMENDATION: APPROVE THE RECOMMENDED ADDITIONS

BACKGROUND

On December 9, 2015, and January 6, 2016, the City Council reviewed the Centerville Deuel Creek Historic District and asked Staff to address the financial incentives for residential and commercial properties. Staff researched the financial incentives and presented these findings to the Landmarks Commission on January 28, 2016. The Landmarks Commission made a motion to move forward with the findings and recommend approval to the City Council.

INCENTIVES

Classification

- 1) Historic Landmark Register. Highest recognition of an historic resource found within the Centerville Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Chapter in relation to additions, alterations and demolition criteria.
- 2) Contributing Property. Any structure constructed 50 years in the past found within the Centerville Deuel Creek Historic District that contributes to the historic character of the district. This shall include all properties listed on the Significant Historic Sites List as defined in Section 12-61-040 of this Chapter.
- 3) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district: structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past and future development on vacant ground.

Total Number of Homes

Number of Properties within the Centerville Deuel Creek Historic District	
Categories	Number of Properties
Historic Landmark Register	14
Contributing Properties	100
Non-Contributing Properties	150
Demolition and New Construction	1
Government, School, Place of Worship	5
Total	270

Financial Impact

The following chart is for exterior building permits within the Centerville Deuel Creek Historic District for 2015 and only include the following:

- Addition
- Detached Garage
- Roof Replacement
- Deck/Porch Replacement
- New Dwelling

Financial Impact from the Incentives				
Categories	Number of building permits 2015	Cost	Possible Incentive	Financial loss to the City
Historic Landmark Register	0	0	100%	0
Contributing Properties	4	\$1,768.51	75%	\$1,326.38
Non-Contributing Properties	5	\$3,603.31	50%	\$1,801.65
Demolition and New Construction	0		0%	0
Total	9	\$5,371.82		\$3,128.03

Additional Notes

- The proposed reduction does not apply to impact fees, bonds, state fees, water connection fees, etc.
- The complete total for a building permit is approximately 1½% to 3% of the total valuation of the project
- The plan check is approximately 2% to 3% of the complete total

Within the year 2015, Centerville had 240 building permits. The overall total revenue for the year was \$771,008.16 with 199,963.35 of this amount being categorized under Building Review Fees. The amount of financial loss to the City for exterior building permits within the Centerville Deuel Creek Historic District would only be approximately 3,128.03 or .4% of the total revenue.

COMMERCIAL PROPERTIES

Properties on Main Street		
Category	Total lots	Possible Incentives
Landmarks Register	2	100%
Contributing	9	75%
Non-Contributing	10	50%
New Development Does not involve demolition of contributing structures or Landmarks Register structures	2 Possible areas	25%
New Development Does involve demolition of contributing structures or Landmarks Register structures	Not Available	0%

Staff reviewed further detail concerning new development and how 25% would have a financial impact to the City. The approximate amount of ground that could be developed on Main Street, that would not involve the demolition of contributing properties or properties on the Landmarks register, is about three acres. Staff looked at similar size projects, or smaller projects that added up to three acres, to determine the building review fees and plan check fees. Staff looked at three types of scenarios for build out which included, commercial, single-family development and multifamily. These totals do not look at mixed use, or take into account the South Main Street Corridor requirements since no projects within the community would match this type of development.

It is important for the City Council to be aware that if the desire is to help blend the new construction with the old, worthwhile incentives must be created. Staff does not believe the financial impact is significant to make a negative impact.

Impact on Approximately 3 Acres		
Category	Approximate Total	Possible 25% Loss
Commercial	\$21,691.49	\$5,422.87
Single Family	\$18,615.73	\$4,653.93
Multi-family	\$17,254.28	\$4,313.57

RECOMMENDATION

The Landmarks Commission recommends to the City Council approval of the financial benefit for the Centerville Deuel Creek Historic District for Residential Properties and Commercial properties as stated in the report above.

PROPOSED AMENDMENTS

12-49-100 **Residential Incentives.**

(a) Remain The Same

(b) Building permit review fee reduction. All applicants who meet the above ~~criteria found in this Section~~ design standards for new development as found within Section 12-49-080(b)(1) and the Incentive Criteria found in Section 12-49-090, ~~shall be allowed a 25% reduction on the building permit review fees. This reduction shall only be allowed within the Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.~~ Shall be allowed the following reductions on the combined total of the building permit review fees:

1. Historic Landmark Registered properties: 100%
2. Contributing properties: 75%
3. Non contributing properties: 50%
4. New development that involves the demolition of Historic Landmarks Registered properties or contributing properties: 0%

(c) This tiered reduction shall only be allowed within the Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.

12-49-110 **Commercial Incentives.**

(a) Building permit review fee reduction. All applicants who meet the above design standards for new development as found within Section 12-49-080(b)(1) and the Incentive Criteria found in Section 12-49-090 shall be allowed the following reductions on the combined total of the building permit review fees:

1. Historic Landmark Registered Properties: 100%
2. Contributing Properties: 75%
3. Non Contributing, existing properties only: 50%
4. New Development not involving the demolition of Historic Landmarks Registered properties or contributing properties: 25%
5. New development that does involve the demolition of Historic Landmarks Registered properties or contributing properties: 0%

(b) These reductions shall only be allowed within the Centerville Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property design. All properties located within the Centerville Deuel Creek Historic District located on the east side of Main Street shall be subject to all standards found within Section 12-48, South Main Street Corridor Zone

**CENTERVILLE CITY
LANDMARKS COMMISSION**

STAFF REPORT

TOPIC: Centerville Deuel Creek Historic District

SUMMARY: Review the approved Centerville Deuel Creek Historic District Ordinance and address incentives and commercial participation. In addition, a plan for what the next step is within the district to promote the area

BACKGROUND

On December 15, 2015, the City Council approved the Centerville Deuel Creek Historic District Zoning Map Overlay and Chapter 12-49 of the Zoning Ordinance. This Ordinance and a copy of the minutes from the December 15, 2015 City Council Meeting are attached to this report. Although the City Council was originally generous with the incentive program, they requested additional information be provided to the City Council for the full financial benefits. In addition, they have also requested the Landmarks Commission address properties along the east side of Main Street.

INCENTIVES

The current approved Ordinance allows for only 25% reduction of the building fees for those homes that qualify within the residential area of the district. However, a larger financial step system was suggested and it was desired that it should be more fully addressed by the Commission and then brought back to the Council for review and final approval.

Classification

- (a) Historic Landmark Register. Highest recognition of an historic resource found within the Centerville Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Chapter in relation to additions, alterations and demolition criteria.
- (b) Contributing Property. Any structure constructed 50 years in the past found within the Centerville Deuel Creek Historic District that contributes to the historic character of the district. This shall include all properties listed on the Significant Historic Sites List as defined in Section 12-61-040 of this Chapter.
- (c) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district: structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past and future development on vacant ground.

Total Number of Homes

Number of Properties within the Centerville Deuel Creek Historic District	
Categories	Number of Properties
Historic Landmark Register	14
Contributing Properties	100
Non-Contributing Properties	150
Demolition and New Construction	1
Government, School, Place of Worship	5
Total	270

Financial Impact

The following chart is for exterior building permits within the Centerville Deuel Creek Historic District for 2015 and only include the following:

- Addition
- Detached Garage
- Roof Replacement
- Deck/Porch Replacement
- New Dwelling

Financial Impact from the Incentives				
Categories	Number of building permits 2015	Cost	Possible Incentive	Financial loss to the City
Historic Landmark Register	0	0	100%	0
Contributing Properties	4	\$1,768.51	75%	1,326.38
Non-Contributing Properties	5	\$3,603.31	50%	1,801.65
Demolition and New Construction	0		0%	0
Total	9	\$5,371.82		3,128.03

Additional Notes

- The proposed reduction does not apply to impact fees, bonds, state fees, water connection fees, etc.
- The complete total for a building permit is approximately 1½% to 3% of the total valuation of the project
- The plan check is approximately 2% to 3% of the complete total

Within the year 2015, Centerville had 240 building permits. The overall total revenue for the year was \$771,008.16 with 199,963.35 of this amount being categorized under Building Review Fees. The amount of financial loss to the City for exterior building permits within the Centerville Deuel Creek Historic District would only be approximately 3,128.03 or .4% of the total revenue.

COMMERCIAL PROPERTIES

Another concern expressed by the City Council was that of the commercial properties along Main Street. They believe it may be too much of a financial impact to give incentives. Yet, staff has found that minimal impact exists. Worthwhile incentives must be encouraged for preservation to take place within the City.

Properties on Main Street		
Category	Total lots	Possible Incentives
Landmarks Register	2	100%
Contributing	9	75%
Non-Contributing	10	50%
New Development Does not involve demolition of contributing structures	2 Possible areas	20%
New Development Does involve demolition of contributing structures	?	0%

Since the east side of Main Street is part of the South Main Street Corridor, the incentives for setbacks do not apply and any new construction would follow these guidelines. In addition, new construction would also have other requirements such as height, design elements and pedestrian friendly design. Staff does not feel that giving financial benefits to those who desire to keep the historic integrity of the neighborhood will have a significant impact on the community.

NEXT STEP

The Landmarks Commission should now look at ways to market the district to the neighborhood. This may be done by encouraging the following activities:

- Signage as you come into the neighborhood - \$35.00 to \$40.00 each for 15 streets
- Start designing the kiosk and finding funds
- Logo design competition
- Block party

RECOMMENDATION

The following is a list of staff recommendations that should be voted on by the Landmarks Commission:

- Send a letter to the City Council showing the minimal impact on the new incentive program and encourage them to amend Chapter 12-49 to add in the incentives for residential and commercial
- Begin planning the next steps for branding the Centerville Deuel Creek Historic District by coming up with ideas to pursue in 2016

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 3

Short Title: Consider request for replacement of infield soil on northeast baseball diamond in Community Park

Initiated By: Bruce Cox, Parks & Recreation Director, and Matt Layton, Baseball Coordinator

Scheduled Time: 7:20

SUBJECT

RECOMMENDATION

Authorize use of RAP Tax revenues to be received in FY 2016, along with baseball program donations and baseball concessions profits in the Recreation Fund, to pay for the replacement of soil on the northeast baseball diamond in Community Park.

BACKGROUND

Over several years prior to the Great Recession, the infield soil was replaced on three of the four baseball diamonds in Community Park, replacing hard-packed soil with more appropriate material on top of a base layer of sand. Due to reduced revenues in subsequent years, the soil on the fourth infield was never replaced, although it was requested each year in the Parks & Recreation Director's budget submission. The cost of the earlier replacements were each approximately \$10,000 to \$12,000 for materials plus in-house labor and equipment. The Parks & Recreation Director, Bruce Cox, would like to proceed with replacement of the soil in the fourth infield before the baseball season begins this Spring. Based on initial quotes received by Bruce for the materials and hauling, about \$15,500 is needed to replace the soil in the fourth infield. The labor for removing the existing soil and laying down the sand base and top layer of replacement soil would be performed by Parks employees, as was done for the other three infields. Bruce estimates this will require five employees working eight days to complete the work. City equipment would also be used to perform the on-site work.

How to pay for it?

The City Manager recommends the estimated \$15,500 be funded with a combination of baseball program donations, baseball concessions profits, and RAP tax revenue. Over the past three years, baseball program supporters have donated \$4775 which the Baseball Coordinator would like to use for this project. In addition, baseball concessions have generated a profit of nearly \$6000 in the past two years. These sums are part of the Recreation Fund balance. **Therefore, the City Manager—with the Finance Director's support—recommends \$10,000 of the Recreation Fund balance be used for this project, with the remaining cost (approximately \$5500) coming from RAP Tax revenue to be received before the end of the current Fiscal Year under the new authorization effective April 1, 2016.** This will require some upfront cash advance from the General Fund until new RAP Tax revenues are actually received in June. Staff would then ask the City Council to amend the current Fiscal Year budget in June to account for this expenditure.

Since the January 19 meeting, staff have completed the 2015 update of the analysis of revenues and expenses in the Recreation Fund (see attachment). This analysis compares the costs vs. revenues for each of the following

categories within the Recreation Fund: summer recreation; off-season recreation; baseball; and concessions. This analysis is done each year to determine if the direction of prior city councils is being met--which is that all direct costs for the recreation programs be offset by fees paid by participants, *other than the wages and benefits of the Recreation Coordinator, her summer assistant, the Baseball Coordinator and Umpire Coordinator*. The bottom section of the attached analysis shows that "Total Wages & Benefits" relating to these positions was \$36,774 in 2015. The City's FY 2015-2016 Budget assumes a \$41,000 transfer from the General Fund to the Recreation Fund to pay for these wages and benefits.

Parks CIP

In the January 19 council meeting, the City Manager assumed and stated this improvement was on the Parks CIP as recommended by the Parks & Rec Committee and "accepted" by the City Council last year. Following that meeting, however, the City Manager realized this was not correct--i.e. this item is not on the Parks CIP (see attachment). According to Bruce Cox, this was not added to the Parks CIP because he and the Parks Committee assumed it would be budgeted within the Parks operations budget at some point--as was done with the other three infields. Bruce is inviting the former Parks Committee Chair, Gary Goff, to attend the council meeting to confirm that the Committee viewed the completion of this soil replacement project as a high priority even though it is not on the Parks CIP. Matt Layton, Baseball Program Coordinator, has also been invited to the meeting in case there are questions about the fundraising efforts and the desire to have this work done.

ATTACHMENTS:

Description

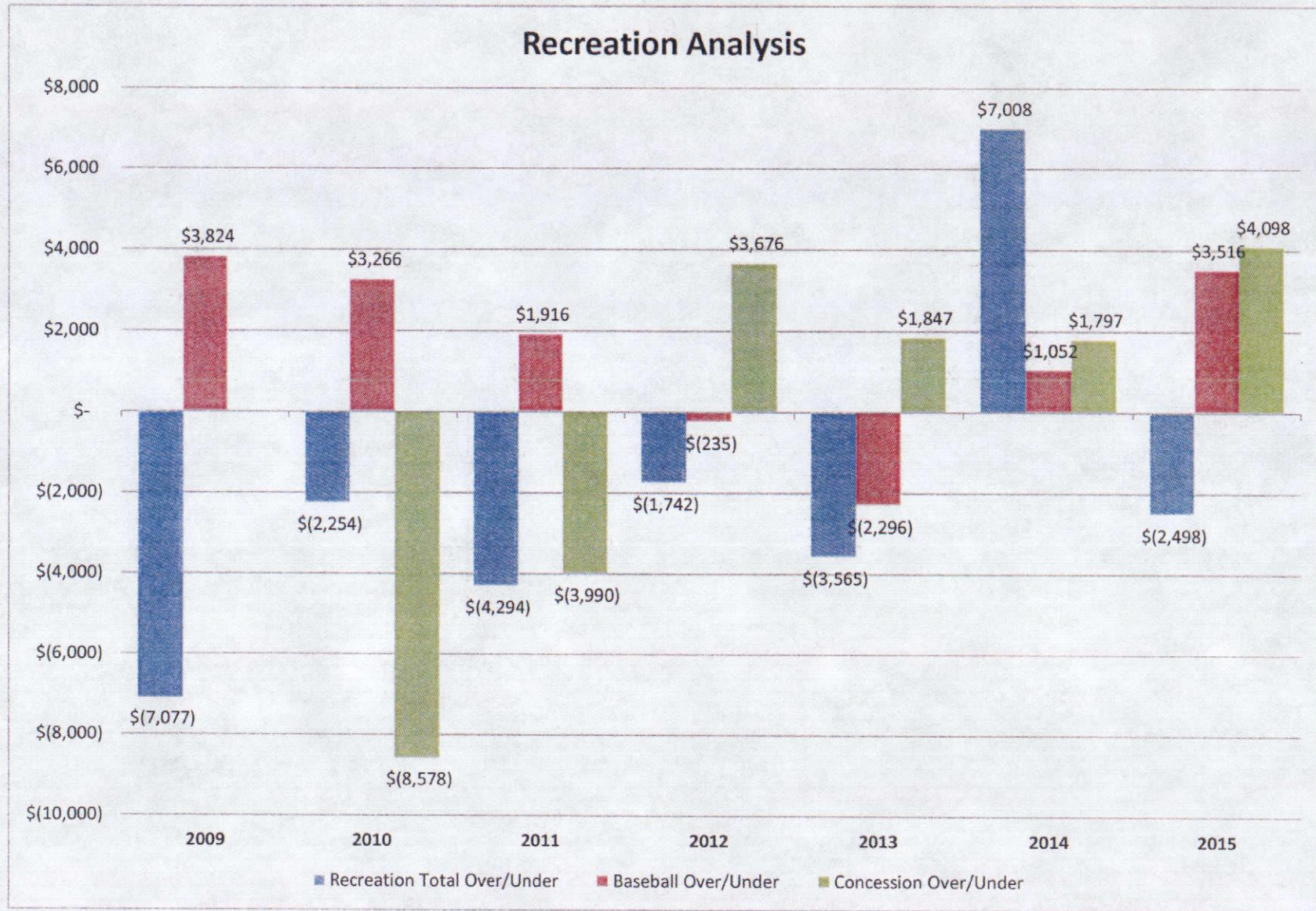
- ☐ Analysis of Recreation Revenues & Expenses
- ☐ Parks Capital Improvement Plan

Recreation Calendar Year Analysis
Revenue vs Expenses

	2009	2010	2011	2012	2013	2014	2015
Summer Recreation Revenue	\$ 72,840	\$ 74,057	\$ 77,130	\$ 59,522	\$ 53,276	\$ 66,397	\$ 56,617
Summer Recreation Expenses	\$ 79,917	\$ 76,311	\$ 81,424	\$ 62,150	\$ 56,027	\$ 61,655	\$ 61,128
Summer Recreation Over/Under	\$ (7,077)	\$ (2,254)	\$ (4,294)	\$ (2,629)	\$ (2,751)	\$ 4,742	\$ (4,511)
Off-Season Rec Revenue				\$ 20,613	\$ 19,877	\$ 10,660	\$ 10,667
Off-Season Rec Expenses				\$ 19,726	\$ 20,691	\$ 8,394	\$ 8,654
Off-Season Over/Under				\$ 887	\$ (814)	\$ 2,266	\$ 2,013
Recreation Total Revenue	\$ 72,840	\$ 74,057	\$ 77,130	\$ 80,134	\$ 73,153	\$ 77,057	\$ 67,284
Recreation Total Expenses	\$ 79,917	\$ 76,311	\$ 81,424	\$ 81,876	\$ 76,718	\$ 70,049	\$ 69,782
Recreation Total Over/Under	\$ (7,077)	\$ (2,254)	\$ (4,294)	\$ (1,742)	\$ (3,565)	\$ 7,008	\$ (2,498)
Baseball Revenue	\$ 25,549	\$ 24,753	\$ 25,549	\$ 27,757	\$ 30,510	\$ 36,015	\$ 48,190
Baseball Expenses	\$ 21,724	\$ 21,487	\$ 23,633	\$ 27,992	\$ 32,806	\$ 34,963	\$ 44,675
Baseball Over/Under	\$ 3,824	\$ 3,266	\$ 1,916	\$ (235)	\$ (2,296)	\$ 1,052	\$ 3,516
Concession Revenue		\$ 15,441	\$ 18,841	\$ 20,667	\$ 14,192	\$ 20,014	\$ 19,645
Concession Expenses		\$ 24,019	\$ 22,830	\$ 16,992	\$ 12,345	\$ 18,216	\$ 15,547
Concession Over/Under		\$ (8,578)	\$ (3,990)	\$ 3,676	\$ 1,847	\$ 1,797	\$ 4,098
Recreation Wages & Benefits*	\$ 26,842	\$ 29,429	\$ 34,589	\$ 33,525	\$ 36,955	\$ 39,489	\$ 36,517
Baseball Wages & Benefits	\$ 6,874	\$ 5,941	\$ 4,965	\$ 4,008	\$ 1,638	\$ 1,107	\$ 256
Total Wages & Benefits	\$ 33,716	\$ 35,370	\$ 39,555	\$ 37,532	\$ 38,593	\$ 40,596	\$ 36,774

*This is the total of wages and benefits for the Recreation Coordinator and summer assistant. Recreation Coordinator, Lisa Summers, estimates that 60% of her time is related to recreation; the other 40% is related to her Youth Council Advisor role and other city events (Volunteer Recognition Dinner, Employee Christmas Dinner, etc.) and special projects such as the annual community information/event guide.

Recreation Calendar Year Analysis
Revenue vs Expenses



11/4/2015

Parks Capital Improvement Plan All dollar amounts are rough estimates only.

HIGH TO LOW PRIORITY				Impact Fee Eligible
1	Community Park Expansion	phase 4: Irrigation and seed	\$ 600,000	\$ 600,000
2	"	phase 5: Parking and Path (.26 miles)	\$ 150,000	\$ 150,000
3	"	Small Bowery/restrooms	\$ 60,000	\$ 60,000
4	Porter-Walton Park	Swingset + Toddler Seat	\$ 3,000	
5	Community Park	Additional Lighting in Parking Lots	\$ 25,000	
6	Community Park Expansion	Additional Playground	\$ 50,000	\$ 50,000
7	Community Park	Ballfield Lights/Scoreboards	\$ 160,000	
8	*Island View Park	Replace Playgrounds	\$ 100,000	
9	"	Concept plan/Design Grading	\$ 100,000	
10	"	Renovate Tennis Courts	\$ 150,000	
11	"	Renovate/Rebuild Lower Level Restrooms	\$ 55,000	
12	"	Remove Handball/Build Pickleball courts	\$ 150,000	
13	"	New Restroom/Pavilion on Upper Level	\$ 60,000	
14	Replace/repair of existing amenities; Playgrounds, pavilions, paths, courts.		\$ 300,000	
15	Parrish Creek Pond	Develop nature park	\$ 150,000	\$ 150,000
16	Location To Be Determined	Splash Pad/interactive water feature	\$ 500,000	
17	Additional Park Amenities	2 Tennis Courts	\$ 300,000	
18	Location To Be Determined	2 Basketball Courts	\$ 150,000	
19	Location To Be Determined	4 Pickleball Courts	\$ 150,000	
20	Trail Improvements	Legacy/D&RG Trailhead w/restrooms	\$ 100,000	
21	Frontage Road	West Side Landscaping	\$ 400,000	
22	Future Park(s) Location TBD	Purchase of Property (7.21 acres)	\$ 680,000	\$ 205,000
23		Phase 1: Concept Planning and Design	\$ 20,000	\$ 6,000
24		Phase 2: Grading	\$ 60,000	\$ 18,000
25		Phase 3: Drainage and Utilities	\$ 36,000	\$ 12,000
26		Phase 4: Irrigation and seed	\$ 600,000	\$ 180,000
27		Phase 5: Parking and Path	\$ 150,000	\$ 45,000
28	Additional Park Amenities	Pavillion/Restroom Playground	\$ 300,000	\$ 190,000
29	City Hall/Founders Park Expansion	Purchase & Improve .98 acres	\$ 700,000	\$ 700,000
Total Improvements			\$ 6,259,000	\$2,366,000

* Island View Park Complete Rebuild estimate at \$ 141,400 per acre
4.6 acres

POTENTIAL FUNDING SOURCES

\$ 650,440

- 1 Future Park Impact Fees/Developer Contributions
- 2 Grants
- 3 General Fund
- 4 RAP Tax
- 5 Recreation District
- 6 Dedicated Property Tax

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 4

Short Title: Discuss possible amendments to Urban Deer Control Plan

Initiated By: City staff

Scheduled Time: 7:35

SUBJECT

RECOMMENDATION

Receive report from Bruce Cox and give direction regarding amendments to the City's Urban Deer Control Plan and funding for the relocation option.

BACKGROUND

Late in 2015 the City Council adopted an Urban Deer Control Plan--approved by the Utah Division of Wildlife Resources (DWR)--that provides for trapping and killing "resident" deer living year-round within the City. Only three deer were taken before December 31, 2015, when the Certificate of Registration issued by DWR required the City to suspend the program until August 1, 2016. Recently, the DWR has informed staff that they will now allow relocation of trapped deer as an option that could be implemented at any time. The DWR would transport the deer to an area that they have determined can support additional deer. However, DWR would require the City to pay \$100 per relocated deer for transmitters to be attached and blood samples to be taken. Bruce Cox is obtaining additional information about this option and will report at the council meeting. If Council wants to amend the City's Deer Control Plan to allow relocation, they need to decide how much funding to make available for this purpose. Another issue is whether to initiate relocation now or wait until the migratory deer have returned to the mountains--otherwise the City would be paying for the relocation of "transient" deer as well as "resident" deer.

The City's currently-approved Urban Deer Control Plan is attached. Also attached is the Certificate of Registration issued by DWR, which authorizes the City to lethally remove up to 100 deer over a 3-year period.

ATTACHMENTS:

Description

- ☐ Urban Deer Control Plan
- ☐ Certificate of Registration

URBAN DEER CONTROL PLAN

COR#

DWR Contact: Chad Wilson

City: Centerville City

City Contact Information:

Main Contact: Bruce Cox

Secondary Contact: Michael Higgins

Address for Correspondence: 250 N Main, Centerville UT 84014

Summary of Justification for Action:

The presence of deer within Centerville City has increased significantly over the last decade. While the deer are a beautiful presence of nature, they have also become a danger to human safety, as well as their own, when entering roads, public property and private property. Likewise, the feeding habits of the deer population have become a destructive nuisance on private and public property, creating a problem for landscaping, gardening, and recreational space within our community.

Over the last year the City has been receiving and collecting public comment via email, in person comments as well as written complaints. A public hearing in the September 15th city council meeting as well as an open house that was held on September 8th invited additional public comment. To date, a total of 64 different residents have commented in writing. These comments are on file for review upon request at the City Recorder's office. Addresses of the residents with urban deer problems were located and marked on a city map that is also available for public review.

Over 90 percent of the citizen input has been highly in favor of implementing an urban deer control plan.

Estimated urban deer population size before action: 100

Population objective after action: 0 to 25

URBAN DEER CONTROL PLAN

Management Actions

Persons Eligible to Take Deer:

Must meet all qualifications required by the City in order to obtain tags that allow for the lethal removal of urban deer. Centerville City residents who volunteer will be given preference over non-resident volunteers. Centerville City Police Department will oversee the euthanizing of urban deer and determine which individuals qualify to participate.

Volunteers will be selected from organizations such as the Mule Deer Foundation and Dedicated Hunter Program. Volunteers will need to have successfully completed Hunters Safety and pass a criminal background check and be approved by the City Police Department before participating in this plan.

Locations and Time Periods of Deer Removal Activities:

Locations must be approved by the City Police Department, DWR and Property Owners. Property Owners must submit to the city a "Property enrollment for deer removal release and hold harmless agreement" prior to any plan action of deer control. Deer removal may only take place at a time that has been approved by the City Police Department, the Property Owner and the DWR. Time periods that optimize the removal of urban deer and minimize the removal of mountain deer will be selected.

If approved in December 2015, this plan may begin implementation and go for 30 days in order to give some relief for the coming growing season. This plan would then postpone any activity until August of 2016 when lethal removal could then be reemployed. As a condition of City Council approval, the City Council suggested the plan be revisited in 2016 to consider adding archery and/or relocation options to the plan if and when these options are authorized by the DWR.

Legal Methods of Take:

All deer removal activities shall comply with the the City's Urban Deer Removal Plan and applicable provisions of the Urban Deer Control regulations as adopted by the Utah Division of Wildlife Resources and set forth in Utah Administrative Code R657-65, as amended.

The city will:

- (a) Require individuals authorized to lethally remove deer to:
 - (i) Tag the carcass consistent with Section 23-20-30; and
 - (ii) Comply with all federal, state, and local laws pertaining to the possession, use, and discharge of a dangerous weapon; and
- (b) Take measures to ensure that:
 - (i) An annual report is submitted to the Division by March 1 on lethal removal activities, including the following information for each permit issued:
 - (A) Name of shooter/permit holder;
 - (B) Sex of the animal;

PROPERTY ENROLLMENT FOR DEER REMOVAL

DWR AND CENTERVILLE CITY RELEASE AND HOLD HARMLESS AGREEMENT

PROPERTY OWNER REQUEST FOR DEER REMOVAL

I/we voluntarily request the Division of Wildlife Resources (DWR) and Centerville City (City) to enter my/our private property for the purpose of deer removal in accordance with the City's approved Urban Deer Control Plan. I/we understand and agree the deer removal activities may involve trapping, firearms or archery and the activities may occur at any time on my/our private property with advance notice. I/we realize there is risk of injury to person or property from deer removal or culling activities to be provided by the DWR and/or the City.

PROPERTY AND OWNER INFORMATION

Property Owners of Record:	Contact Phone Number:
Entity (if property is owned by entity or trust):	Contact Email:
Property Address:	
City/State/Zip:	

RELEASE AND HOLD HARMLESS

I/we, as the legal property owners of record of the above described property, hereby release and hold harmless the State of Utah, Department of Natural Resources, Division of Wildlife Resources (DWR), Centerville City (City), and their officers, agents and employees from any liability for any injury or death to person or damage to real or personal property arising from the DWR's or City's negligent acts or omissions in removing deer from my/our property by any means, including, but not limited to, trapping, firearms or archery. I/we hereby enter into this Agreement voluntarily and understand that DWR and the City are not obligated to remove deer from my/our property. This release and hold harmless shall extend to and be binding upon my/our heirs, legal representatives, and estate in the event of my/our injury, death or property damage. I/we represent and verify that I/we am/are the actual property owner(s) of the subject property.

Signature of Property Owner

Date: _____

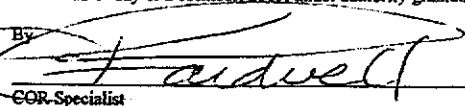
Signature of Property Owner

Date: _____

Property Description: Please list obstacles, potential shooting areas, time of day deer visit property, etc. (use additional pages if necessary):

Additional Information: Please add any additional information or comments regarding Enrollment for Deer Removal on your property or the City Urban Deer Removal Plan:

CERTIFICATE OF REGISTRATION

Registrant Name and Address CENTERVILLE CITY ATTN: BRUCE COX 655 N 1250 W CENTERVILLE, UT 84014 Phone (801) 292-8232	COR Number 2UDCP9713
	Fee Received \$0.00
	Application for new COR due: 12/31/2018
	Effective Dates: From: 12/01/2015 To: 12/31/2018
COR Type: URBAN DEER CONTROL PLAN	Activities Report Due Date: BY MARCH 1 ST EACH YEAR
Methods: LETHAL REMOVAL	
Specific Provisions: THE SEASONAL TIME PERIOD FOR LETHAL TAKE WILL BE ANTLERED ANIMALS FROM AUGUST 1 THROUGH OCTOBER 31 AND ANTLERLESS ANIMALS FROM AUGUST 1 THROUGH DECEMBER 31 EACH YEAR DURING THE 3 YEAR PERIOD. CENTERVILLE CITY IS AUTHORIZED TO LETHALLY REMOVE UP TO 100 DEER (NO MORE THAN 15 ADULT BUCKS REMOVED PER YEAR) DURING THE 3 YEAR PERIOD. AUTHORIZED TO LETHAL TAKE OF DEER WITHIN CENTERVILLE CITY BOUNDARIES. THE CITY MAY NOT UNDERTAKE OR AUTHORIZE DEER REMOVAL ACTIVITIES OUTSIDE INCORPORATED CITY BOUNDARIES OR ANY UNINCORPORATED AREAS. AN ANNUAL REPORT LISTING ALL WILDLIFE, NUMBERS LETHALLY REMOVED, NAME OF SHOOTER/PERMIT HOLDER, SEX OF ANIMAL, DATE OF HARVEST, AND DISPOSITION OF CARCASS (I.E., RETAINED BY HUNTER, DONATED, ETC.) MUST BE SUBMITTED TO THE WILDLIFE REGISTRATION OFFICE (SALT LAKE CITY) BY MARCH 1.	
COR shall be in possession of registrant when exercising any activity hereunder. This COR is nontransferable. Change of address/phone number of registrant must be reported immediately to the Wildlife Registration Office, 1594 W N Temple, Suite 2110, Box 146301, Salt Lake City, UT 84114-6301. Amendments to this COR that require additional review by the Division will be subject to an amendment fee. Registrant must receive prior authorization for any use or activity not authorized under this COR or any rule pertaining thereto. This includes, but is not limited to, change in location, species or numbers of animals. The validity of this COR is dependent upon complying with provisions in R657-65, Title 23, Utah Code, and all applicable foreign, federal, local, or other state law, and specific provisions stipulated herein. Activities authorized herein must be carried out in accordance with and for the purposes described in the application/amendment request submitted. This COR is valid only for the dates indicated herein and gives no rights, either expressed or implied, to registrant for issuance or denial of future applications.	
Issued this 1 st day of December, 2015, under authority granted by R657-65 and Title 23, Utah Code. By:  COR Specialist	Registrant signature Parent signature if registrant is a minor

Counties	Township, Range, Section	General Location
1. DAVIS	1. CENTERVILLE CITY	1. WITHIN CITY BOUNDARIES.
Species	Numbers	Disposition
1. DEER	1. UP TO 100 OVER THE 3 YEAR PERIOD (NO MORE THAN 15 ADULT BUCKS REMOVED PER YEAR)	1. LETHALLY REMOVED BY PERSON AUTHORIZED (HUNTER), CARCASS TAGGED, CARCASSES ARE SALVAGED, VISCERA IS REMOVED FROM KILL SITE AND DISPOSED OF AS PROVIDED BY LAW, ANTLERS ARE PROMPTLY SURRENDERED TO THE DIVISION AND NOT RETAINED BY THE CITY OR THE CITY OR THE PERSON THAT TAKES THE ANIMAL.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 5.

Short Title: Consider options for video streaming Council meetings

Initiated By: Councilman McEwan

Scheduled Time: 7:55

SUBJECT

RECOMMENDATION

Review options researched by City staff and determine whether to proceed with one of these options, or request further staff research.

Staff recommendation is to allocate from council contingency a budget of \$2,500 to purchase and install a video system, plus an additional \$1000 for management, archive and storage service for the remainder of FY 2016.

BACKGROUND

Objectives:

- Install a video system to stream City Council meetings and perhaps other meetings and events.
- Determine the most cost effective video system that achieves the objective and is simple to operate.
- Determine the venue to archive, organize and make available for the public.
- Simplicity of operation by limited available staffing in meeting and post production including streaming, recording, and archiving must be considered.

Video system:

There are many different configurations to setup up a streaming system, from single fixed converted security camera to multi camera, fully produced meetings with full time or contracted media personnel. I believe the City should install a system that includes a pan tilt and zoom (PTZ) camera that is of good quality and easy to install and operate the streaming of video. Although most of the meeting time would be from a fixed position, the PTZ feature would allow the possibility of moving the view to other locations in the room. There is also a large range of cameras. From my research, most systems use basically a security camera that are adapted to stream, with an encoder. Some are not designed to accommodate direct-in audio. Security type cameras need an encoder that can add approximately \$500 in initial cost, and perhaps additional software to manage the camera stream. I would recommend that we purchase a camera that is made specifically for streaming of video, eliminating the need for an encoder or other hardware. This type of camera may be a little more costly initially, but is easier to install and does not need additional hardware, that may make the net cost similar to security cameras. I have costs of three cameras: (see attached Camera info)

- Axis brand V5914 network camera. \$1,725

- o This camera is made specifically to stream video. It will not require an additional encoder, or software. This is similar to what Kaysville City has in place. It is a PTZ camera that can accommodate direct-in audio.
- Axis brand P5514 Dome network camera. \$1,100.
 - o This camera is a security camera that can be used to stream video with the addition of an encoder. This is a PTZ camera.
- Sony brand EVID80 camera. \$900.
 - o This camera is a security camera that can be used to stream video with the addition of an encoder. This is a PTZ camera.

Recommendation: Purchase the Axis V5914 camera.

Installation:

I was able to get a test camera, (Axis V5914). It was very helpful to have a camera to test locations. I had previously thought that the best location would be the beam. However, if mounted at the beam we cannot pan out far enough to catch both podiums at the same time (see attached camera views). If we mount it on the back (east) wall we can zoom in to catch both podiums. I assume that this is important. We can also zoom in to other locations in the room. It also will ease installation as we have power and network connections nearby. We would need to pull the audio cable a little farther, but should not increase the cost significantly. The location on the back wall will also be less obvious, and will not affect the aesthetics of the room.

Recommendation: Install the camera on the east wall with direct feed audio to the microphone system.

Archiving of videos:

Regardless of the platform that we use to initially stream video--Youtube or a management service--the install cost would be the same. The crux of the decision is how we archive, store and retrieve the videos. However, a managed service will provide a more professional and distinct look to the stream. I believe for the advantages of ease of use by the public and staff, the cost of a managed service is justified. I recommend NovusAgenda. Novus would make it easy on staff to initiate and manage the video stream and would not require the cost of installing a switch or other device, similar to what Kaysville uses. It would give us the ability to time stamp the video, either during the meeting or post meeting, but no other post video work would need to be done. The video would be automatically archived with the agenda. Youtube has a 4 hour time limit per video, which may cause the loss of archived video. Cities that I contacted that use Youtube have to do about an hour of post meeting production after each meeting. I believe the most important consideration is the ease of use by the public to retrieve and view archived video. Management services arrange archived video in a very organized manner, making it simple to find and view. They also replay the video in a very professional looking replay window, while Youtube can be difficult to navigate and may bring up other unrelated videos and advertisements. I have attached some examples (see Management Services and various City views).

Recommendation: Contract with NovusAgenda to archive and store the City's video. The cost is \$4,000 annually. For FY 2016, the cost would be prorated to \$1,000.

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Summary Recommendation: Allocate a budget of \$2,500 for the purchase and installation of a video system. Allocate a budget of \$1,000, for FY2016, to contract with NovusAgenda for archiving, organizing and storing video.

ATTACHMENTS:

Description

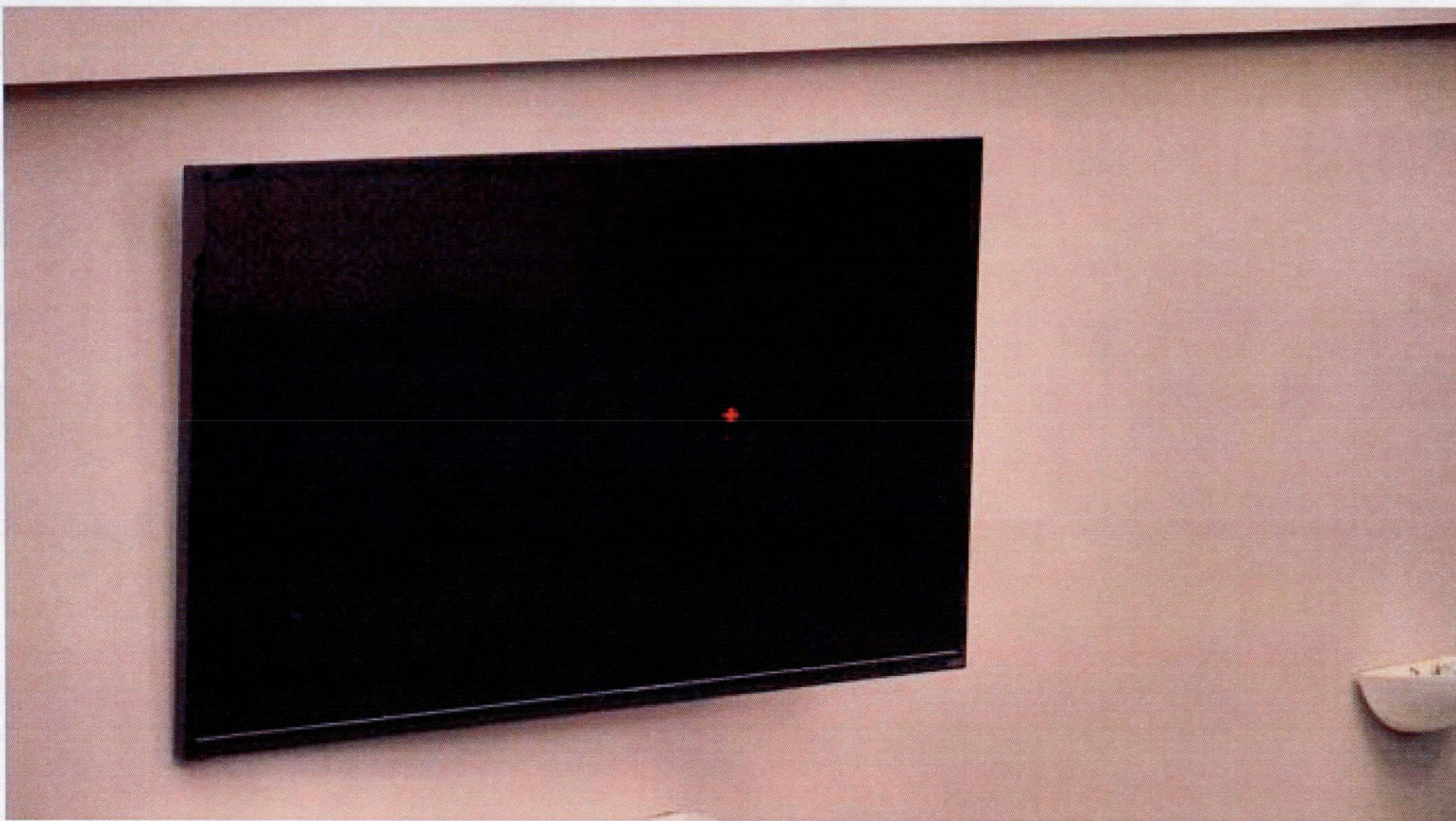
- ▣ Camera Views
- ▣ Management Services
- ▣ Camera Information
- ▣ Other Cities example



Beam View - Cannot get both podiums



East Wall View



East Monitor - from East wall



Example east wall zoom view



Meeting Management Solution Video Streaming Services

Prepared For Centerville UT

Date 01-11-16

Valid for 90 Days


Novusolutions

3820 Northdale Blvd.

Suite 205A

Tampa, FL 33624

John Kercher

jkercher@novusolutions.com

800-274-5624 Ext 702

NovusAGENDA must be in use to leverage the following Video Streaming service.

NovusAGENDA video services use the Amazon Wowza Streaming capabilities as a foundation to deliver video and audio to any devices. Our streaming services supports both Standard and High Definition broadcast and streaming.

Video Services include full integration with NovusAGENDA so the public can enjoy a seamless presentation of your Agenda, Minutes and Video. Video links to items will be presented on both your Agenda and Minutes which means the public will see the links regardless of which publication they view.

The service includes a live stream of your meetings as well as archived delivery of indexed meetings fully integrated with NovusAGENDA. Users access the archived meetings via the NovusAGENDA public search page for meetings.

Video files are stored on our servers in mp4 format (H.265 w/ mp3 audio IIFC). The MOV ATOM is stored at the end of the saved video to support progressive downloads and speed delivery.

Video Streaming Hardware Considerations

If you have a Tricaster system or similar device in place there is no hardware needed. If not an encoder must be installed to support the live stream. We require a video stream that is using the RTMP or RTSP protocol to carry an encoded H.264 video stream to our system (Wowza). We will provide you with the URL to our server (eg: "RTMP://publish.Novusolutions.com/liveAgenda") and the unique name of your stream (eg: "YourCityName").

If you do not have this capability in place we can suggest an encoder for you to purchase that will deliver this stream to our servers. These systems will require a small PC or laptop to run software. They do not require a high end server. A basic laptop is more than adequate to run the encoder software options below.

Free option:

[Adobe Flash Live Media Encoder \(free\)](#)

Low Cost Option:

[Telestream WireCast \(\\$500\)](#)

Retention

NovusAGENDA video services will retain access to your videos for 5 years at no additional cost. A small annual fee can be added for retention beyond that.

Video Streaming Annual Service

Video stream of meetings/events with unlimited on demand storage and indexing tools.

\$4,000/Year

- Events are viewed via your agenda and or minutes so any event you stream must be a meeting type in NovusAGENDA with a published agenda.
- You do your own indexing "live" in the meeting.
- Index points can be edited post meeting as needed at any time.
- Up to 150 meetings per year. Contact us for pricing on more meetings.
- Fully integrated with your agenda and minutes.
- Video and Audio Stream delivered from our Amazon Wowza Servers to any modern device.
- If you are streaming High Definition Video add 20% to the annual fee to cover additional storage requirements.



Granicus Budgetary Quote for Centerville UT

January 11, 2016

Dear Blaine,

Thank you for considering Granicus and discussing your county's interest in improving its transparency and efficiency through an integrated web and agenda solution. This proposal is for budgeting purposes only and will be replaced by a formal proposal when appropriate.

By selecting Granicus, your organization will gain what over 1000 government clients already have: a trusted partner. And we're the only company with the experience and capabilities to provide an integrated voting solution that fits your existing legislative processes, software, and technical infrastructure.

Granicus is committed to ensuring your critical applications are installed quickly and run effectively with **24/7 tech support and proactive monitoring**. You'll also receive **unlimited web-based training** and a dedicated account manager who will know your solution inside and out. Our aim is to help you effectively achieve your goals.

On the following few pages, you will find our proposed solution, investment, product descriptions and some of our key differentiators.

We look forward to establishing a rewarding, long-term relationship with you.

Sincerely,

Joshua Hurni
Account Executive
415-967-5573
Granicus, Inc



Investment

Your Granicus solution was based on your public meeting efficiency needs. Our pricing reflects our commitment to supply customers with the highest value and quality software and support.

Product Name	Unit Price (Up-Front)	Unit Price (Monthly)
Government Transparency (Webcasting)	\$4,500.00	\$400.00

Expires February 6, 2016S

*** NOTE: The pricing in this preliminary proposal excludes tax and is SUBJECT-TO-CHANGE. While this preliminary proposal will provide you with our best possible estimate of what your solution will look like, it is not considered complete until a network assessment has been completed. Our goal here at Granicus is to make sure that every new client has a successful deployment and to make sure that our products exceed your expectations. We believe that spending the time to accurately conduct an assessment of your network and documents will help us meet our goals and will ensure that you have the best experience possible. ***



Proposed Solution

Granicus® Open Platform

The Granicus® Open Platform is the cloud-based foundation for all Granicus applications. It allows government organizations to manage and store an unlimited amount government public meeting data. It is the core of our content management, administration and distribution tools and includes free access to our APIs and SDKs, helping you seamlessly connect your Granicus solution to systems in place. The Granicus Platform includes the ability to upload and publish content including videos and documents. [Click here](#) for more information on the Granicus Open Platform.

- Unlimited content storage and distribution
- Open architecture and SDK
- Archived video editing and indexing
- Citizen web portal
- Live and on-demand streaming to mobile devices
- Create a paperless agenda environment with iLegislate® for the iPad

Granicus Encoding Appliance

The Granicus Encoding Appliance is designed and built for our platform and streaming protocols to provide government organizations with superior live and on-demand webcasting performance. The hardware is pre-configured and delivered ready to stream. Simply connect power, network and an audio/video source. Full appliance control is available through a web browser or locally installed client application.

- Provides live and on-demand streaming – online and via mobile devices
- Remote systems monitoring and Granicus maintenance updates
- 500 GB of local storage (approximately 1,000 hours of archive content)
- Facilitates internal streaming across your local area network (LAN) – up to 50 concurrent viewers
- Supports extraction and display of embedded closed captions to help maintain ADA compliancy
- Faster archive upload times, less video buffering
- H.264 video codec encoding
- HTML5 and Flash compatible streaming delivery



Granicus' hosted infrastructure supports the encoding appliance and offers unlimited bandwidth, storage and the highest security standards through a cloud-based platform. Our remote, proactive system monitoring guarantees faster response time, predicts problems before they arise, and helps reduce the cost of IT support and maintenance. The Granicus team works around-the-clock to ensure your applications are protected and operating smoothly. This ensures long-lasting success with our technologies while maximizing your solution's performance.

Government Transparency Suite

The Government Transparency Suite gives your citizens greater access to public meetings and records online. Take the next step towards transparency and stream meetings and events live, link related documents to your video, and provide advanced searching of archives. The Government Transparency Suite gives you unlimited cloud bandwidth and storage as well as local live and on-demand streaming for up to 50 concurrent viewers. This Suite also allows you to connect agenda data to the iPad to review agendas and supporting documents, take notes, and more through the iLegislate® application. [Click here](#) for more information on the Government Transparency Suite.

- Give citizens convenient access to live and archived streaming through your website
- Reduce public inquiries with searchable, self-service access online
- Import agendas and index video live to eliminate hours of work
- Manage and distribute unlimited meetings and events—all completely automated
- Reach a broader audience - integrate closed captions with video
- Understand and measure public participation with in-depth video analytics



Granicus Differentiators

- World's most experienced provider of government transparency, citizen participation, meeting efficiency, and legislative management solutions with:
 - Over 1,000 clients in all 50 states, at every level of government
 - Over 31 million government webcasts viewed
 - More than 265,350 government meetings online
- First fully integrated legislative workflow management system for local government
- Open API architecture and SDK allow for seamless integrations with systems already in place
- Certified integrations provide flexibility and choice of agenda workflow solutions
- Exclusive provider of the iLegislate iPad application that allows users to review agendas and supporting materials, bookmark and take notes on items, stream archived videos, and review community feedback
- Only government webcasting service to provide encoding, minutes annotation, transcription, and closed captioning services
- Truly unlimited storage and distribution for all meeting bodies and non-meeting content
- Indefinite retention schedules for all archived meeting and non-meeting content
- Only provider of both government webcasting and citizen engagement services
- 24/7/365 customer service and support
- 97% customer satisfaction rating, 98.5% client retention rating
- One of the 100 companies that matter most in online video by Streaming Media magazine
- Ranked 185 on Deloitte 500 fastest growing companies
- Ranked 419 on Inc 500 fastest growing companies
- Client Success stories are available here: <http://www.granicus.com/Clients/Case-Studies.aspx>

Novus Agenda	\$ 4,000	p/year
	\$ -	Set up
Granicus	\$ 4,800	p/year (\$400 per month)
	\$ 4,500	Set up, encludes encode
Suite One (JCG)	\$ 4,788	p/year (\$399 per month)
	\$ 1,999	Set up, encludes encode

Other cities from informal survey

Riverton -	Audio only. In the process of setting up to stream. Considering Novus and Granicus.
Orem -	Audio only. In the process of setting up streaming. Considering Prime Government Solutions and JCG.
Lehi -	Recently initiated. Uses Granicus.
Cedar City-	Has own "media center". Limited history of meetings due to size.
Washington -	Streams via google and stores on Youtube.
Salt Lake -	Has own TV crew.
Heber -	Audio only. Stores video locally. Needs dowload to view.
West Valley -	Youtube channel.

Davis Cities

NSL -	Has audio link
Bountiful -	Appears to have nothing available
Woods Cross -	Appears to have nothing available
West Bountiful -	Appears to have nothing available
Farmington -	Appears to have nothing available
Kaysville -	Live streaming. IT person. Keeps 4 hours on Youtube. In meeting staff with PTZ.
Fruit Heights -	Appears to have nothing available
Layton -	Audio (appears to be Granicus)
Clearfield -	Appears to have nothing available
West Point -	Appears to have nothing available
Sunset -	Post meeting audio.
Clinton -	Audio (appears to be Granicus)
South Weber -	Post meeting audio.

CITIZEN ENGAGEMENT

GET SUITEVIEW

SuiteView is a complete video/audio on-demand and live streaming platform designed specifically for board, committee, and council meetings.

The public portal is a feature of the SuiteView platform that provides citizens with immediate access to meeting and event content, agendas, and more. The public portal has an intuitive, easy to use interface to ensure citizens can easily search, browse, and view content. Citizens can even personalize the public portal with subscriptions and notifications.

The SuiteView Administration Portal contains all the tools for staff members to manage the publishing, archiving, and reporting process for all meetings and events.

KEY BENEFITS

- Full featured and simple to use for staff
- Completely integrated with BoardSync agenda management system
- Transparency with citizen access to media, agendas, minutes, and supporting materials
- Most affordable managed solution available
- Higher viewership rates among citizens

SUITEVIEW PRICING

\$299 per mo. On-Demand Meeting Webcasting

\$100 per mo. Add Live Meeting Webcasting

\$1,999 One-time Implementation Fee
Includes site set up, training, video streaming and recording device, and full configuration

Great Features, Simple to Use

- Unlimited Meetings
- Unlimited Viewers
- User Based Security
- Linked Agendas and Bookmarks
- Agendas, Minutes and Supporting Files
- Meeting and Event Templates
- Auto-schedule Meetings and Events
- Public and Private Media Library
- Analytics and Reporting
- Custom Portal Design
- Advanced Keyword Searching and Filtering
- Supports High Definition Video
- Personalized Citizen Subscriptions

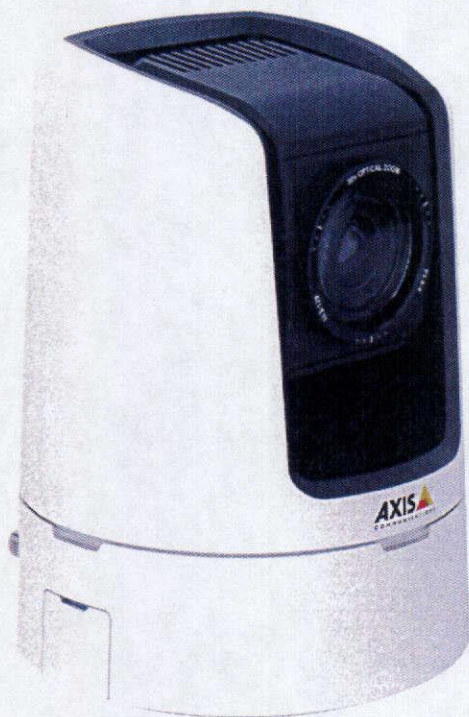


AXIS V5914 PTZ Network Camera

Live streaming with high-quality audio and HDTV 720p

AXIS V5914 offers HDTV 720p resolution with smooth pan/tilt/zoom, high quality audio streaming in stereo, and powerful 30x zoom. It can stream and webcast audio and video in a variety of applications, such as Microsoft Lync and Skype. The open interface makes it easy to integrate with other systems. AXIS Streaming Assistant enables easy setup of peer-to-peer video conference systems and live production to a larger audience. Audio connectors meet most requirements for professional audio processing, enabling connection of high-quality microphones and speakers, and SDI connectors allow integration into other live production systems. AXIS V5914 can also be connected to a monitor through HDMI.

- > HDTV video streaming
- > 30x optical zoom with autofocus
- > Smooth pan tilt and zoom
- > CD-quality stereo audio
- > Support for SDI and HDMI



AXIS V5914 PTZ Network Camera

Models	AXIS V5914 50 Hz AXIS V5914 60 Hz	Audio input/output	External stereo microphone input or line input, line output
Camera			
Image sensor	Progressive scan RGB CMOS 1/3"	Network	
Lens	4.3-129 mm, F1.6-4.7 Horizontal angle of view: 63.7°-2.3° Vertical angle of view: 34.5°-1.2° Autofocus, P-iris control	Security	Password protection, IP address filtering, HTTPS ^a encryption, IEEE 802.1X ^a network access control, Digest authentication, User access log, Centralized certificate management
Day and night	Automatically removable infrared-cut filter	Supported protocols	IPv4/v6, HTTP, HTTPS ^a , SSL/TLS ^a , QoS Layer 3 DiffServ, FTP, CIFS/SMB, SMTP, Bonjour, UPnP TM , SNMP v1/v2c/v3 (MIB-II), DNS, DynDNS, NTP, RTP, SFTP, TCP, UDP, IGMP, RTCP, ICMP, DHCP, ARP, SOCKS, SSH, HDMI 1.4 SDI
Minimum illumination	Color: 0.6 lux at 30 IRE F1.6 B/W: 0.03 lux at 30 IRE F1.6	System integration	
Shutter time	1/10000 s to 1 s	Application Programming Interface	Open API for software integration, including VAPIX [®] and AXIS Camera Application Platform; specifications at www.axis.com AXIS Video Hosting System (AVHS) with One-Click Connection. ONVIF Profile S, specification at www.onvif.org
Pan/Tilt/Zoom	Pan: ±170°, 0.2-100°/s Tilt: -20° - 90°, 0.2-90°/s Zoom: 30x Optical, 12x Digital, Total 360x 256 presets positions, Control queue, On-screen directional indicator, Adjustable zoom speed	Analytics	Support for AXIS Camera Application Platform enabling installation of third-party applications, see www.axis.com/acap
Video			
Video compression	H.264 High, Baseline and Main profile (MPEG-4 Part 10/AVC), Motion JPEG	Event triggers	Analytics, Edge storage events, External input
Resolutions	1280x720 HDTV 720p to 160x90 HDMI/SDI Output: 720p@50/60 fps (50/60 Hz)	Event actions	File upload: FTP, SFTP, HTTP, HTTPS, network share and email, Send video clip Notification: email, HTTP, HTTPS and TCP Overlay text, Send SNMP trap, Video and audio recording to edge storage, Pre- and post-alarm video buffering, Goto PTZ preset, External output activation, Day/night vision mode, Play audio clip
Frame rate	Up to 50/60 fps	Data streaming	Event data
Video streaming	Multiple, individually configurable streams in H.264 and Motion JPEG, Controllable frame rate and bandwidth, VBR/MBR H.264, HDMI SDI	Built-in installation aids	Pixel counter
Image settings	Compression, Color, Brightness, Sharpness, White balance, Exposure control, Exposure zones, Backlight compensation, Defogging, Noise reduction, Electronic image stabilization, Text and image overlay (over Ethernet) Rotation: 0°, 180° WDR-Dynamic Capture: 120dB	General	
Audio			
Audio streaming	Two-way, Stereo	Casing	ASA plastic cover black and white Color: White NCS S 1002-B
Audio compression	SDI: AES3 24 bit, 48 kHz HDMI: LPCM Network: AAC LC 8/16/32/48 kHz, G.711 PCM 8 kHz, G.726 ADPCM 8 kHz, Opus 8/16/48 kHz, Configurable bit rate	Memory	1 GB RAM, 512 MB Flash
Audio input	XLR balanced mono input (left/right) Microphone phantom power 48 V Balanced external microphone (mono) Balanced line level (mono) Maximum input level: 4.4 Vrms Bandwidth: 20 Hz - 20 kHz, may be limited by sample rate THD+N: < 0.03% Signal-to-Noise ratio: > 85 dB @ 0 dB gain, > 78 dB @ 30 dB gain 3.5 mm unbalanced stereo input Microphone Power 5 V via 2.2 kOhm Unbalanced external microphone (stereo) Unbalanced line (stereo) Line input impedance: < 1.7 kOhm Maximum input level: 2.2 Vrms THD+N: < 0.03% Signal-to-Noise ratio: > 87 dB @ 0 dB gain, > 83 dB @ 30 dB gain Bandwidth: 20 Hz - 20 kHz, may be limited by sample rate	Power	8-28 V DC (12 V power supply included) typical 12 W, max. 21 W
Audio output	3.5 mm unbalanced stereo output Output impedance: < 100 Ohm, short circuit proof Signal-to-Noise ratio: > 87 dB Bandwidth: 20 Hz - 20 kHz, may be limited by sample rate THD+N: < 0.03% @ 10 kOhm load Maximum input level: > 0.707 Vrms SDI THD+N: < 0.03% Bandwidth: 20 Hz - 20 kHz Signal-to-Noise ratio: > 87 dB @ 0 dB gain, > 83 dB @ 30 dB gain HDMI THD+N: < 0.03% Bandwidth: 20 Hz - 20 kHz Signal-to-Noise ratio: > 87 dB @ 0 dB gain, > 83 dB @ 30 dB gain	Connectors	RJ45 10BASE-T/100BASE-TX Terminal block for 2 configurable alarm input/output 3.5 mm stereo mic/line in, 3.5 mm stereo line out XLR-3 (left + right) mic/line in (with 48 V phantom power) HDMI Type A, BNC for SDI, Terminal block for DC power
		Edge storage	Support for microSD/microSDHC/microSDXC card Support for recording to dedicated network-attached storage (NAS) For SD card and NAS recommendations see www.axis.com
		Operating conditions	0 °C to 40 °C (32 °F to 104 °F) Humidity 10-85% RH (non-condensing)
		Storage conditions	-20 °C to 60 °C (-4 °F to 140 °F) Humidity 10 - 85% RH (non-condensing)
		Approvals	EN 55022 Class A, EN 55024, EN 61000-6-1, EN 61000-6-2, EN 61000-3-2, EN 61000-3-3, FCC Part 15 Subpart B Class A, ICES-003 Class A, VCCI Class A, KCC KN 22 Class A, KN 24, C-tick AS/NZS CISPR 22 Class A, IEC/EN/UL 60950-1, EN 50581
		Dimensions	180 x 136 x 136 mm (7.1 x 5.4 x 5.4 in)
		Weight	1.49 kg (3.3 lb)
		Included accessories	Power supply, Wall/Ceiling mount, Terminal connector for I/O, Installation Guide, Windows decoder 1-user license
		Optional accessories	AXIS T8353B Microphone Phantom Power AXIS T8310 Video Surveillance Control Board
		Languages	English, German, French, Spanish, Italian, Russian, Simplified Chinese, Japanese, Korean, Portuguese, Traditional Chinese
		Warranty	Axis 3-year warranty and AXIS Extended Warranty option, see www.axis.com/warranty

a. This product includes software developed by the OpenSSL Project for use in the OpenSSL Toolkit. (www.openssl.org), and cryptographic software written by Eric Young (ey@cryptsoft.com).

Environmental responsibility:
www.axis.com/environmental-responsibility

a. This product includes software developed by the OpenSSL Project for use in the OpenSSL Toolkit. (www.openssl.org), and cryptographic software written by Eric Young (ey@cryptsoft.com).

Environmental responsibility:

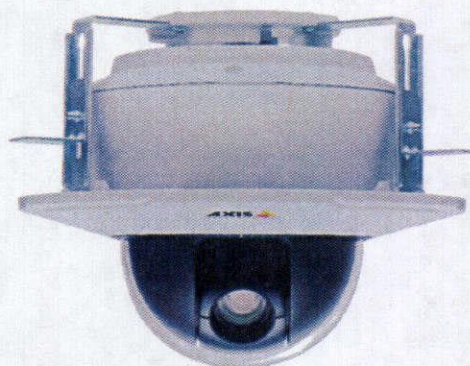
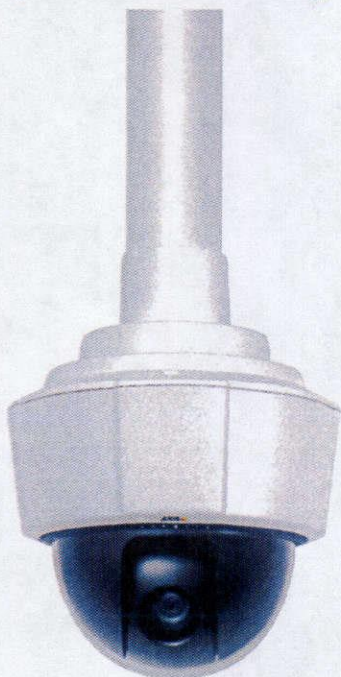
www.axis.com/environmental-responsibility

AXIS P5514 PTZ Dome Network Camera

Cost-effective indoor HDTV PTZ dome with 12x zoom

The easy-to-install AXIS P5514 is a compact, affordably priced pan/tilt/zoom camera suitable for surveillance of areas such as stores, banks, hotels, warehouses and business premises. AXIS P5514 enables users to pan 360° for overview surveillance and zoom 12x with autofocus for detailed views. HDTV 720p and day/night ensures image quality is maintained even in low light conditions. The camera provides up to 720p (1280x720) resolution at 50/60 fps frame rate, and offers H.264 and Motion JPEG streams. When an optional multi-connector cable is used, AXIS P5514 supports two-way audio, audio detection, I/O ports for external devices and AC/DC power. The camera is IP51 rated, which ensures protection against dust and dripping water, and allows it to operate even when a sprinkler system is activated. The SD/SDHC slot enables recordings to be stored locally.

- > 360° pan with Auto-flip
- > 12x optical zoom
- > HDTV 720p resolution
- > IP-rated protection against dust and water
- > Easy installation including Power over Ethernet (IEEE 802.3af)



AXIS P5514 PTZ Dome Network Camera

Camera		Storage: Disruption, Recording System: System ready Time: Recurrence, Use schedule
Models	AXIS P5514: Indoor	
Image sensor	1/2.3" progressive scan CMOS	
Lens	3.8-42.9 mm, F1.4-2.1 Horizontal angle of view: 59.2°-5.2° Autofocus, Auto-iris	
Day and night	Automatically removable infrared-cut filter	
Minimum illumination	Color: 0.7 lux at 30 IRE F1.4 B/W: 0.08 lux at 30 IRE F1.4	
Shutter time	1/8000 s to 1/30 s at 60 Hz 1/8000 s to 1/25 s at 50 Hz	
Video		
Video compression	H.264 (MPEG-4 Part 10/AVC) - Baseline, Main and High Profiles Motion JPEG	
Resolutions	1280x720 to 320x180	
Frame rate	H.264/Motion JPEG: Up to 60/50 fps in all resolutions	
Video streaming	Multiple, individually configurable streams in H.264 and Motion JPEG Controllable frame rate and bandwidth VBR/MER H.264	
Image settings	Compression, Brightness, Sharpness, White balance, Exposure control, Backlight compensation, WDR - Dynamic Contrast, Fine tuning of behavior at low light, Rotation, Text and image overlay, Image freeze on PTZ	
Pan/Tilt/Zoom	E-flip, Auto-flip, 100 preset positions Pan: 360° (with auto-flip), 1.8°-100°/s Tilt: 180°, 1.8°-100°/s 12x optical zoom, 10x digital zoom, total 120x zoom Limited guard tour, Control queue	
Audio		
Audio streaming	Two-way, full duplex	
Audio compression	AAC-LC 8/16 kHz, G.711 PCM 8 kHz, G.726 ADPCM 8 kHz Configurable bit rate	
Audio input/output	Requires multi-connector cable (sold separately) for external microphone or line input, and line output	
Network		
Security	Password protection, IP address filtering, HTTPS ^a encryption, IEEE 802.1X ^a network access control, Digest authentication, User access log	
Supported protocols	IPv4/v6, HTTP, HTTPS ^a , SSL/TLS ^a , QoS Layer 3 DiffServ, FTP, CIFS/SMB, SMTP, Bonjour, UPnP TM , SNMP v1/v2c/v3(MIB-II), DNS, DynDNS, NTP, RTP, SFTP, TCP, UDP, IGMP, RTCP, ICMP, DHCP, ARP, SOCKS, SSH	
System integration		
Application Programming Interface	Open API for software integration, including VAPIX [®] and AXIS Camera Application Platform; specifications at www.axis.com AXIS Video Hosting System (AVHS) with One-Click Connection ONVIF Profile S, specification at www.onvif.org	
Analytics	Audio detection Video motion detection, Advanced Gatekeeper, AXIS Camera Application Platform enabling installation of additional applications	
Event triggers	Detectors: Live stream accessed, Video motion detection, Audio detection Hardware: Fan, Network, Temperature Input Signal: Digital Input Port, Manual trigger, Virtual inputs PTZ: Error, Moving, Preset reached, Ready	
Event actions	File upload: FTP, SFTP, HTTP, HTTPS, network share and email Notification: email, HTTP, HTTPS, and TCP External output activation, Play audio clip Video recording to edge storage Pre- and post-alarm video buffering PTZ preset, Guard tour, Overlay text, Send SNMP trap Day/Night Vision Mode	
Data streaming	Event data	
Built-in installation aids	Pixel counter	
General		
Casing	IP51-rated aluminum and plastic casing, polycarbonate (PC) dome	
Memory	512 MB RAM, 256 MB Flash	
Power	Power over Ethernet (PoE) IEEE 802.3af/802.3at Type 1 Class 3, max. 12.95 W typical: 6.3 W 20-24 V AC, max. 22 VA, typical 11 VA 20-28 V DC, max. 13.5 W, typical 6 W (PoE midspan and power supply not included)	
Connectors	RJ45 10BASE-T/100BASE-TX PoE Multi-connector (cable not included) for AC/DC power, 4 configurable alarm inputs/outputs, mic in, line mono input, line mono output to active speaker	
Edge storage	Support for SD/SDHC/SDXC card (not included) Support for recording to dedicated network-attached storage (NAS) For SD card and NAS recommendations see www.axis.com	
Operating conditions	0 °C to 50 °C (32 °F to 122 °F) Humidity 15-85% RH (non-condensing)	
Storage conditions	-40 °C to 65 °C (-40 °F to 149 °F)	
Approvals	EN 55022 Class A, EN 61000-3-2, EN 61000-3-3, EN 55024, EN 61000-6-1, FCC Part 15 Subpart B Class A, ICES-003 Class A, VCCI Class A, C-tick AS/NZS CISPR 22 Class A, KCC KN22 Class A, KN24, IEC/EN/UL 60950-1, IEC 60068-2, IEC 60721-4-3 Class 3K3, 3M3 +B38 EN 61000-6-2	
Weight	1.1 kg (2.4 lb)	
Included accessories	Connector kit, Installation Guide, Windows decoder 1-user license Smoked dome cover, Mounting kit for hard and drop ceilings	
Optional accessories	T91B Mounts, AXIS T94A03L Recessed Mount Kit Multi-connector cable for AC/DC power, I/Os and audio	
Video management software	AXIS Camera Companion, AXIS Camera Station, Video management software from Axis' Application Development Partners available on www.axis.com/techsup/software	
Languages	German, French, Spanish, Italian, Russian, Simplified Chinese, Japanese, Korean, Portuguese	
Warranty	Axis 3-year warranty and AXIS Extended Warranty option, see www.axis.com/warranty	

a. This product includes software developed by the OpenSSL Project for use in the OpenSSL Toolkit. (www.openssl.org), and cryptographic software written by Eric Young (ey@cryptsoft.com).

More information is available at www.axis.com



EVID80

EVID80 18x SD PTZ Camera - Black

\$1,197.00 U.S. List Price

[Locate a Reseller](#)

[Locate a Reseller](#)

UPC:027242272101

[Zoom Image](#)

The EVI-D80 features 18x optical zoom, and utilizes the RS-232C/RS-422 VISCA™ protocol interface, which can allow for easy connectivity to many peripheral system devices. In addition, the CCD sensor offers more sensitivity than previous EVI SD cameras. With high speed pan/tilt/zoom functionality, this easy-to-use camera is an attractive addition to the EVI P/T/Z camera lineup. Best of all, this camera is ceiling mountable, allowing for more flexible design-in options in many applications.

Highlights:

- 18x Optical Zoom
- Low minimum illumination
- 550 TV Lines Resolution
- E-flip Function
- Ceiling Mountable
- Image Stabilization
- Option to choose between interface and progressive scan mode
- Black housing

Camera Specifications	Detail:
Image Device	1/4-type CCD
Lens Value	f= -4.1 mm (wide) to 73.8 mm (tele) F1.4 to F3.0
Minimum Object Distance	10 mm (wide) - 1,500 mm (tele) *Default: 290 mm
Auto Exposure	Auto, Manual, Priority Mode (shutter priority & iris priority) Bright, EV compensation, Slow Shutter AE
Shutter Speed	1 to 1/10,000 s
Gain	Auto/Manual/Max. AE Gain Limit (-3 db to +28 dB, 2 dB steps)
White Balance	Auto, ATW, Indoor, Outdoor, One-push, Manual
Pan Angle/Speed	+/- 170° 100°/sec
Tilt Angle/Speed	+90°/-20° 90°/sec
Horizontal Viewing Angle	48.0° (wide) to 2.8° (tele)
Resolution Value	550 TV Lines
Preset Positions	6
Interface Specifications	Detail:
Camera Control Interface	RS-232C/RS-422 VISCA Protocol
Video Output Specifications	Detail:
Minimum Illumination	0.4 lx (F1.4, 50 IRE)
S/N Ratio	More than 50 dB
Video Output	VBS, Y/C

Signal System		SD NTSC	
General Specifications		Detail:	
Dimensions (W x H x D)		145 x 164 x 164 mm (5 3/4 x 6 1/2 x 6 1/2 inches)	
Weight		1,460 g (3 lbs., 3 oz)	
Power Requirements		DC 12V	
Power Consumption		6 W	
Operating Temperature		0° C to 40° C (32° F to 104° F)	
Storage Temperature		-20° C to 60° C (-4° F to 140° F)	
Supplied Accessories			
Model:	Description:	U.S. List Price:	
	AC Adaptor		
	AC Power Cable		
	IR Remote Commander Unit		
	Ceiling bracket		
	RS-422 connector plug		
	Operating Instructions		
Optional Accessories			
Model:	Description:	U.S. List Price:	
RMBR300	Remote Control Unit for the BRC-300 / H700 / Z700 / Z330 / H900	\$1,575.00	Get details
CPITV4S	Telemetrics Controller for EVI PTZ Cameras	\$1,250.00	Get details
CAMWMBKTDH	Telemetrics Black Wall Mount Bracket for Select EVI PTZ Cameras	\$70.00	Get details
BRCWMZ330	Wall Mount Bracket for Select BRC Cameras	\$200.00	Get details
CAMWMBKTDHW	Telemetrics white wall mount bracket for select EVI PTZ Cameras	\$70.00	Get details
RC893/1	RS-232C 3m Cable (EVI-Series)	\$21.43	Get details
Product Brochure			
Description:	Release Date:	Type/Size:	
rmb300.pdf	08/25/2004	pdf / 1,937K	Download now
Sony PTZ Camera Full Line brochure		pdf / 2,728K	Download now
CPITV4S Controller Brochure		pdf / 1,318K	Download now
Brochure			
Description:	Release Date:	Type/Size:	
EVI New Generation Series Brochure	01/01/2012	pdf / 233K	Download now
User Manual			
Description:	Release Date:	Type/Size:	
EVI-D80/D90 User Manual		pdf / 1,381K	Download now



800.808.4239

AXIS Q7401 Video Encoder



Mfg. Part: 0288-004 | CDW Part:
1546164 | UNSPSC: 46171621



\$425.92

Advertised Price

Lease Option (\$13.29 /month)

Availability: In Stock

Shine today if ordered within 0 hrs 57 min

· Q7401 Video Encoder



Product Overview

Main Features

- Q7401 Video Encoder

Full-Featured video surveillance with outstanding H.264 performance

Features

- * Superb video quality
- * Multiple H.264 streams
- * Image setting adjustment
- * Intelligent video capabilities
- * Power over Ethernet
- * Audio support
- * Local storage

High performance, single channel solution

AXIS Q7401 Video Encoder is a high performance, single channel solution that integrates an analog camera into an IP-based video surveillance system. With outstanding video processing capabilities, AXIS Q7401 delivers superb video quality and significant savings in bandwidth and storage.

Reduced bandwidth and storage needs

AXIS Q7401 offers the highly efficient H.264 video compression, which drastically reduces bandwidth and storage requirements without compromising image quality. Motion JPEG is also supported for increased flexibility.

Full frame rate in all resolutions

AXIS Q7401 can deliver multiple, individually configurable video streams simultaneously at full frame rate in all resolutions up to D1 (720x480 in NTSC, 720x576 in PAL). This means that several video streams can be configured with different compression formats, resolutions and frame rates for different needs.

Wide range of analog PTZ cameras supported

All Axis video encoders connect to analog pan/tilt/zoom (PTZ) cameras to allow for easy operation of these PTZ cameras across the IP network. Axis' open policy ensures simple and fast integration with most analog PTZ cameras on the market by including

software drivers for more than 25 different analog cameras, including products from American Dynamics, Bosch, Canon, Panasonic, Pelco, Philips, Samsung, Sensormatic and Sony.

Easy installation

Support for Power over Ethernet (IEEE802.3af) enables the unit, as well as the analog camera that is connected to it, to receive power through the same cable as for data transmission. This makes for easy installation since no power outlet is needed.

Technical Specifications

Specifications are provided by the manufacturer. Refer to the manufacturer for an explanation of the print speed and other ratings.

Connections (Y)

Alarm Ports:	Alarm input x 4 , Alarm output x 4
Audio Input Ports:	Mini-phone 3.5 mm x 1
Audio Output Ports:	Mini-phone 3.5 mm x 1
Camera Control Interface (PTZ):	RS-422/485
Network Port:	10/100Base-T
Video Input Ports:	BNC x 1

Dimensions & Weight

Depth:	4.6 in
Height:	1.3 in
Weight:	11.82 oz
Width:	3.9 in

Environmental Parameters

Humidity Range Operating:	20 - 80%
Max Operating Temperature:	122 °F
Min Operating Temperature:	32 °F

General

Audio Channels:	1
Compression Format:	AAC , G.711 , G.726 , H.264 , MJPEG
Device Type:	Video server
Image Resolution:	176x112 (NTSC) , 720x576 (PAL)
TV System:	NTSC/PAL
Video Channels:	1

Header

Brand:	Axis
Country Kits:	United States
Manufacturer:	Axis Communications
Model:	Q7401 Video Encoder
Packaged Quantity:	1
Product Line:	AXIS

Miscellaneous

Compliant Standards:	C-Tick , CISPR 22 , EN 60950-1 , EN 61000-3-2 , EN 61000-3-3 , EN 61000-6-1 , EN 61000-6-2 , EN55022 Class B , EN55024 , FCC Part 15 B , ICES-003 Class B , VCCI Class B ITE
Package Content:	Connector kit , External power adapter , Manual , Mounting kit , Software , Video server

Networking

DDNS Support: Yes
Features: E-mail alert , IP address filtering , Power over Ethernet (PoE)
Network Interfaces: Ethernet 10Base-T/100Base-TX
Supported Protocols: ARP , Bonjour , DDNS , DHCP , DNS , FTP , HTTP , HTTP over SSL , ICMP , IGMP , NTP , RTCP , RTP , RTSP , SMTP , SNMP 1 , SNMP 2c , SNMP 3 , SOCKS , TCP/IP , UDP/IP
Web Server: Yes

Software

Software Included (Y): Drivers & Utilities

Video Server

CPU: ARTPEC-3
Features: Motion detection , PAL/NTSC auto-sensing input , PTZ support , SD memory card slot
Flash Memory: 128 MB
Frame Rate: 25 fps (PAL) , 30 fps (NTSC)
RAM: 128 MB

Warranty

Warranty: 3 years

This page was printed on 1/20/2016 3:03:55 PM.

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- Elected Officials' Public Schedule
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City Council Meetings

Overview

West Valley City Council Meetings will be broadcast live online and on Comcast Channel 17 on the first four Tuesdays of every month, beginning at 8:30 p.m. To view the live meeting, click the "Live" tab below. Past meetings are available by clicking the City Council tab.

Live City Council CityView Specials					
City Council RSS Search					
Name	Date	Time	Duration	Video	
City Council	Jan 26, 2016	1	16m42s	Play	
City Council	Jan 19, 2016	1	17m03s	Play	
City Council	Jan 12, 2016	1	21m49s	Play	
City Council	Jan 05, 2016	1	45m52s	Play	
City Council	Dec 15, 2015	1	32m00s	Play	
City Council	Dec 08, 2015	1	30m58s	Play	
City Council	Dec 01, 2015	1	34m41s	Play	
City Council	Nov 17, 2015	1	18m28s	Play	
City Council	Nov 10, 2015	1	53m49s	Play	
City Council	Nov 03, 2015	1	26m29s	Play	
City Council	Oct 27, 2015	1	09m42s	Play	
City Council	Oct 20, 2015	1	29m18s	Play	
City Council	Oct 13, 2015	1	28m00s	Play	
City Council	Oct 06, 2015	1	26m39s	Play	
City Council	Sep 22, 2015	1	09m00s	Play	
City Council	Sep 15, 2015	1	28m34s	Play	
City Council	Sep 08, 2015	1	13m00s	Play	
City Council	Sep 01, 2015	1	31m53s	Play	
City Council	Aug 25, 2015	1	09m09s	Play	
City Council	Aug 18, 2015	1	28m31s	Play	
Previous 1 2 3 4 5 6 7 8 9 10 11 12 Next					

West Valley Organization - Novus platform



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WEST VALLEY CITY *Utah*

January 26, 2016 City Council

Meeting Index Full Agenda Share

City Council - City Council on January 26, 2016.

City Council

City Council on January 26, 2016.



00:01 16:41

City Council - City Council on January 26, 2016.

City Council

City Council on January 26, 2016.

West Valley stream and replay - Novus platform non-indexed

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- Apply for a job
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- Find service projects
- Obtain a building permit
- Obtain a business license
- Place item on an agenda
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- Sign up for recreation activities
- Sign up for utilities
- More...

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Live Meeting Video

WELCOME TO KAYSVILLE CITY LIVE STREAMING VIDEO

City Council meetings are broadcast live
on the 1st and 3rd Thursdays of each month at 7:00 p.m.

KaysvilleLIVE



Kaysville Stream window

Kaysville City (Youtube)- replay view. Organization are the same.

YouTube Red

Upload

2015-09-22 19:22:06 Kaysville Live



0:03 / 0:45

CC

Kaysville Live

Kaysville City

 Subscribe 18

47 views

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Share

More

Streamed live on Sep 22, 2015
We are still working out the bugs on our live stream.

SHOW MORE

Up next

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Kaysville City Council 9/22/2015
Kaysville City
166 views
2:37:20

Kaysville City Council 1/21/2016
Kaysville City
27 views
4:24:12

Kaysville City Council 1/7/2016
Kaysville City
39 views
1:16:51

Kaysville City Oath of Office 1/4/2016
Kaysville City
10 views
49:30

Kaysville City Council 12/15/2015
Kaysville City
15 views
1:12:08

5 Bedroom, 4 Bath, Kaysville Horse Property For Sale
NorthernUtahHomeTeam
1,038 views
7:58

5 Bedroom 3 Bath 2-Story Home For Sale in Kaysville Utah
NorthernUtahHomeTeam
7,369 views
6:04

Kaysville City Council 12/1/2015
Kaysville City
54 views
1:15:46

Kaysville City Council Meeting 9/1/2015
Kaysville City
35 views
1:04:41

Kaysville Bible Church - Celebrating 40 years of G
KBC40th
229 views
19:16

Kaysville City Council 10/20/2015
Kaysville City
33 views
54:47

Kaysville City Council 11/10/2015
Kaysville City
33 views
1:04:11

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City of Cape Coral
1015 Cultural Park
Boulevard
Cape Coral, FL 33990
(239) 574-0401

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City Council - Regular Meeting

Cape Coral City Council
Workshop

Cape Coral Regular City Council

City Council Special Meeting

Budget Workshop-Council

Committee of the Whole

Joint City Council and Budget
Review Workshop

City Council - Special Meeting

Search for...

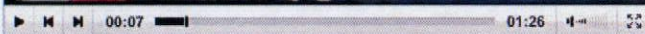
Go!

Video	Duration
City Council - Regular Meeting Jan 25, 2016	03h 41m 53 items
City Council - Regular Meeting Jan 11, 2016	03h 06m 51 items
City Council - Regular Meeting Dec 14, 2015	03h 08m 55 items
City Council - Regular Meeting Dec 07, 2015	41m 44s 44 items
Committee of the Whole Dec 02, 2015	02h 01m 1 items
City Council - Regular Meeting Nov 30, 2015	02h 23m 42 items
City Council - Regular Meeting Nov 23, 2015	01h 20m 43 items
City Council - Regular Meeting Nov 16, 2015	01h 25m 57 items

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City of Cape Coral, FL Video Archive / Powered by Swagit

Cape Coral organization (NovusAgenda)



Items 1 - 4 » - 1. MEETING CALLED TO ORDER A. MAYOR SAWICKI 2. INVOCATION/MOMENT OF SILENCE A. COUNCILMEMBER WILLIAMS

Items 1 - 4 »

1. MEETING CALLED TO ORDER

A. MAYOR SAWICKI

2. INVOCATION/MOMENT OF SILENCE

A. COUNCILMEMBER WILLIAMS

3. PLEDGE OF ALLEGIANCE

A. MADISON EVANS FROM OASIS ELEMENTARY

January 25, 2016 City Council - Regular Meeting

Meeting Index Full Agenda Share

Items 1 - 4 » - 1. MEETING CALLED TO ORDER A. MAYOR SAWICKI 2. INVOCATION/MOMENT OF SILENCE A. COUNCILMEMBER WILLIAMS

Items 1 - 4 »



1. MEETING CALLED TO ORDER

A. MAYOR SAWICKI

2. INVOCATION/MOMENT OF SILENCE

A. COUNCILMEMBER WILLIAMS

3. PLEDGE OF ALLEGIANCE

A. MADISON EVANS FROM OASIS ELEMENTARY

4. ROLL CALL

A. MAYOR SAWICKI, COUNCIL MEMBERS BURCH, CARIOSCIA, COSDEN, ERBRICK, LEON, STOUT, WILLIAMS

5. CHANGES TO AGENDA/ADOPTION OF AGENDA - CHANGES TO AGENDA/ADOPTION OF AGENDA

6. RECOGNITIONS/ACHIEVEMENTS » - A. Service Awards: 10 Years - Fidel DeForte/ITS, Rebecca Perry/City Council, Patricia Sorrels/Finance/CBS, 20 Years: »

8. BUSINESS - A. PUBLIC COMMENT - CONSENT AGENDA

B. CONSENT AGENDA » - (1) Resolution 1-16 Award ITB-UT16-10/KR to L Cobb Construction, Inc. to furnish all labor, materials, equipment and incidentals »

C. CITIZENS INPUT TIME - CITIZENS INPUT TIME

(1) Ordinance 60-15 LU15-0006 Final Public Hearing - Ordinance 60-15 LU15-0006 Final Public Hearing »

(2) Ordinance 61-15 ZA15-0008* - Ordinance 61-15 ZA15-0008* »

(3) Ordinance 62-15 Public Hearing - Ordinance 62-15 Public Hearing »

Cape Coral indexed stream and replay (NovusAgenda)

the video. Once a meeting is over and indexed, users can click on an item of the Agenda and the video will link to that portion of the meeting.

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Village Board [RSS](#)

<u>Name</u>	<u>▼ Date</u>	<u>Items</u>	<u>Duration</u>	<u>Video</u>
Village Board	Jan 19, 2016	42	38m10s	Play
Village Board	Jan 04, 2016	31	13m08s	Play
Village Board	Dec 21, 2015	41	19m32s	Play
Village Board	Dec 07, 2015	52	03h20m	Play
Village Board	Nov 16, 2015	45	02h10m	Play
Village Board	Nov 02, 2015	36	27m06s	Play
Village Board	Oct 19, 2015	36	02h13m	Play
Village Board	Oct 05, 2015	48	02h56m	Play
Village Board	Sep 21, 2015	39	01h45m	Play
Village Board	Sep 08, 2015	41	01h44m	Play
Village Board	Aug 17, 2015	34	00m00s	Play
Village Board	Aug 03, 2015	45	01h13m	Play
Village Board	Jul 20, 2015	42	02h03m	Play
Village Board	Jul 06, 2015	46	01h59m	Play
Village Board	Jun 15, 2015	46	21m55s	Play
Village Board	Jun 01, 2015	28	01h51m	Play
Village Board	May 26, 2015	7	02h02m	Play
Village Board	May 04, 2015	38	31m47s	Play
Village Board	Apr 20, 2015	36	23m37s	Play
Village Board	Apr 06, 2015	50	10m48s	Play

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Arlington Heights video organization (NovusAgenda)



00:06 02:24

Items I - III » I. CALL TO ORDER II. PLEDGE OF ALLEGIANCE A. Prese

Items I - III »



I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

A. Presentation of the Colors by Boy Scout Troop #65 from Latter Day Saints Church

III. ROLL CALL OF MEMBERS

January 19, 2016 Village Board

Meeting Index Full Agenda Share

Items I - III » I. CALL TO ORDER II. PLEDGE OF ALLEGIANCE A. Presentation of the Colors by Boy Scout Troop #65 from Latter Day Saints Church III. ROLL

Items I - III »



I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

A. Presentation of the Colors by Boy Scout Troop #65 from Latter Day Saints Church

III. ROLL CALL OF MEMBERS

IV. APPROVAL OF MINUTES » A. Committee of the Whole 12/14/2015 B. Village Board Minutes 1/04/2016

V. APPROVAL OF ACCOUNTS PAYABLE » A. Warrant Register of 01/15/2016

X. CONSENT AGENDA » - CONSENT APPROVAL OF BIDS A. Municipal Parking Garages - Elevator and Stairwell Cleaning B. Actuary Services CONSENT

XI. APPROVAL OF BIDS » - A. General Obligation Bonds, Series 2016

A. An Ordinance Providing for the Issuance of \$ General Obligation Bonds, Series 2016, of the Village of Arlington Heights, Cook County, Illinois,

B. An Ordinance Abating, In Part, Taxes Levied for the Year 2015 Heretofore Levied for the Public Building Fund of the Village of Arlington Heights

XII. NEW BUSINESS » - A. Arlington Heights Promenade - 305-349 E. Rand Rd. - Sign Variation

A. Resolution Relating to Qualification for IMRF Participation (Village Trustee position)

XVI. REPORT OF THE VILLAGE MANAGER » - A. Request for Closed Session per 5 ILCS 120/2(c)(21): Discussion of minutes lawfully closed, whether for purposes

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 6.

Short Title: Discuss Proposed Amendments to Section 13-03-062 of the Centerville Municipal Code regarding Discharge of Missiles or Projectiles

Initiated By: City Councilmembers McEwan and Ivie

Scheduled Time: 8:15

SUBJECT

RECOMMENDATION

BACKGROUND

The City Council considered this matter at the last City Council meeting held on January 19, 2016. The Council directed Staff to: (1) get more information on what other communities are doing and regulating; (2) to research State law provisions to see if such conduct is adequately regulated by State law; (3) to evaluate possible negative consequences in repealing this Section as a local regulation; and (4) to provide a Staff recommendation on the matter. Staff have researched the issues as directed by the Council. A summary of this research and Staff recommendation is provided in the attached Memorandum from the Police Chief Paul Child. Sample ordinances from other jurisdictions are also attached.

Subsequent to the Chief's Memorandum, Councilmember McEwan has proposed language for a new Section 13-03-062. Councilmember McEwan's proposed ordinance language is attached as well as a redline version of that proposed language with Staff's recommended revisions. The City Council can discuss these two drafts or other proposals and decide on the final language for this ordinance. The Police Chief Paul Child will be available to answer any questions and to present his position on the matter.

Previous Background Information: City Councilmembers McEwan and Ivie have requested this matter be added to the Agenda for discussion of proposed amendments to or repeal of Section 13-03-062 of the Centerville Municipal Code regarding Discharge of Missiles or Projectiles. A copy of Section 13-03-062 is attached.

ATTACHMENTS:

Description

- ☐ Current-Section 13-03-062
- ☐ Memorandum from Chief Child
- ☐ Ordinances from Other Communities
- ☐ McEwan-Proposed 13-03-062
- ☐ Staff-Proposed 13-03-062

13-03-062. Discharge of Missiles or Projectiles.

(a) Prohibition. Except as otherwise expressly provided in Subsection (b), it is unlawful for any person to discharge or use any air gun, BB gun, slingshot, wrist rocket, crossbow, bow and arrow, or any other contrivance of similar nature within the jurisdictional limits of Centerville City.

(b) Exceptions. The prohibitions of this Section regarding the discharge of missiles or projectiles within the City limits shall not apply to the discharge of such weapons or contrivances under the following circumstances:

- (1) When acting in lawful self-defense or the defense of another;
- (2) By any law enforcement officer acting in the lawful exercise of his or her duties;
- (3) At a lawfully approved archery or target range facility; or

(4) When discharged and used solely on one's own private property or with written permission of the property owner; provided, such air gun, BB gun, slingshot, wrist rocket, crossbow, bow and arrow, or any other contrivance of similar nature is not capable of projecting a missile, arrow or projectile for a horizontal distance greater than fifty (50) feet.

Memo

To: Mayor and City Council
From: Chief Paul Child 
Date: January 26, 2016
Re: Ordinance 13-03-062 Discharge of Missiles or Projectiles

I have been asked to do some research and make a recommendation regarding city ordinance titled 13-03-062 "Discharge of Missiles or Projectiles." In my opinion, this ordinance was enacted to promote public safety and provide a measure of preventing potentially very serious injuries and destruction of property. Of course public safety is of great concern to me while also weighing the need to protect individual liberty and unnecessary regulation. In respect to my position I will offer the following:

- Every Jurisdiction in our immediate area has an ordinance to prohibit discharge of missiles or projectiles in some form or another. Some of these appear to be more restrictive than our current ordinance.
- State law is designed to be applicable throughout the state, including very open and rural areas. Because of this there is no state code that specifically addresses this issue. There are two codes that could be used to react to an incident involving the destruction of property or creating a hazardous condition. State code is reactionary in nature and requires intent which can be very difficult to prove.
- When examining the use of pellet guns and bow & arrow devices there is a wide spectrum of capacity and level of hazard. One may have a very weak pellet gun or bow & arrow which is relatively harmless or one may possess a very powerful and lethal device which could cause a high degree of hazard to public safety when used in a residential or commercial area of the city.
- When examining sling shots there is a wide variety of capacity, and in some cases even a sling shot can cause a public safety hazard.
- Police Officers in this department exercise very good judgment in enforcement of this law. In those rare cases where a violation is charged in relationship to this ordinance there is an opportunity for judicial review which generally determines the reasonableness of the charge.

It is my recommendation that the ordinance remain as is. I may not be opposed to some language that would make specific and reasonable allowances for discharge on private property as long as the projectile does not leave the boundaries of that property and it is conducted with adequate safety measures employed. Perhaps making a requirement that the person using a pellet gun or bow & arrow complete a hunter safety class. Including such language may, however, make it more difficult to enforce.

Farmington

CHAPTER 6

WEAPONS AND FIREARMS

- 13-6-010 Definitions.
- 13-6-020 Discharge of Firearm Prohibited.
- 13-6-030 Hunting Prohibited.
- 13-6-040 Illegal Weapons Prohibited.
- 13-6-050 Incendiary Weapons Prohibited.
- 13-6-060 Tear Gas Weapons Prohibited.
- 13-6-070 Spring Guns Prohibited.
- 13-6-080 Silencers Prohibited.
- 13-6-010 Definitions.

As used herein, the following words shall have the meaning described below:

(a) "Firearm" shall mean any pistol, revolver, sawed-off shotgun, sawed-off rifle, or any device that could be used as a weapon from which is expelled a projectile by any force.

(b) "Dangerous Weapon" shall mean any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In construing whether an item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object, or thing; the character of the wound produced, if any; and the manner in which the instrument, object, or thing was used are determinative.

13-6-020 Discharge of Firearm Prohibited.

Except as otherwise provided by law, it is unlawful for any person to discharge any firearm within the limits of Farmington City.

13-6-030 Hunting Prohibited.

(a) Definitions. As used herein, the following words shall have the mean described below:

- (i) "Hunt" means to pursue, chase, harass, capture, possess, injure, or kill any wildlife, big game, upland game, waterfowl, or small game using any kind of firearm, handgun, rifle, muzzleloader gun or rifle, pellet gun, BB gun, dart gun, blow gun, bow and arrow, crossbow, slingshot, or any other device designed and used or used to propel a projectile of any nature.

(ii) "Wildlife" means vertebrate animals living in nature and captive vertebrate animals, including hybrids, belonging to a species that naturally occurs in the wild. Wildlife includes big game, upland game, waterfowl, and small game as designated by the Utah Wildlife Board.

(b) Hunting Restrictions. It is unlawful for any person to hunt big game, upland game, waterfowl, small game or wildlife within the limits of Farmington City.

13-6-040 Illegal Weapons Prohibited.

It is unlawful for any person to sell, manufacture, purchase, or possess any bludgeon, blackjack, sling shoot, sand-club, shotgun with the barrel less than 18 inches in length, rifle with the barrel less than 16 inches, metal knuckles, or any knife that has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife.

13-6-050 Incendiary Weapons Prohibited.

It is unlawful for any person to use, make, carry, or possess any type of "molotov cocktail," gasoline or petroleum base firebomb, or other incendiary weapon, within the limits of Farmington City. "Molotov cocktail" means a bottle or other container containing gasoline or other flammable liquid with a fuse-type wick inserted therein.

~~13-6-060 Tear Gas Weapons Prohibited.~~

It is unlawful for any person to carry on his person or in any vehicle a tear gas gun, projector, or bomb, or any object containing noxious liquid gas or substance. This provision shall not prohibit persons from carrying a small amount of CS, CN, or a similar type gas in aerosol containers for self-defense purpose.

13-6-070 Spring Guns Prohibited.

It is unlawful for any person to set a spring gun.

13-6-080 Silencers Prohibited.

It is unlawful for any person to possess any device or attachment used or intended for use in silencing the report of any firearm.

Amended 2/07/96 & 9/21/05, Ord. 2005-46



Municipal Code



0 results

- ☐ 4 reserved
- ☐ 5 Business Licenses And Regu
- ☐ 6 Animals
- ☐ 7 Reserved
- ☐ 8 Health And Safety
- ☐ 9 Public Peace, Morals And W
 - ☐ 9.04 General Provisions
 - ☐ 9.08 Offenses By Or Against
 - ☐ 9.12 Offenses Against The P
 - ☐ 9.16 Offenses Against Public
 - ☐ 9.20 Offenses By Or Against
 - ☒ 9.24 Weapons
- ☐ 10 Vehicles And Traffic
- ☐ 11 Reserved
- ☐ 12 Streets, Sidewalks, And Pub
- ☐ 13 Public Services
- ☐ 14 Reserved
- ☐ 15 Building And Construction
- ☐ 16 Subdivisions
- ☐ 17 Zoning

9.24 Weapons9.24.010 Firearms And Weapons9.24.020 Knives**9.24.010 Firearms And Weapons**

It is unlawful:

- A. To hunt within the city limits of West Bountiful;
- B. To discharge any air gun, BB gun, slingshot, crossbow, or similar contrivance within the city limits; or
- C. To discharge any firearm within the city, or when the projectile will come to rest or is intended to come to rest within the city limits. This shall not apply, however, to peace officers acting within the scope of their duties, or to patrons of a lawfully operated shooting range.

9.24.020 Knives

It is unlawful to sell, offer for sale, or expose for sale any spring-blade, snap-blade or similar-type knife.

Bountiful

10-1-109. Firearms and Weapons.

(a) Except as provided in subsection (b), it is unlawful:

(i) to hunt within the City limits of Bountiful;

(ii) to discharge any air gun, BB gun, slingshot, crossbow, bow and arrows, or similar contrivance;

(iii) to discharge any firearm within the City, or when the projectile will come to rest or is intended to come to rest within the City limits. This shall not apply, however, to peace officers acting within the scope of their duties, or to those acting in reasonable self-defense, or to patrons of a lawfully operated shooting range.

(b) Hunting and discharging firearms, bows and arrows and other weapons, are lawful if done with written

permission from City officials pursuant to a City-authorized activity.

Woods Cross

CHAPTER 13-06: LOCAL CRIMINAL OFFENSES

- 13-06-010. Curfew.
- 13-06-020. Aiding Minor to Violate Curfew.
- 13-06-030. Lewd or Obscene Behavior.
- 13-06-040. Lewd or Obscene Material.
- 13-06-050. Cheats and Swindlers.
- 13-06-060. Destruction of Property.
- 13-06-070. Trespass by Persons and Motor Vehicles.
- 13-06-080. Temporary Auto Theft.
- 13-06-090. Interference with Schools, Students or Personnel.
- 13-06-100. Disturbing the Peace □ General Prohibition.
- 13-06-110. Hunting or Discharging Firearms.
- 13-06-120. Soliciting Services of Others.
- 13-06-130. Failure to Report Child Abuse.
- 13-06-140. Fireworks.

13-06-010. Curfew.

(a) It is unlawful for any person under the age of eighteen (18) years to be in any public place or on any public street, sidewalk or alley within Woods Cross City between the hours of 12:00 midnight and 5:00 a.m.

(b) The foregoing prohibition shall not apply to situations:

(1) Where the minor is accompanied by a parent, legal guardian or other person having the legal care and custody of said minor; or

(2) Where the presence of the minor is connected with or required by some legitimate employment or business of the minor; or

(3) Where the presence of the minor is connected with a bona fide meeting, dance, party, sporting event or practice sponsored by a church, school, league, youth club or theater; or

(4) Where the presence of the minor is connected with an emergency.

13-06-020. Aiding Minor to Violate Curfew.

(a) Generally. It is unlawful for any person to assist, aid, abet or encourage any minor to violate the provisions of Section 13-06-010.

(b) Parent or Guardian. It is unlawful for any parent, guardian, or other person having legal care of any minor, to allow or permit such minor to be in any public place or public street, sidewalk, or alley within Woods Cross City between the hours of 12:00 midnight and 5:00 a.m. in violation of Section 13-06-010.

(c) Owner or Operator of Business. It is unlawful for any person owning or operating a business to permit any minor to be or remain on the premises where such business is conducted between the hours of 12:00 midnight and 5:00 a.m. in violation of Section 13-06-010.

13-06-030. Lewd or Obscene Behavior.

It is unlawful for any person to engage in any lewd, lascivious or obscene conduct, to associate in a lewd, lascivious or obscene manner with any person, or to make any exposure of his or her genitals, pubic area, nipple portion of the female breast, or buttocks in any public place or any place exposed to public view.

13-06-040. Lewd or Obscene Material.

It is unlawful for a person to knowingly permit or authorize the public display of any obscene performance or materials or to knowingly own, lease, or manage any theater, building, structure, room or place for the purpose of presenting such obscene performance or materials.

13-06-050. Cheats and Swindlers.

It shall be unlawful for any person to use or practice any game, trick or device with intent to defraud, cheat, or swindle another.

13-06-060. Destruction of Property.

(a) Wood or Timber. It shall be unlawful for any person to willfully cut down, destroy, injure, sever, or carry away any kind of wood or timber growing or lying upon the land of another without the permission of the owner or occupant thereof.

(b) Earth, Soil or Stone. It shall be unlawful for any person to willfully dig, sever, or carry away any earth, soil or stone from the land of another without the permission of the owner or occupant thereof.

(c) Affixing or Painting. It shall be unlawful for any person to put up, affix, or paint any sign, notice, advertisement, or other item upon the property of another without permission of the owner or occupant thereof.

13-06-070. Trespass by Persons and Motor Vehicles.

In addition to offenses set forth in the City Traffic Code regarding trespass by vehicles, the following activities are prohibited:

(a) Exposing Enclosed Premises. It is unlawful for any person to open any gate, take down any fence, or let down any barrier so as to expose any enclosed premises of another without the permission of the owner or occupant thereof.

(b) Presence on Premises. It is unlawful for any person to drive or park any motor vehicle, motorcycle, or other contrivance, or to walk, lodge, camp, or sleep upon the premises of another without the permission of the owner or occupant thereof.

(c) Presence on City Premises. It is unlawful for any person to drive or park any motor vehicle, motorcycle, or other contrivance upon any City-owned property which is not designated for vehicular traffic or parking.

13-06-080. Temporary Auto Theft.

It shall be unlawful for any person to drive a vehicle which is not his or her own, without the consent of the owner thereof and with the intent to temporarily deprive the owner of possession of the vehicle, even though he or she may not have the intent to steal the vehicle. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving such vehicle by the same or a different person.

13-06-090. Interference with Schools, Students or Personnel.

(a) It is unlawful for any person to disturb the peace and the good order of the City, or any lawful assembly by any of the following acts which tend to cause a breach of the peace:

(1) Disturb, interfere with, or otherwise prevent the orderly conduct of the activities, administration or carrying on of classes of any school;

(2) Annoy, disturb, assault, or molest any person, student or employee of any school district while in the school or on the grounds thereof;

(3) Loiter, idle, wander, stroll or play in or about or on any school grounds or building, either on foot or in or on any vehicle without having some lawful business therein or thereabouts, or in connection with the school or the employees thereof, or without being engaged in permitted recreational activity;

(4) Conduct himself or herself in a lewd, wanton or lascivious manner in speech or behavior in, about, or on any school building or grounds.

(5) Park or move a motor vehicle within six hundred (600) feet of any school building or grounds for the purpose of annoying or molesting any student or employee of the school district or in an effort to induce, entice, or invite any person, student or employee into or on the vehicle for immoral or unlawful purposes.

(b) For purposes of this section, "school property" includes property being used by a public or private school for a school function.

13-06-100. Disturbing the Peace - General Prohibition.

It is unlawful for any person to disturb the peace and the good order of the City, or any lawful assembly therein, or of any person by clamor or noise, by intoxication, fighting, by using obscene or profane language, by indecent or disorderly conduct, by lewd or lascivious behavior, or otherwise.

13-06-110. Hunting or Discharging Firearms.

(a) It is unlawful for any person to discharge any firearm, rifle, gun, pistol, shotgun, airgun, bean Shooter, flipper, slingshot, or other instrument, or BB gun within the limits of the City, except in self-defense. This provision shall not apply to peace officers in the discharge of their lawful duties, to target shooting by those holding a Permit issued therefor by the Chief of Police of the City, or to supervised archery target practice or competition, and shall not prevent any person from discharging a firearm while killing a dog or other animal which is attacking, chasing, or worrying any domestic animal having a commercial value, or any species of hoofed or protected wildlife, while attacking domestic fowls, or while such dog or other animal is being pursued thereafter.

(b) It is unlawful to hunt within the City limits of Woods Cross.

(c) It is unlawful for any minor under the age of seventeen (17) years to have in his or her possession or carry any firearm or air gun in any street, back yard or field, whether private or public, within the City limits unless he or she is accompanied by and within the immediate supervision of his or her parent or other responsible adult.

(d) It is unlawful for any parent or guardian or person having the charge or control of any minor under the age of seventeen (17) years to permit such minor to discharge, or to permit any such minor under the age of seventeen (17) years to possess or carry any firearm or air gun in violation of this and the foregoing Subsection, or permit a minor under eighteen (18) years to possess a dangerous weapon.

13-06-120. Soliciting Services of Others.

It is unlawful for any person under the age of twenty-one (21) to solicit or utilize the services of any other person to procure any prohibited article or admission to any prohibited premises.

13-06-130 Failure to Report Child Abuse.

It is unlawful for any person, official, or institution required under *Utah Code Ann.* §§ 62A-4a-403, to report a case of suspected child abuse, child sexual abuse, neglect, fetal alcohol syndrome, or fetal drug dependency to willfully fail to do so. Action for failure to report must be commenced within four (4) years from the date of knowledge of the offense and the willful failure to report.

13-06-140. Fireworks.

(a) In Woods Cross City, Class C common State approved explosives shall be defined under *Utah Code Ann.* §§ 53-7-202.

(b) It is unlawful to sell Class C common State approved explosives other than:

- (1) After June 19 and before July 26.
- (2) After December 19 and before January 3; and
- (3) Fifteen (15) days before and on the Chinese New Year.

(b) It is unlawful to discharge Class C common State approved explosives other than:

- (1) Three (3) days before, on the day of, and three (3) days following:
 - (A) July 4;
 - (B) July 24;
 - (C) January 1; and
 - (D) The Chinese New Year.

ARTICLE B. FIREARMS AND WEAPONS

5-5B-1: USE OF A PROJECTILE WEAPON:

- A. Firearm Defined: A "firearm" means a pistol, revolver, shotgun, sawed off shotgun, rifle, sawed off rifle, or any other weapon using an explosion.
- B. Releasing, Discharging Or Shooting Prohibited: Within the corporate limits of the city, it shall be unlawful for any person to release, discharge or shoot:
1. A firearm;
 2. A BB gun;
 3. A pellet gun;
 4. A bow and arrow;
 5. A crossbow;
 6. A paintball gun;
 7. A wrist rocket; or
 8. Any other device which:
 - a. Uses an explosion, compressed air or return spring action to send an object through the air; and
 - b. Causes or creates a substantial risk of bodily injury to another.
- C. Defenses: It shall be a defense if the person:
1. Is acting in self-defense, or the defense of another;
 2. Is a peace officer or ordinance enforcement officer acting in the discharge of the officer's duty;
 3. Is acting under specified conditions at an archery, gun, paintball, or "airsoft" gaming range that is licensed or otherwise approved by the city. (Ord. 2011-17, 9-6-2011)
- D. Penalty: A violation of this section is a class B misdemeanor, subject to penalty as provided

Layton

9.60 – Weapons

9.60.010 – Repealed

9.60.020 – Discharging firearms

(1) It is unlawful for any person to discharge any gun, rifle, or pistol within the City limits, except:

(a) in self defense when legally allowed to do so;

(b) by any peace officer in the discharge of his duty;

(c) in the case of target shooting, if in a proper place and breastwork or battery for the protection of the citizens has been erected, and written approval of such structure has been given by the Police Chief;

(d) in the case of shooting wild animals that have been secured or captured in a cage or other device, when the animal is discovered on property that is designated for agricultural use, at a location

that is more than six hundred feet (600') from any building, where the shooting is not in a direction and distance that would endanger persons, property, or motorists and provided that the person discharging the

firearm has received written approval to do so by the City's Police Department. For the purpose of this Subsection, "wild animals" shall have the same meaning as provided in Section 8.01.010 of the Layton Municipal Code. Authorization under this Subsection shall not exceed the limits of the written permission

granted by the City's Police Department, nor does this authorization relieve any person for any damage or

injury resulting from said shooting; and

(e) in the case of the lawful slaughter of livestock in an area designated for agricultural use, for personal consumption, at a location that is more than six hundred feet (600') from any building, where

the shooting is not in a direction and distance that would endanger persons, property, or motorists and provided that the person discharging the firearm has received written approval to do so by the City's Police

Department.

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(2) Shotguns may be discharged if the discharge is not within six hundred feet (600') of a building and is not in such a direction and distance that it would endanger motorists, and as long as the shotguns are

discharged only during a special hunt where written permission has been given by the appropriate state agency

authorizing out-of-season hunting with shotguns.

9.60.025 – Hunting

(1) It is unlawful for any person to engage in the act of hunting or to carry an uncased firearm in the open under conditions which may reasonably be construed as hunting in the area within the corporate

limits of Layton City.

(2) As used in this Section, "hunting" is the search for or pursuit of any wild game animal, bird, or mammal, with the purpose of capturing or killing or attempting to capture or kill the animal, regardless of

whether such kill or capture is actually effected. "Hunting" shall not be construed to mean the pursuit of such

game animals through the use of snares or animal traps or when the game is to be taken by falconry.

(3) Nothing under this Chapter shall be construed so as to prevent the Department of Wildlife Resources (DWR) from controlling, maintaining, or otherwise managing wildlife within Layton City.

(a) Persons having received written authorization from DWR to participate in a special management hunt within Layton City, shall:

- (i) not use any firearm while hunting;
- (ii) not discharge any arrow, missile, or other projectile within six hundred feet (600') from any building, across any roadway, or in a direction which may endanger persons or property.

Any

such discharge shall only be from an elevated structure, such as a hunter's tree stand, to ensure a downward

trajectory of the projectile;

- (iii) be responsible for any injury or damage caused while participating in the hunt;

(iv) notify the Police Department of the specific dates and times that the hunt will occur; and

(v) comply with all DWR regulations, rules, and instructions, and comply with all other statutes and ordinances.

(b) Subsection (a) shall not apply to DWR officers or other peace officers acting within the course and scope of their enforcement responsibilities.

9.60.030 – Repealed

9.60.040 – Throwing missiles

It is unlawful for any person willfully or carelessly to throw or propel any stone, stick, or other missile or to shoot any weapon whereby any person may be hit or hurt or whereby any window may be broken or

other property may be injured or destroyed.

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9.64 – Fireworks

9.64.010 – Provisions of the Utah Code, addressing fireworks, adopted by reference

COUNCILMEMEBER GEORGE MCEWAN'S RECOMMENDED ORDINANCE

January 29, 2016

13-03-062. Discharge of Projectiles.

(a) It shall be unlawful to discharge or shoot a bow and arrow, crossbow, or any other type of instrument designed to propel or throw missiles capable of doing substantial bodily injury as defined by Title 76 of the Utah Code annotated Section 76-1-601, on public or private property (including developed archery ranges) in such a manner as to endanger persons or property or to cause the projectile or missile to cross into property owned by another when the person shooting the projectile or missile does not have permission to use such property for the purpose of discharging the device.

(b) Exceptions. The prohibitions of this Section regarding the discharge of missiles or projectiles within the City limits shall not apply to the discharge of such weapons or contrivances under the following circumstances:

- (1) When acting in lawful self-defense or the defense of another;
- (2) By any law enforcement officer acting in the lawful exercise of his or her duties;

**STAFF SUGGESTED REDLINES TO COUNCILMEMEBER GEORGE MCEWAN'S
RECOMMENDED ORDINANCE**

January 29, 2016

13-03-062. Discharge of Projectiles.

(a) Private Property. Except as otherwise expressly provided in Subsection (c), it shall be unlawful to discharge or shoot a bow and arrow, crossbow, air gun, bb gun, pellet gun, or any other type of instrument designed to propel or throw missiles capable of doing substantial bodily injury as defined by Title 76 of the Utah Code Ann. ~~annotated Section § 76-1-601, on public or private property~~ (including developed target or archery ranges) in such a manner as to endanger persons or property or to cause the projectile or missile to cross into property owned by another when the person shooting the projectile or missile does not have permission to use such property for the purpose of discharging the device.

(b) Public Property. Except as otherwise expressly provided in Subsection (c), it shall be unlawful to discharge or shoot a bow and arrow, crossbow, air gun, bb gun, pellet gun, or any other type of instrument designed to propel or throw missiles capable of doing substantial bodily injury as defined by Title 76 of the Utah Code Ann. § 76-1-601, on public property.

(c) Exceptions. The prohibitions of this Section regarding the discharge of missiles or projectiles within the City limits shall not apply to the discharge of such weapons or contrivances under the following circumstances:

- (1) When acting in lawful self-defense or the defense of another; or
- (2) By any law enforcement officer acting in the lawful exercise of his or her duties; or

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 7.

Short Title: Municipal Code Amendments - Title 13 - Criminal Code

Initiated By: City Attorney

Scheduled Time: 8:30

SUBJECT

Consider Ordinance No. 2016-06 amending and renumbering various provisions of Title 13 of the Centerville Municipal Code regarding the Criminal Code

RECOMMENDATION

Adopt Ordinance No. 2016-06 amending and renumbering various provisions of Title 13 of the Centerville Municipal Code regarding the Criminal Code.

BACKGROUND

As part of the City Council's approval and direction to Staff to transition the Centerville Municipal Code to an online electronic code, the City Attorney has reviewed and recommends various amendments and renumbering of Title 13. The suggested amendments and renumbering of Title 13 have been reviewed with the Police Chief and Staff recommend adoption of Ordinance No. 2016-06. Depending on the decision by the City Council regarding Section 13-03-062, amendments to this Section can be incorporated into the adoption of Ordinance No. 2016-06.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-06-Title 13
- ☐ Title 13-Criminal Code-Redline

ORDINANCE NO. 2016-06

**AN ORDINANCE UPDATING AND AMENDING TITLE 13 OF THE
CENTERVILLE MUNICIPAL CODE REGARDING THE CENTERVILLE
CITY CRIMINAL CODE**

WHEREAS, the City is in the process of transitioning the Centerville Municipal Code to an online electronic code and the City Council desires to bring existing titles, chapters and provisions of the Centerville Municipal Code up to date to be consistent with State statutory provisions, and to make other formatting, numbering and editing changes as recommended by Staff; and

WHEREAS, Staff has evaluated, reviewed and prepared suggested revisions and updates to Title 13 of the Centerville Municipal Code regarding the Criminal Code and recommends updating and amending Title 13 as more particularly set forth herein; and

WHEREAS, the City Council has reviewed the recommended changes and updates of Title 13 of the Centerville Municipal Code and desires to adopt the recommended revisions and updates as more particularly set forth herein; and

WHEREAS, the City Council finds that the proposed amendments to the Centerville City Criminal Code as more particularly set forth herein are in the best interest of the public health, safety and welfare.

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

Section 1. Amendment. Title 13 of the Centerville Municipal Code regarding the Centerville City Criminal Code is hereby amended to read in its entirety as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. General Repealer. The amendment and recodification of Title 13 of the Centerville Municipal Code shall be a repeal of all ordinances in conflict with the adopted and codified Ordinances, provided however, all ordinances in force prior to the adoption and codification shall continue in force after the adoption and codification for the purpose of all rights acquired, fines, penalties, forfeitures and liabilities incurred and actions therefor.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Penalty Provision. Unless otherwise specifically provided, any person who violates any provisions of Title 13 may be subject to criminal penalties as set forth in Title 1, Chapter 5.

Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 2nd DAY OF FEBRUARY, 2016.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

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 _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.

EXHIBIT A

**Title 13
Criminal Code**

TITLE 13

CRIMINAL CODE

CHAPTER 13-01: GENERAL PROVISIONS

CHAPTER 13-02: ADOPTION OF STATE CODES

CHAPTER 13-03: LOCAL CRIMINAL OFFENSES

CHAPTER 13-01: GENERAL PROVISIONS

- 13-01-010. Title.
- 13-01-020. Police Department.
- 13-01-030. Omission Not a Waiver.
- 13-01-040. Rules of Construction.
- 13-01-050. Penalties.
- 13-01-060. Fine/Bail Schedule.

13-01-010. Title.

This Title shall be known and may be cited as the "Centerville City Criminal Code," ~~and may be so cited.~~

13-01-020. Police Department.

The City has previously created the Centerville City Police Department, as more particularly provided in Title 3, Chapter 2, responsible for enforcing the traffic and criminal ordinances of the City and protecting the lives and property within the City. The City has also created the position of Chief of Police, as more particularly provided in Title 3, Chapter 2, and established the duties and responsibilities of such position as more particularly set forth in Title 3, Chapter 1. The Chief of Police and Police Department, as created and appointed in accordance with the provisions of Title 3, are hereby authorized and designated to administer and enforce the terms of this Title in accordance with the provisions set forth herein.

13-01-030. Omission Not a Waiver.

The omission to specify or enumerate in this Title those provisions of general criminal law and offenses applicable to all cities shall not be construed as a waiver of the benefits and enforcement of any such provisions.

13-01-040. Rules of Construction.

The provisions of this Title and the ~~C~~codes and statutes adopted herein shall be construed in a manner to ensure enforcement consistent and in accordance with the criminal laws of the State of Utah.

13-01-050. Penalties.

Except as otherwise provided by State law or City Ordinances, any violation of this Title shall be a Class B misdemeanor punishable by fine and/or imprisonment as provided in Title 76 of the *Utah Code Annotated*, as amended, including, but not limited to, Section 76-3-204 regarding terms of imprisonment and Section 76-3-301 regarding fines. This Section shall not limit the authority of the applicable court to impose any other sanction or order any other relief as may be appropriate and lawful under the laws of the State of Utah.

13-01-060. Fine/Bail Schedule.

Fines and bail for violations of this Title may be assessed in accordance with the Uniform Fine/Bail Schedule as adopted and amended by the Judicial Council of the State of Utah and the Centerville City Fine/Bail Schedule for Local Ordinances as adopted and amended by the Centerville City Council. This Section does not limit the applicable court from, in its discretion, imposing no fine, or a fine in any amount up to and including the maximum fine, for the offense.

CHAPTER 13-02: ADOPTION OF STATE CODES

- 13-02-010. Adoption of State Codes.**
- 13-02-020. City Ordinance Violations**
- 13-02-030. Enforcement.**
- 13-02-040. Utah Criminal Code.**
- 13-02-050. Utah Code of Criminal Procedure.**
- 13-02-060. Utah Controlled Substances Act.**
- 13-02-070. Utah Drug Paraphernalia Act.**
- 13-02-080. Imitation Controlled Substances Act.**
- 13-02-090. Criminal Offenses of the Utah Alcoholic Beverage Control Act.**
- 13-02-100. Offenses on School Property.**
- 13-02-110. Utah Fireworks Act.**

13-02-010. Adoption of State Codes.

Each of the State codes and statutes adopted herein are hereby adopted as if fully set forth at length, provided however, that any provision which is classified as a felony or a Class A misdemeanor or which is not enforceable by Centerville City under the laws of the State of Utah, is excluded.

13-02-020. City Ordinance Violations.

All Class B and C misdemeanors and infractions set forth in the State codes and statutes adopted herein, as they exist now and as amended or enacted in the future, are hereby adopted and incorporated herein by this reference as violations of City Ordinances.

13-02-030. Enforcement.

Peace officers and any public officials charged with enforcement of the law are hereby authorized to cite violations of the City Ordinances as provided herein and under the terms and conditions of this Title.

13-02-040. Utah Criminal Code.

The Utah Criminal Code set forth at *Utah Code Ann. §§ 76-1-101, et seq.*, as amended, is hereby adopted as the Criminal Code of Centerville City. The Utah Criminal Code shall govern the construction of, the punishment for, and defenses against any offense committed within the jurisdiction of the City.

13-02-050. Utah Code of Criminal Procedure.

The Utah Code of Criminal Procedure as set forth at *Utah Code Ann. §§ 77-1-1, et seq.*, as amended, is hereby adopted as the Code of Criminal Procedure of

Centerville City. The procedures in criminal cases shall be as prescribed in the Utah Criminal Code, as adopted herein, including the Rules of Criminal Procedures, and such further rules as may be adopted by the Supreme Court of Utah.

13-02-060. Utah Controlled Substances Act.

The Utah Controlled Substances Act as set forth in *Utah Code Ann.* §§ 58-37-1, *et seq.*, as amended, is hereby adopted as the Controlled Substances Act of Centerville City.

13-02-070. Utah Drug Paraphernalia Act.

The Utah Drug Paraphernalia Act as set forth in *Utah Code Ann.* §§ 58-37a-1, *et seq.*, as amended, is hereby adopted as the Drug Paraphernalia Act of Centerville City.

13-02-080. Imitation Controlled Substances Act.

The Utah Imitation Controlled Substances Act as set forth in *Utah Code Ann.* §§ 58-37b-1, *et seq.*, as amended, is hereby adopted as the Imitation Controlled Substances Act of Centerville City.

13-02-090. Criminal Offenses of the Utah Alcoholic Beverage Control Act.

The criminal offenses provisions of the Utah Alcoholic Beverage Control Act, as set forth at *Utah Code Ann.* §§ 32B32A-12-101, *et seq.*, as amended, are hereby adopted as part of the Centerville Criminal Code, including applicable criminal procedures for such offenses as set forth in *Utah Code Ann.* §§ 32B32A-413-101, *et seq.*, as amended.

13-02-100. Offenses on School Property.

Offenses on school property, as set forth at *Utah Code Ann.* §§ 53A-3-501 through 53A-3-504, as amended, are hereby adopted as part of Centerville Criminal Code.

13-02-110. Utah Fireworks Act.

The City, together with Davis County and the State Fire Marshal Division, shall enforce the Utah Fireworks Act, as set forth in *Utah Code Ann.* §§ 53-7-220 through 53-7-335, as amended, and the County and Municipal Fireworks Act, as set forth in *Utah Code Ann.* §§ 11-12-1, *et seq.*, as amended, which provisions are hereby adopted as part of the Centerville Criminal Code. Fireworks are also regulated in accordance with the provisions of Title 7, Chapter 7 of the Centerville Municipal Code.

CHAPTER 13-03: LOCAL CRIMINAL OFFENSES

- 13-03-010. Curfew.**
- 13-03-020. Aiding Minor to Violate Curfew.**
- 13-03-030. Throwing Objects.**
- 13-03-040. Lewd or Obscene Behavior.**
- 13-03-050. Lewd or Obscene Material.**
- 13-03-060. Discharge of Firearms.**
- 13-03-062. Discharge of Missiles or Projectiles.**
- 13-03-070. Public Property.**
- 13-03-080. ~~Noise Restrictions~~Reserved.**
- 13-03-090. Hunting.**

13-03-010. Curfew.

(a) Except as otherwise provided herein, it is unlawful for any person under the age of eighteen (18) years to be in any public place or on any public street, sidewalk or alley within Centerville City between the hours of 12:00 midnight and 5:00 a.m.

(b) The foregoing prohibition shall not apply to situations:

(1) Where the minor is accompanied by a parent, legal guardian or other person having the legal care and custody of said minor; or

(2) Where the presence of the minor is connected with or required by some legitimate employment or business of the minor; or

(3) Where the presence of the minor is connected with a bona fide meeting, dance, party, sporting event or practice sponsored by a church, school, league, youth club or theater; or

(4) Where the presence of the minor is connected with an emergency.

13-03-020. Aiding Minor to Violate Curfew.

(a) Aiding. It is unlawful for any person to assist, aid, abet or encourage any minor to violate the provisions of Section 13-03-010.

(b) Parent or Guardian. It is unlawful for any parent, guardian, or other person having legal care of any minor, to allow or permit such minor to be in any public place or public street, sidewalk, or alley within Centerville City between the hours of 12:00 midnight and 5:00 a.m. in violation of Section 13-03-010.

(c) Owner or Operator of Business. It is unlawful for any person owning or operating a business to permit any minor to be or remain on the premises where such business is conducted between the hours of 12:00 midnight and 5:00 a.m. in violation of Section 13-03-010.

13-03-030. Throwing Objects.

It shall be unlawful for any person to willfully or intentionally throw any stone, stick, snowball, or other missile into the public right-of-way with the intent to injure or damage any person or property or to frighten or annoy any person or traveler within the public right-of-way or which makes travel upon or within the public right-of-way dangerous.

13-03-040. Lewd or Obscene Behavior.

It is unlawful for any person to engage in any lewd, lascivious or obscene conduct, to associate in a lewd, lascivious or obscene manner with any person, or to make any exposure of his or her genitals, pubic area, nipple portion of the female breast, or buttocks in any public place or any place exposed to public view.

13-03-050. Lewd or Obscene Material.

It is unlawful for a person to knowingly permit or authorize the public display of any obscene performance or materials or to knowingly own, lease, or manage any theater, building, structure, room or place for the purpose of presenting such obscene performance or materials.

13-03-060. Discharge of Firearms.

(a) Purpose. The purpose of this Section is to regulate the discharge of firearms within the City to provide for the health, safety and welfare of the public pursuant to and in accordance with applicable provisions of State law regarding a municipality's right to regulate the discharge of firearms. Nothing herein is intended to restrict an individual's lawful right to possess a firearm in accordance with applicable constitutional and statutory provisions of Utah law, including, but not limited to Article I, Sec. 6 of the Utah Constitution regarding the lawful right to bear arms and the Utah Firearms Laws as set forth in *Utah Code Ann.* §§ 53-5a-101, *et seq.*, as amended, regarding the possession and discharge of firearms.

(b) Definition. For purposes of this Section, "firearm" means a pistol, revolver, handgun, rifle, shotgun, sawed-off shotgun, or any device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.

(c) Prohibition. Except as otherwise expressly provided in Subsection (d), it is unlawful for any person to discharge a firearm within the jurisdictional limits of Centerville City.

(d) Exceptions. The prohibitions of this Section regarding the discharge of firearms within the City limits shall not apply to the discharge of firearms under the following circumstances:

- (1) When acting in lawful self-defense or the defense of another;

- (2) By any law enforcement officer acting in the lawful exercise of his or her duties;
- (3) At a lawfully approved gun or target range facility;
- (4) When hunting in lawfully designated areas of the City;
- (5) By authorized and approved participants for deer removal activities lawfully pursued in accordance with the City's Urban Deer Control Program; or
- (6) The discharge of unloaded firearms using a powder charge only at a funeral or other memorial ceremony as part of the ceremony at locations and times approved by the City Police Chief.

13-03-062. Discharge of Missiles or Projectiles.

(a) Prohibition. Except as otherwise expressly provided in Subsection (b), it is unlawful for any person to discharge or use any air gun, BB gun, slingshot, wrist rocket, crossbow, bow and arrow, or any other contrivance of similar nature within the jurisdictional limits of Centerville City.

(b) Exceptions. The prohibitions of this Section regarding the discharge of missiles or projectiles within the City limits shall not apply to the discharge of such weapons or contrivances under the following circumstances:

- (1) When acting in lawful self-defense or the defense of another;
- (2) By any law enforcement officer acting in the lawful exercise of his or her duties;
- (3) At a lawfully approved archery or target range facility; or
- (4) When discharged and used solely on one's own private property or with written permission of the property owner; provided, such air gun, BB gun, slingshot, wrist rocket, crossbow, bow and arrow, or any other contrivance of similar nature is not capable of projecting a missile, arrow or projectile for a horizontal distance greater than fifty (50) feet.

13-03-070. Public Property.

For the purpose of this part, "public property" means any publicly owned property except the traveled portion of public streets, and includes any park, sidewalk, curb or any part of any public right-of-way devoted to any planting or park-like use. On any public property, it is unlawful for any person to:

- (a) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, railing, bench, paving, paving material, waterline or any facilities or property and equipment of any public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or

other boundary markers, wall or rock border, or other structures or equipment, facilities or public property or appurtenances whatever, either real or personal.

(b) Soil or litter public restrooms and washrooms.

(c) Dig and remove any sand, soil, rock, stones, trees, shrubs, or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency, unless permission is obtained.

(d) Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, any tent, fly or windbreak, or run or string any rope, cord or wire into, upon or across any public property, except with special permit.

(e) Urinate or defecate, except in the public restroom in receptacles placed there for such purpose.

(f) Damage, cut, carve, burn, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant. No person shall attach any rope, wire or other contrivance to any tree or plant. No person shall dig in or otherwise disturb, or in any other way injure or impair the natural beauty or usefulness of any park area. This subsection shall not apply to any person authorized to perform the act proscribed.

(g) Climb any tree or walk, stand or sit on monuments, fountains, railings, fences, planted areas or upon any other property not designed or customarily used for such purposes or to intentionally stand, sit or lie in or upon any street, sidewalk stairway or crosswalk so as prevent free passage of persons or vehicles passing over, along or across any street, sidewalk stairway or crosswalk.

(h) Drop, throw, place, discard, dump, leave or otherwise deposit any bottles, broken glass, garbage, ashes, paper boxes, cans, dirt, rubbish, waste, refuse or other trash on any public property except in waste containers provided therefore. No such refuse or trash shall be placed in any waters contiguous to any park or planted area or left anywhere on the grounds thereof.

(i) ~~Sleep on seats, benches, sidewalks, curbs, planters, wall or other areas.~~

~~—(j)—~~Expose or offer for sale any article or thing or station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing, without first obtaining a license, except that the City Council may exempt designated areas from this subsection by resolution on such terms and conditions as it may prescribe.

~~—(k)—~~To beg or to go from door to door of private homes or commercial and business establishments or place himself or upon any public way or public place to beg or to receive money or other things of value.

13-03-080. Reserved.

13-03-090. Hunting Prohibited.

Hunting is prohibited within the City limits of Centerville City in those areas of the City located between Sheep Road and the Fire Break Road. For purposes of this Section, "hunting" means to hunt or pursue wildlife, in accordance with and as defined in the Utah Wildlife Resources Code as set forth in *Utah Code Ann.* § 23-13-2, as amended. Nothing under this Section shall be construed ~~so as to~~ prevent the Division of Wildlife Resources from controlling, maintaining or otherwise managing wildlife within the City, or to prevent any authorized person from trapping, controlling, or maintaining wildlife or nuisance animals by or under the direction or control of the Davis County Animal Services. A violation of this Section is a class B misdemeanor.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 8.

Short Title: Discussion re hours authorized for Whitaker Museum Director

Initiated By: Councilmembers Ivie and McEwan

Scheduled Time: 8:40

SUBJECT

RECOMMENDATION

BACKGROUND

Councilmembers Ivie and McEwan requested this matter be added to the agenda. They would like to discuss the possibility of upgrading the position status for the Whitaker Museum Director from "Limited" to "Part-Time". Councilman McEwan asked the City Manager to provide in advance of the meeting an estimate of the increased cost associated with this potential change. The attached email from Steve Thacker was provided in response to this request.

History of Museum Director Position

The City purchased the Whitaker Home in the mid-1990's. Vern and Clara Goudy became volunteer caretakers of the building and the records that had been accumulated by Clara (Historical Society), which she continued to collect during her service. Clara served as the Museum Director without compensation until replaced by Melissa Hogan in February 2005. Melissa was the Museum Director until November 2012. She was paid \$300 per month, increasing to \$400 per month in July 2012. The Museum Board assumed all management duties from November 2012 to November 2013, when Lisa Sommer was hired as Director. Lisa was paid a monthly stipend of \$1250 (\$15,000 annual) until it was increased to \$1325 (\$15,900 annual) in July 2015.

History of Museum Funding and Expenditures

When the renovated Whitaker Home was reopened in 2013, the Finance Director, Blaine Lutz, compiled a historical summary of funding and expenditures relating to the Museum for the period FY 2002 - FY 2013. Blaine has updated that summary through Fiscal Year 2015 (see attachment). In FY 2016, funding sources includes a General Fund contribution of \$34,480, receipt of \$16,200 in CLG grant funds and a few thousand dollars anticipated from fundraisers. FY 2016 expenditures are estimated to be \$23,060 for operating costs, \$4840 for fundraising expenses, and \$35,753 for restoration projects. The \$35,753 in restoration projects in the current fiscal year is funded with the \$16,200 in CLG grants, \$11,420 in FY 2016 General Fund transfer (part of the \$34,480 above), with the difference coming from the Whitaker Museum Fund Balance accumulated from prior years and donations.

The historical summary of funding and expenditures mentioned above does not include the on-going costs incurred by the Parks Department to maintain the facility or grounds, including the community garden area. It also does not include the value of labor performed by City employees or in-kind donations from others

involved in the renovation/restoration activities over the years.

Current Financial Report for Museum

Depending on where the Council goes with this discussion, the attached financial report for the Whitaker Fund for the current fiscal year may be useful. The second page shows a Fund Balance of \$34,910.85 as of January 31, 2016. Each year the City Council approves a transfer from the General Fund into the Whitaker Fund. This transfer, along with any donations, grants and fundraising revenues generated by the Museum's activities, are the sources of funding for the Museum's programs, operating costs, some facility-related costs (utilities, property insurance, repairs), and improvement/restoration projects. At the end of each fiscal year, any surplus of revenues over expenditures stays in the Whitaker Fund, including any unspent transfer from the General Fund.

The third page shows the year-to-date income compared with budget. The fourth page shows year-to-date expenditures by line item compared with budget. The line item for "Restoration Project[s]" shows a total YTD expenditure of \$35,753.46. That included the walkway and backsteps projects budgeted in the two lines above, plus other work funded with Fund Balance carried over from prior years and grant funds awarded in the prior year but not received until after the work was done in the current fiscal year.

ATTACHMENTS:

Description

- ☐ Email re Museum Director Compensation
- ☐ Museum Revenue and Expense Historical Summary
- ☐ Whitaker Fund Financial Report - 1/31/16

Steve Thacker

From: Steve Thacker
Sent: Saturday, January 23, 2016 3:07 PM
To: Paul C; Tami Fillmore; Bill Ince; Stephanie Ivie; Robyn Mecham; George McEwan
Cc: SPENCER PACKER; Lisa Romney; Jacob Smith; Blaine Lutz
Subject: Museum Director Compensation

Mayor and Council Members:

Last week two of you requested that I put on an upcoming agenda a discussion about the possibility of increasing the Museum Director's status to "Part-Time", which means 20 or more hours per week and the benefits associated with "Part-Time" status. I also agreed to provide in advance of the Feb. 2 council meeting an estimate of the cost for increasing the number of hours and the related benefits.

Currently the Director (Lisa Sommer) is paid \$15,900 per year. She is **not** paid based on the hours she works each pay period. She is paid a flat sum per pay period (every two weeks) based on the \$15,900 per year, with the stipulation that over a 12-month period her average hours per week should not exceed 19 hours. This approach allows her to work more hours per week when there are event-related demands, and less hours per week during the slower times of the year. Based on 19 hours per week over 52 weeks, her equivalent hourly rate would be \$16.09. Payroll-related costs associated with her salary are approximately 10% of salary for FICA and workers comp insurance. **Therefore, total wages and benefits are approximately \$17,500 per year.**

Limiting the Director's hours to an average of 19 per week places her in the category of a "Limited Employee" in the City's Personnel Policies. Limited employees are not eligible for any benefits, other than payroll-related benefits (i.e. FICA and workers comp insurance). The City has many Limited Employees—working in seasonal parks maintenance, recreation program, baseball program, park concessions, building custodial, meter reading, crossing guards, and Justice Court.

If the Museum Director's authorized hours were increased to an average of 20 hours per week year-round, she would then become a "Part-Time Employee". The City currently has five Part-Time employees—Recreation Coordinator, Building Custodian, Justice Court Clerk, Police Records, and Office Technician (Finance Department). The City's Personnel Policies state that a Part-Time Employee is eligible to be enrolled in the State Retirement System and the City would then make contributions into the employee's account, currently at the rate of 18.47%. Under this scenario, total wages and benefits for the Museum Director **would increase from approximately \$17,500 to \$21,502 annually for authorizing just one additional hour per week.** In addition, a Part-Time Employee is also eligible for paid time off at half the rate of Full-Time Employees. So the Director would be earning Vacation, All-Purpose, Long-Term Sick Leave and Holidays at half the accrual rate of Full-Time Employees. This would effectively diminish the hours she is actually on the job by about 2 hours per week over the long term as she uses Vacation, All-Purpose and Holiday Leave, even assuming she does not use any Long-Term Sick Leave.

Although authorized for an average of only 19 hours per week, Lisa's reported hours during Calendar Year 2015 averaged 21.5 per week. If she is converted to Part-Time status, I assume we will begin paying her by the hour rather than a fixed amount per pay period. In that case, if she is funded based on 20 hours per week—but uses an average of 2 hours of leave per week as mentioned above—then her actual hours on the job would diminish from the current situation. I assume that would be unacceptable to the Museum Board, because they want more hours of work from the Director, not less. Therefore, to fund her position to a level that would allow her to continue to work at least the same number of hours she has been reporting, her position would be funded at 23 hours per week (for a net of 21 hours actually on the job).

I will assume for this second scenario that her position is funded for an average of 25 hours per week and that she is paid an hourly wage equivalent to the \$16.09 mentioned above based on the 19-hours per week authorization. After adding payroll-related benefits and retirement system contribution, the hourly cost of wages and benefits becomes about \$20.67. So 25 hours per week X \$20.67 X 52 weeks = **\$26,871 per year compared with approximately \$17,500 currently, or an increase of about \$9371 from current situation.**

If the Director is authorized to work an average of 30 hours or more per week over a 12-month period—then according to the Federal health care law the City would have to offer health insurance coverage. Assuming she was authorized to work **30 hours per week, the total cost of wages and benefits—before considering medical insurance—would increase from \$17,500 to \$32,245 annually.** If the City provided family medical insurance coverage under the same terms it is provided to Full-Time Employees, it would cost the City about \$14,000 per year, **increasing the total cost of wages and benefits from \$17,500 to more than \$46,000 per year.** Another \$1500 would be needed if family dental insurance and employee life insurance was also provided.

If she is authorized to work 40 hours per week, the approximate cost to the City would be \$58,500 for wages and benefits, including the full insurance package.

I hope this adequately responds to the request for cost information associated with a potential increase in the number of hours authorized for this position.

Respectfully,
Steve

The Whitaker
Revenue and Expense Summary
By Fiscal Year

Revenue	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
General Fund	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 11,850	\$ 17,500	\$ 23,500	\$ 54,951	\$ 12,000	\$ 57,800	\$ 12,000	\$ 23,380	\$ 32,810	\$ 257,571
Donation	\$ -	\$ 55	\$ 388	\$ 150	\$ -	\$ 191	\$ 241	\$ 9,685	\$ 6,841	\$ 6,570	\$ 6,043	\$ 7,147	\$ 875	\$ 1,790	\$ 39,975
other	\$ 787	\$ 98	\$ -	\$ 159	\$ -	\$ 4	\$ -	\$ 123	\$ -	\$ 27	\$ 27	\$ 595	\$ 23	\$ 83	\$ 1,976
Fund Raisers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,646	\$ 4,555	\$ 7,201
Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,860	\$ 500	\$ -	\$ -	\$ -	\$ 22,300
Total	\$ 787	\$ 3,153	\$ 3,388	\$ 3,309	\$ 3,000	\$ 12,045	\$ 17,741	\$ 33,308	\$ 61,792	\$ 40,397	\$ 64,170	\$ 19,742	\$ 26,904	\$ 39,238	\$ 328,974
Expenditures															
Operating Expenses	\$ 1,985	\$ 5,395	\$ 3,732	\$ 5,853	\$ 6,691	\$ 10,522	\$ 11,206	\$ 14,751	\$ 6,471	\$ 6,381	\$ 6,534	\$ 2,247	\$ 14,098	\$ 21,346	\$ 117,212
Events	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,621	\$ 4,230	\$ 5,851
Remodel/Construction	\$ 2,150	\$ -	\$ -	\$ -	\$ -	\$ 2,646	\$ 2,127	\$ 17,690	\$ 35,096	\$ 42,601	\$ 69,115	\$ 11,667	\$ 1,124	\$ 3,488	\$ 187,704
Total	\$ 4,135	\$ 5,395	\$ 3,732	\$ 5,853	\$ 6,691	\$ 13,168	\$ 13,333	\$ 32,441	\$ 41,567	\$ 48,982	\$ 75,649	\$ 13,914	\$ 16,843	\$ 29,064	\$ 310,767

CENTERVILLE CITY CORPORATION
COMBINED CASH INVESTMENT
JANUARY 31, 2016

COMBINED CASH ACCOUNTS

CASH ALLOCATION RECONCILIATION

71 ALLOCATION TO WHITAKER HOME TRUST FUND	37,585.31
TOTAL ALLOCATIONS TO OTHER FUNDS	37,585.31
ZERO PROOF IF ALLOCATIONS BALANCE	37,585.31

CENTERVILLE CITY CORPORATION
BALANCE SHEET
JANUARY 31, 2016

WHITAKER HOME TRUST FUND

<u>ASSETS</u>			
71-11100000	CASH - COMBINED FUND	37,585.31	
	TOTAL ASSETS		37,585.31
<u>LIABILITIES AND EQUITY</u>			
<u>FUND EQUITY</u>			
	UNAPPROPRIATED FUND BALANCE:		
71-29510000	FUND BALANCE - PREVIOUS YEAR	34,739.12	
	REVENUE OVER EXPENDITURES - YTD	171.73	
	BALANCE - CURRENT DATE	34,910.85	
	TOTAL FUND EQUITY		34,910.85
	TOTAL LIABILITIES AND EQUITY		34,910.85

CENTERVILLE CITY CORPORATION
REVENUES WITH COMPARISON TO BUDGET
FOR THE 7 MONTHS ENDING JANUARY 31, 2016

WHITAKER HOME TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>SOURCE 33</u>						
71-33-400000	GRANTS	16,200.00	16,200.00	.00	(16,200.00)	.0
	TOTAL SOURCE 33	16,200.00	16,200.00	.00	(16,200.00)	.0
<u>CHARGES FOR SERVICES</u>						
71-34-100000	GARDEN PLOT FEES	(25.00)	(25.00)	1,440.00	1,465.00	(1.7)
	TOTAL CHARGES FOR SERVICES	(25.00)	(25.00)	1,440.00	1,465.00	(1.7)
<u>MISCELLANEOUS REVENUE</u>						
71-36-160000	TEA PARTY FUNDRAISER	.00	.00	1,100.00	1,100.00	.0
71-36-400000	CEMETERY TOURS FUNDRAISER	287.00	287.00	300.00	13.00	95.7
71-36-500000	ZOMBIE RUN FUNDRAISER	731.00	731.00	2,000.00	1,269.00	36.6
	TOTAL MISCELLANEOUS REVENUE	1,018.00	1,018.00	3,400.00	2,382.00	29.9
<u>CONTRIBUTIONS & TRANSFERS</u>						
71-39-100000	CONTRIBUTIONS FR GEN FUND	34,584.50	34,584.50	34,480.00	(104.50)	100.3
71-39-200000	CONTRIBUTIONS - PRIVATE	25.00	25.00	.00	(25.00)	.0
71-39-300000	CONTRIBUTIONS - EAGLE SCOUT PR	181.23	181.23	.00	(181.23)	.0
71-39-400000	BOOK DONATIONS	587.00	587.00	.00	(587.00)	.0
	TOTAL CONTRIBUTIONS & TRANSFERS	35,377.73	35,377.73	34,480.00	(897.73)	102.6
	TOTAL FUND REVENUE	52,570.73	52,570.73	39,320.00	(13,250.73)	133.7

CENTERVILLE CITY CORPORATION
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 7 MONTHS ENDING JANUARY 31, 2016

WHITAKER HOME TRUST FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
71-4000-120.0 PART-TIME WAGES	8,123.10	8,123.10	15,000.00 ^{15,900.}	6,876.90	54.2
71-4000-130.0 FRINGE BENEFITS - FICA	652.41	652.41	1,150.00	497.59	56.7
71-4000-135.0 FRINGE BENEFITS - WORKERS COMP	176.54	176.54	300.00	123.46	58.9
71-4000-270.0 UTILITIES - DEUEL CREEK	.00	.00	200.00	200.00	.0
71-4000-271.0 UTILITIES - UP&L	715.09	715.09	700.00 (	15.09)	102.2
71-4000-276.0 UTILITIES - MT FUEL	362.12	362.12	800.00	437.88	45.3
71-4000-277.0 UTILITIES - SEWER	60.00	60.00	60.00	.00	100.0
71-4000-280.0 PROFESSIONAL TECHINICAL MISC.	.00	.00	200.00	200.00	.0
71-4000-310.0 PROF & TECH-RECORDING SECR	90.20	90.20	1,000.00	909.80	9.0
71-4000-316.0 FUNDRAISER SUPPLIES	9.41	9.41	.00 (	9.41)	.0
71-4000-316.0 PROF. & TECHNICAL - CUSTODIAL	.00	.00	500.00	500.00	.0
71-4000-330.0 TRAINING & EDUCATION MATERIALS	2,697.67	2,697.67	100.00 (	2,597.67)	2697.7
71-4000-361.0 TEA PARTY FUNDRAISER SUPPLIES	100.00	100.00	1,100.00	1,000.00	9.1
71-4000-363.0 HERITAGE MKT FUNDRAISER	167.91	167.91	.00 (	167.91)	.0
71-4000-364.0 CEMETERY TOUR FUNDRAISER SUPPL	342.76	342.76	300.00 (	42.76)	114.3
71-4000-365.0 ZOMBIE RUN FUNDRAISER SUPPLIES	1,059.79	1,059.79	1,500.00	440.21	70.7
71-4000-366.0 HAUNTING FUNDRAISER SUPPLIES	41.81	41.81	.00 (	41.81)	.0
71-4000-367.0 CHRISTMAS FUNDRAISER SUPPLIES	291.72	291.72	.00 (	291.72)	.0
71-4000-368.0 STORYTELLING SUPPLIES	98.32	98.32	.00 (	98.32)	.0
71-4000-480.0 MISCELLANEOUS	1,085.70	1,085.70	1,500.00	414.30	72.4
71-4000-482.0 SPEC.DEPT./BLDG MAINT & REPAIR	115.39	115.39	1,200.00	1,084.61	9.6
71-4000-483.0 GARDEN PLOT SUPPLIES	186.50	186.50	300.00	113.50	62.2
71-4000-514.0 INSURANCE - PROPERTY	269.10	269.10	350.00	80.90	76.9
71-4000-710.0 WALKWAY	.00	.00	8,320.00	8,320.00	.0
71-4000-720.0 BACKSTEPS	.00	.00	3,100.00	3,100.00	.0
71-4000-750.0 RESTORATION PROJECT	35,753.46	35,753.46	.00 (	35,753.46)	.0
TOTAL EXPENDITURES	52,399.00	52,399.00	37,680.00 (	14,719.00)	139.1
TOTAL FUND EXPENDITURES	52,399.00	52,399.00	37,680.00 (	14,719.00)	139.1
NET REVENUE OVER EXPENDITURES	171.73	171.73	1,640.00	1,468.27	10.5

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 9

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 9:00

SUBJECT

- a. Legislative Evening at CenterPoint Theatre
- b. COG discussion re potential uses of County's share of Prop 1 revenues
- c. Update on Davis County property located on 100 South Street

RECOMMENDATION

BACKGROUND

Mayor Cutler will report on the matters identified above.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 10.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:10

SUBJECT

- a. CLG grant application funding
- b. Pedestrian Bridge/Parrish Lane fencing project

RECOMMENDATION

BACKGROUND

a. The attached letter from the Utah Division of State History invites Centerville to apply for another CLG grant by February 12. The Museum and Landmarks Commission have been the traditional users of CLG grant funds in the past. Following receipt of this letter, staff learned that the State is willing to consider a CLG grant for the Museum for \$10,000, plus grant funding on top of that for Landmarks Commission projects.

Lisa Sommer (Museum Director) and Brandon Toponce (Landmarks Commission staff) are identifying eligible uses for the grant application. The City Manager has instructed them to proceed with an application, with the intent the City Council would have time to budget funds for the required match as part of the FY 2017 budget process. The matching funds would come from General Fund and/or RAP Tax revenues.

b. The City Manager will update the Council about the bid process for fencing on the Pedestrian Bridge and along north side of Parrish Lane.

ATTACHMENTS:

Description

- ▯ CLG Grant Application



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Julie Fisher
Executive Director
Department of
Heritage & Arts
Mr. Brandon Toponce
Centerville CLG
655 N 1250 W
Centerville UT 84014



Brad Westwood
Director

January 6, 2016

Dear Mr. Toponce:

We hope you had a happy holiday season and are now looking forward to historic preservation activities in 2016. To assist you with these activities, we are taking Certified Local Government (CLG) grant applications for the 2016-2017 grant year. If you are interested in receiving a matching grant from us, please complete the CLG grant application on our website: history.utah.gov/grants-clg.

If you would like us to mail you the grant application, please let us know. Submit only one grant application per CLG, and mail, email, or fax the completed application no later than February 12, 2016 (postmarked) to:

State Historic Preservation Office | Debbie Dahl
300 S. Rio Grande Street | Salt Lake City, UT 84101
ddahl@utah.gov | Phone: 801-245-7233 | Fax 801-355-0587

Please be as specific as possible in detailing the costs and explaining your project(s) including the type and quantity of "products" you will complete with your grant funds. The Utah Division of State History invites CLG's to consider one of our yearly themes to highlight complimentary activities or resources as you plan for your CLG grant funds.

2016 Rural Utah and Western Issues
2017 Utah Pioneers

Please remember we are on an every-other-year grant cycle. This means you will have 17 months to complete your project. The grant will run from April 1, 2016 to August 31, 2017.

This year you may apply for up to \$10,000. With grant match, that is a \$20,000 project. You may apply for less than the maximum amount, based on limitations on your time, or your ability to match the grant amount. (Remember these are 50-50 matching grants.) Please ask for what you need, but be sure you can use what you ask for.

Please feel free to contact me directly if you have any questions or need assistance with your application. I am newly returned to the Utah SHPO after 12 years in Oregon, so I'm really looking forward to meeting you and helping you with your grant application and projects.

Sincerely,

Roger Roper
Deputy State Historic Preservation Officer
(801) 245-7251 rroper@utah.gov

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 11.

Short Title: Miscellaneous Business

Initiated By: Councilman Bill Ince

Scheduled Time: 9:20

SUBJECT

- a. Councilmember Ince proposal re citizen outreach

RECOMMENDATION

BACKGROUND

Councilman Ince proposes that one or two councilmembers be available once a month at city hall to talk with citizens about City matters. Since this would involve the use of a City facility and be advertised by the City, the Council should consider this proposal.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 12.

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

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

At this time, staff are not aware of a need for a closed meeting; however, the agenda allows for that possibility.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No. 13.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/2/2016**

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ Newspaper article - SL Tribune - Utah House Votes to let clerks provide up-to-date election results
- ☐ Economic Snapshot

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Utah House votes to let clerks provide up-to-date election results

First Published Jan 25 2016 06:18PM • Last Updated Jan 25 2016 07:03 pm



(Steve Griffin | The Salt Lake Tribune) Jackie Biskupski's raises her arms and screams with excitement as she sees election results for the first time at her election night gathering at Kimi's Chop House in Salt Lake City, Tuesday, November 3, 2015.



(<http://esp/mediapool/sites/sltrib/pages/printfriendly.csp?id=3459936>)

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There may be a little less uncertainty surrounding election winners under a bill that passed the House on Monday and would allow election clerks to update results with absentee ballots as they are counted after Election Day.

Recently, the winner of the Salt Lake City mayoral race was in limbo (<http://www.sltrib.com/home/3137856-155/state-law-delays-unveiling-of-salt>) for nearly two weeks as thousands of ballots were counted but the tallies could not, under state law, be reported to the public until the official canvass of the results.

The same was true of several races in the 2014 election, including a handful of legislative races and U.S. Rep. Mia Love's win over Democrat Doug Owens, which had uncertain outcomes until the totals of all the absentee ballots were announced.

ARTICLE PHOTO GALLERY

"We have numerous colleagues in this room that just last election were unsure for a long period of time whether they'd actually been elected," said Rep. Steve Eliason,

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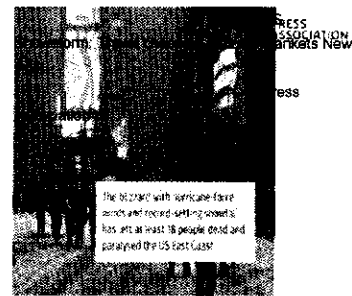
R-Cottonwood Heights, the sponsor of House Bill 21. "This bill simply allows the clerk to disclose on a daily basis what the current vote tallies are."

There is a provision in the bill that would allow a clerk to withhold the results if there were so few absentee ballots that disclosing the total might reveal how a specific voter voted.

The measure passed the House with one no vote — from Rep. Francis Gibson, R-Mapleton — and it heads to the Senate for consideration.

Robert Gehrke

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Doug Owens has nearly \$500K to challenge Rep. Mia Love (<http://www.sltrib.com/home/3459528-155/doug-owens-has-nearly-500k-to>)

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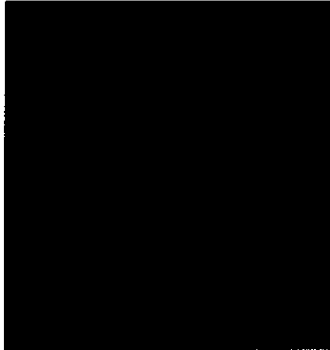
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Thousands gather to honor slain Utah police officer (<http://www.sltrib.com/home/3450304-155/wife-of-slain-utah-police-officer>) (http://sltrib.com/home/3450304-155/wife-of-slain-utah-police-officer#disqus_thread)

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She Dropped Jaws In Her Dress At The CMT Music Awards

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ECONOMIC SNAPSHOT

Davis County

Updated 12/21/2015
Utah Department of Workforce Services

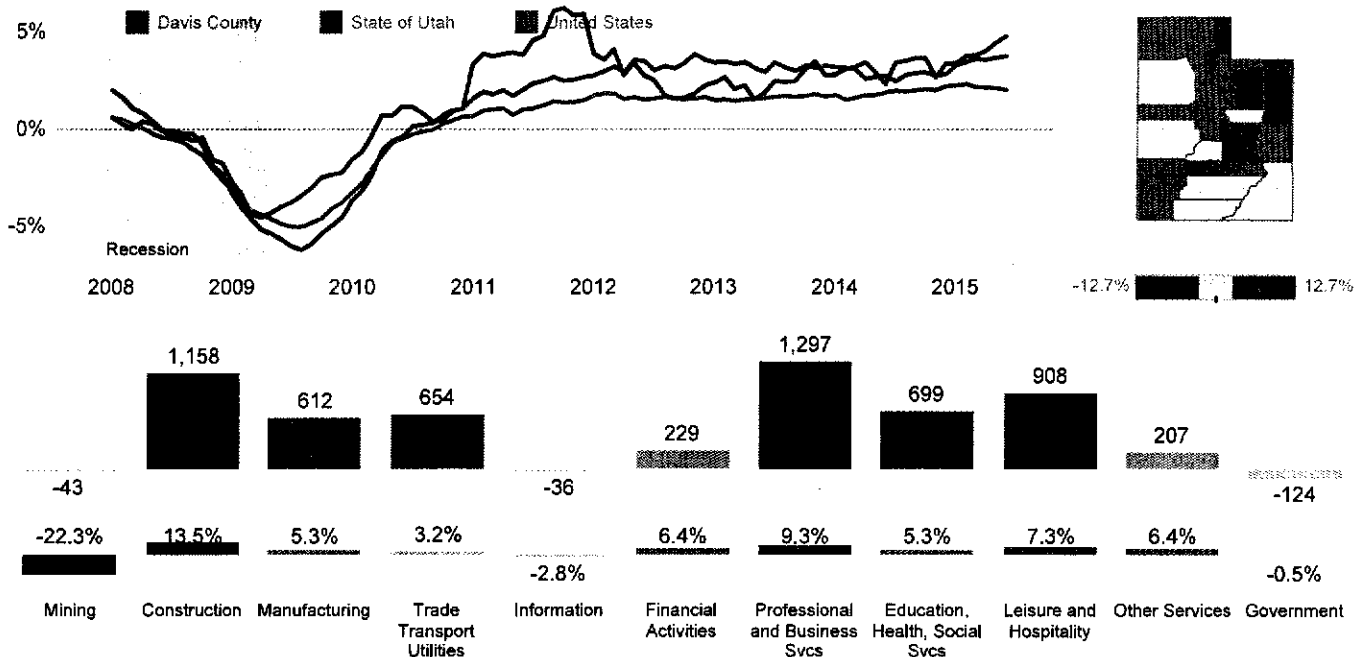
Year-to-Year Change in Nonfarm Jobs JUNE 2015*

5,571

4.8%
Davis County

3.8%
State of Utah

2.1%
United States



How's the economy?

Davis County accelerated to its most robust employment growth since late 2011. Taxable sales were up 6.5 percent with particular strength in motor vehicles. Unemployment remains low and initial unemployment insurance claims have fully returned to pre-recession levels. The tight labor market finally appears to be putting upward pressure on wages as broad-based wage gains were realized across nearly every industry sector.

Jobs

Davis County added 5,571 new jobs at a year-over rate of 4.8 percent in July 2015, contributing nearly 11 percent of 51 thousand new jobs created in Utah since July 2014.

Job growth was broad based across most industries in July 2015 for Davis County. Construction and administrative support services were notable contributors.

Private education services, in particular, continued to show impressive growth of more than 17 percent and contributed nearly 6 percent of the total job gains for the county despite accounting for less than 2 percent of total employment.

*Preliminary
Source: U.S. Bureau of Labor Statistics; Utah Department of Workforce Services.

[Link for PDF version: jobs.utah.gov/wi/regions/county/davis.html](http://jobs.utah.gov/wi/regions/county/davis.html)

Matt Schroeder, 801-526-9404, matthewschroeder@utah.gov

ECONOMIC SNAPSHOT *Davis County*

Utah Department of Workforce Services



Seasonally Adjusted Unemployment Rate NOVEMBER 2015

3.3%

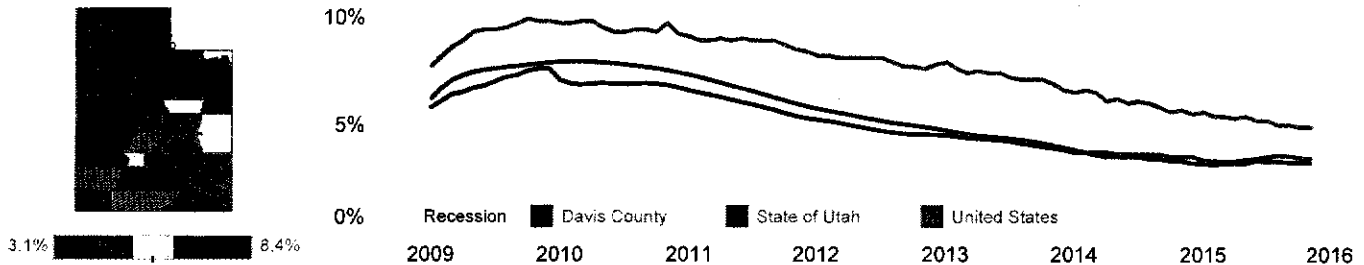
3.5%

5.0%

Davis County

State of Utah

United States

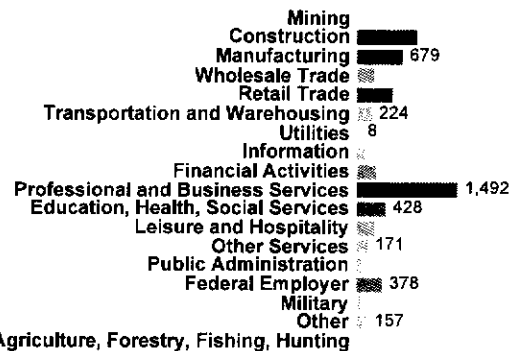
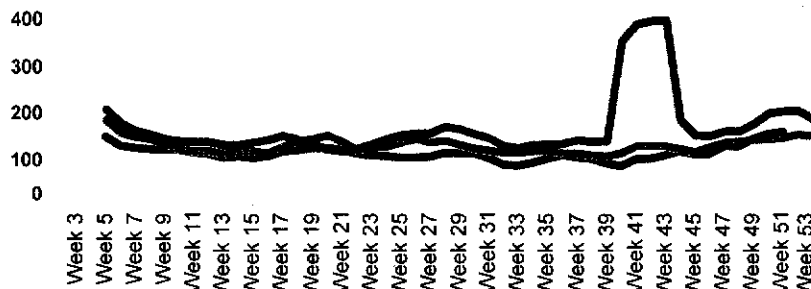


Initial Claims for Unemployment Insurance

YTD December 19, 2015

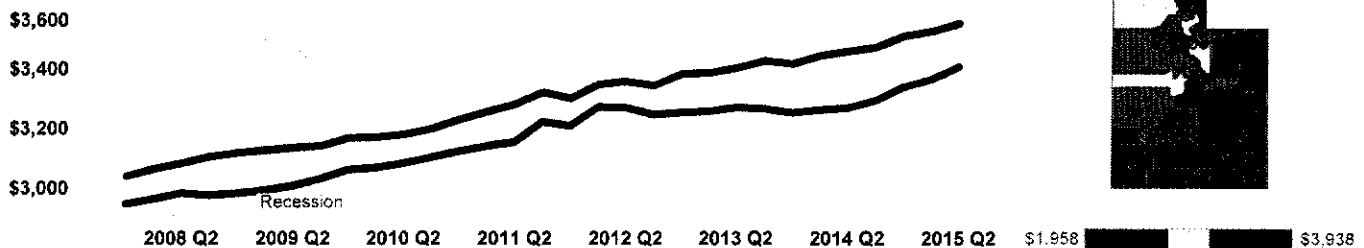
Four-Week Moving Average

2013 2014 2015



Average Monthly Wage SECOND QUARTER 2015*

Four-Quarter Moving Average



Unemployment and Wages

Davis County's unemployment rate was 3.3 percent in November 2015. This is 0.1 percentage points below the November 2014 rate and below the statewide average of 3.6 percent.

Initial claims for unemployment insurance are averaging around 160 per week as of mid-December 2015 in Davis County. This represents a return to pre-recession levels which, in 2006, were about 155 per week on average at the same time of year.

Average wages in Davis County got a big boost in the second quarter of 2015 with 5.4 percent year-over growth, outpacing statewide wage growth of 3.2 percent. At \$3,391 per month Davis is closing the gap on the statewide average monthly wage of \$3,504.

Unlike the first quarter, second quarter wage gains were wide spread with 10 of the 11 major industrial sectors experiencing average wage increases of more than 2 percent.

* Preliminary. Source: U.S. Bureau of Labor Statistics; Utah Department of Workforce Services. Utah State Tax Commission.

ECONOMIC SNAPSHOT *Davis County*

Utah Department of Workforce Services



Construction Permitting JANUARY - OCTOBER 2015

Dwelling Unit Permits

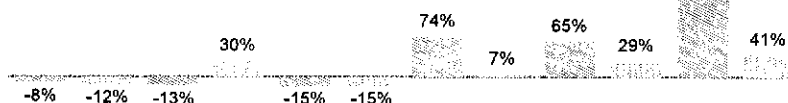
2010	2011	2012	2013	2014	2015 YTD
993	1,354	2,033	1,756	1,643	1,437

Change in Nonresidential Values

YTD Chng -2%

2010 2011 2012 2013 2014 2015 YTD

Add/Alt/Repair Nonres New Nonresidential
Add/Alter/Repair Res New Residential

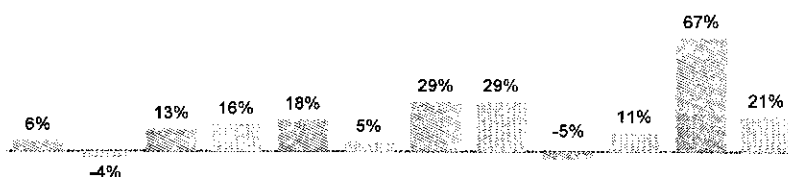


JANUARY - OCTOBER 2015



Change in Total Values

2010 2011 2012 2013 2014 2015 YTD



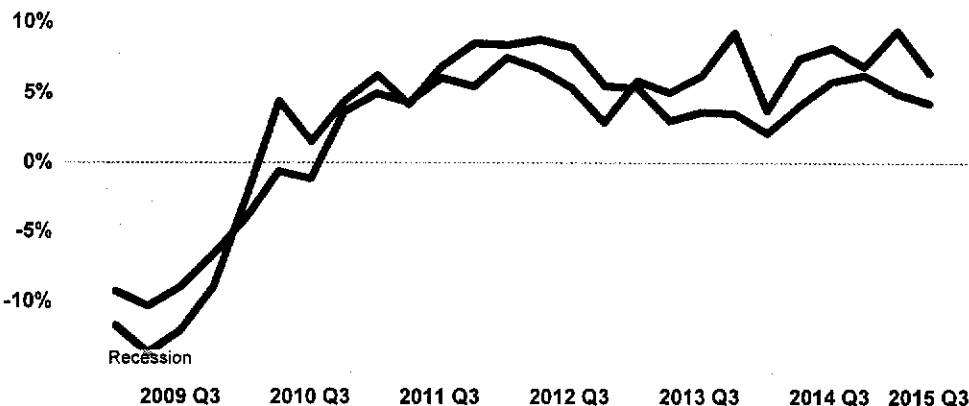
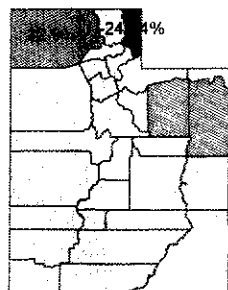
Year-to-Year Change In Gross Taxable Sales SECOND QUARTER 2015

Davis County

State of Utah

6.5%

4.3%



Construction and Sales

Residential construction permits were 2 percent below the 2014 level for the same time period, but only because of a significant reduction in the number of permitted apartment units. Permits for single family homes actually increased by 8.6 percent. The value o..

Taxable sales in Davis County grew 6.5 percent year-over in Q2 2015, reaching more than \$1.2 billion.

The retail motor vehicles industry was the largest contributor to growth with more than \$19 million in additional taxable sales compared to Q2 2014.

Wholesale of durable goods and food services/drinking places were also notable contributors, increasing sales by \$9.5 and \$7.2 million respectively compared to Q2 2014.

*Preliminary

Source: Utah Dept. of Workforce Services, Utah Bureau of Economic and Business Research and Utah State Tax Commission.

ECONOMIC SNAPSHOT *Davis County*

Utah Department of Workforce Services



Nonfarm Jobs by Month SECOND QUARTER 2015*

	April 2015			May 2015			June 2015		
	Total Jobs	Year-Ago Percent Change	Year-Ago Numeric Change	Total Jobs	Year-Ago Percent Change	Year-Ago Numeric Change	Total Jobs	Year-Ago Percent Change	Year-Ago Numeric Change
TOTAL	117,831	4.1%	4,632	119,711	4.5%	5,165	120,530	4.8%	5,571
GOODS PRODUCTION	21,073	7.7%	1,510	21,278	6.9%	1,370	21,961	8.5%	1,727
Mining	136	-27.7%	-52	147	-20.1%	-37	150	-22.3%	-43
Construction	9,005	8.9%	733	9,183	9.8%	819	9,754	13.5%	1,158
Manufacturing	11,932	7.5%	829	11,948	5.2%	588	12,057	5.3%	612
SERVICE PRODUCTION	96,758	3.3%	3,122	98,433	4.0%	3,795	98,569	4.1%	3,844
Trade Transport Utilities	20,915	4.1%	822	21,067	3.6%	724	21,025	3.2%	654
Wholesale Trade	2,697	3.2%	83	2,728	4.0%	105	2,673	1.9%	49
Retail Trade	13,917	3.2%	425	13,981	2.4%	328	13,958	2.4%	330
Transportation and Warehousing	4,183	7.4%	288	4,238	6.7%	265	4,276	6.2%	251
Utilities	118	28.3%	26	120	27.7%	26	118	25.5%	24
Information	1,221	-10.9%	-149	1,249	-8.1%	-110	1,256	-2.8%	-36
Financial Activities	3,803	6.7%	240	3,835	7.6%	272	3,802	6.4%	229
Finance and Insurance	2,476	4.2%	99	2,490	5.0%	118	2,459	4.0%	95
Real Estate and Rental and Leasing	1,327	11.9%	141	1,345	12.9%	154	1,343	11.1%	134
Professional and Business Svcs	15,129	5.3%	767	15,384	8.8%	1,245	15,305	9.3%	1,297
Professional/Scientific/Techn Svcs	8,131	3.4%	267	8,052	2.6%	202	8,051	3.6%	281
Management of Companies	850	2.4%	20	876	4.5%	38	873	3.7%	31
Administrative Support/Waste Mgmt	6,148	8.5%	480	6,456	18.4%	1,005	6,381	18.3%	985
Education, Health, Social Svcs	14,108	5.4%	726	14,220	5.4%	731	14,001	5.3%	699
Educational Services	2,218	19.8%	366	2,249	19.9%	374	2,070	17.4%	307
Health Care and Social Services	11,890	3.1%	360	11,971	3.1%	357	11,931	3.4%	392
Leisure and Hospitality	11,877	5.2%	589	12,603	7.6%	887	13,409	7.3%	908
Accommodation and Food Services	8,899	3.8%	328	9,075	5.5%	471	9,154	6.3%	545
Arts, Entertainment and Recreation	2,978	9.6%	261	3,528	13.4%	416	4,255	9.3%	363
Other Services	3,471	9.2%	291	3,443	6.3%	204	3,439	6.4%	207
Government	26,228	-0.6%	-170	26,624	-0.6%	-166	26,322	-0.5%	-124
Federal	12,309	0.7%	85	12,334	0.5%	58	12,344	0.5%	57
State	1,031	-6.2%	-68	1,013	-8.9%	-99	983	-12.0%	-134
Local	12,888	-1.4%	-187	13,277	-0.9%	-125	12,995	-0.4%	-47
Unclassified	6		6						
Covered Ag, Forestry, Fishing & Hunting*	330	7.5%	23	388	-6.1%	-25	424	-3.9%	-17

* Not included in total.

Note: Detail may not add to total due to rounding and the exclusion of confidential data.

Source: Utah Department of Workforce Services.