



SYRACUSE CITY
Syracuse City Council Regular Meeting Agenda
July 12, 2016 – 6:00 p.m.
City Council Chambers
Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
Invocation or thought
Pledge of Allegiance
Adopt agenda
2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Jared Hunter and Lainee Hamblin.
3. Approval of Minutes:
 - a. Special Meeting of April 26, 2016.
 - b. Work Session of April 26, 2016.
 - c. Special Meeting of June 13, 2016.
 - d. Regular Meeting of June 14, 2016.
 - e. Special RDA Meeting of June 14, 2016.
 - f. Special MBA Meeting of June 14, 2016.
4. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
5. Proposed Resolution R16-37 appointing Gary Bingham to the Syracuse City Planning Commission.
6. Public Hearing: Authorize Administration to dispose of surplus property.
7. Public Hearing: Proposed Ordinance 16-21 amending Section 10.40.030 of the Syracuse City Municipal Code pertaining to onsite parking.
8. Public Hearing: Proposed Ordinance 16-22 amending various provisions of the Syracuse City Municipal Code pertaining to public nuisances and parking within the public right-of-way.
9. Subdivision Amendment, San Melia Subdivision, located at 1025 S. 2200 W.
10. Proposed Ordinance 16-23 amending Section 10.30.050(c) of the Syracuse City Code related to yard encroachments.
11. Proposed Resolution R16-36 adopting the Fiscal Year 2016-2017 wage scale.
12. Proposed Resolution R16-35 awarding a contract for the review of unbilled or misbilled culinary water services
13. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
14. Councilmember Reports.
15. Mayor Report.
16. City Manager Report.
17. Adjourn.

In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 7th day of July, 2016 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examine on July 7, 2016.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER



COUNCIL AGENDA

July 12, 2016

Agenda Item #2

Presentation of the Syracuse City and Wendy's "Award for Excellence" to Jared Hunter and Lainee Hamblin for the month of July 2016.

Factual Summation

- Any questions regarding this item can be directed at CED staff. Please see the attached memos regarding the Award recipients for July 2016.

Recommendation

The Community & Economic Development Department hereby recommends that the Mayor and City Council present the "Syracuse City & Wendy's Award for Excellence" to Jared Hunter and Lainee Hamblin for the month of July.



Mayor
Terry Palmer

City Council
Andrea Anderson
Corinne Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

City Manager
Brody Bovero

Factual Summation

- Any questions regarding this items may be directed at Brigham Mellor, City Economic Development Director

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: July 12, 2016

Subject: Presentation of the Syracuse City & Wendy's Award for Excellence Jared Hunter and Laine Hamblin

Background

The City wishes to work towards recognizing citizens who strive for excellence in either athletics, academics, arts or community service. To that end, in an effort to recognize students at Syracuse High, Clearfield High, as well as other schools in our City and individuals residing in the City, Mayor Terry Palmer and City Manager Brody Bovero has asked staff to develop a recognition program to promote pride and unity within our community. In conjunction with Jeff Gibson, staff would like to present the "Syracuse City & Wendy's Award for Excellence."

"Syracuse City & Wendy's Award for Excellence"

In order to recognize outstanding students and athletes in Syracuse, the Community and Economic Development Department have developed the "Syracuse City and Wendy's Award for Excellence" award process. This monthly award, given in alternating months (e.g. January athlete, February scholar/community/art, March athlete, etc.), recognizes the outstanding performance of a male and female who excel in athletics, arts and/or academics. The individuals selected for this award will be identified by Syracuse City in partnership with representatives from the city recreation department, local elementary, junior high, and high schools. Once selected, an individual will:

- Receive a certificate and be recognized at the first City Council meeting of each month
- Have their picture put up in City Hall
- Have a write up in the City Newsletter, Facebook, Twitter, and website

- Be featured on the Wendy's product TV
- Receive \$10 gift certificate to Wendy's

Jared Hunter:

Jared is an exceptional athlete and leader. Throughout the season we have noticed that not only is Jared an amazing athlete, even more important he is a great teammate and is always cheering on his teammates and picking them up when they make a mistake. Jared led his team to an undefeated season and the championship game where he went 2 for 2 and had 6 strikeouts, where they won a close game 7-6.

Lainee Hamblin:

~~Lainee is a great softball player and teammate.~~ Lainee has shown this season great leadership and sportsmanship, Laniee is always heard cheering on her team and starting the chants to get her team excited to play. Lainee helped lead her team to an undefeated season and pitched in the championship game which they won. Lainee is a great example of hard work and a great teammate.

Recommendation

The Community & Economic Development Department hereby recommends that the Mayor and City Council provide feedback regarding the items presented during the Work Session. Further, the CED Department hereby requests Mayor and City Council support of the proposed "Syracuse City & Wendy's Award for Excellence."



COUNCIL AGENDA

July 12, 2016

Agenda Item #3

Approval of Minutes.

Factual Summation

- Please see the draft minutes of the following meeting(s):
 - a. Special Meeting of April 26, 2016.
 - b. Work Session of April 26, 2016.
 - c. Special Meeting of June 13, 2016.
 - d. Regular Meeting of June 14, 2016.
 - e. Special RDA Meeting of June 14, 2016.
 - f. Special MBA Meeting of June 14, 2016.

- Any question regarding this agenda item may be directed at Cassie Brown, City Recorder.

Minutes of the Syracuse City Council Special Meeting, April 26, 2016

Minutes of the Special Meeting of the Syracuse City Council held on April 26, 2016, at 10:00 a.m., in the Council Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

- Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan
- Mayor Terry Palmer
City Manager Bovero
City Recorder Cassie Z. Brown
- Staff Present: Finance Director Steve Marshall
City Attorney Paul Roberts
Community and Economic Development Director Brigham Mellor
Public Works Director Robert Whiteley
Police Chief Garret Atkin
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson

[10:16:49 AM](#)

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at [10:16:53 AM](#) p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

[10:17:06 AM](#)

2. Comprehensive review of budget proposals for Fiscal Year (FY) 2017.

A staff memo from City Manager Bovero explained the mission statement for the Administrative arm of the City is “To provide quality, affordable services for its citizens, while promoting community pride, fostering economic development, and preparing for the future.”

Under the mission of the City, staff created a draft budget that outlines the resources to provide the services from these departments effectively. In drafting the budget, we followed the guidelines discussed in the November Council Retreat and the following vision statements adopted by Council:

10-Year City-Wide Vision Statements

- *We are a City with well-maintained infrastructure, including roads, utilities, and parks.*
- *In preparation for the West Davis Corridor, we will make provisions for interchanges to accommodate commercial businesses to serve the residents’ needs and to support economic stability of the City.*

- 1 • *We are a financially stable City, balancing the cost of services with the level of services that we provide. The*
2 *City will have minimal or no debt.*
- 3 • *The City will incorporate improvements, events, and services that create an overall feeling of connection and*
4 *pride in the City by its residents.*

5 **The memo referenced a** summary spreadsheet (Budget Worksheet in Excel – FY2017.xls), which simplifies all of
6 the budget requests into a format that is easier to understand as a whole. The following is a description of each tab in the
7 spreadsheet:

- 8 ○ Summary: This sheet outlines the total budget by department/fund, showing it with additional
9 personnel requests, and without. As you can see the total deficit with all new personnel request is
10 (\$479,817). Without adding any personnel, there is a budgeted surplus of \$150,308. Also included is
11 the budgeted surplus/deficit for each of the other funds, based on the personnel scenario.
 - 12 ▪ On the right hand side, is a listing of the personnel options that have been requested, along
13 with estimated costs.
 - 14 ▪ Also on the right hand side is the estimated benchmark adjustments and wage compression
15 adjustments in total. A separate email will be sent to the Council outlining a possible way to
16 distribute these costs over multiple years, rather than a lump sum.
- 17
- 18 ○ Employee Compensation Detail: This sheet provides more detail on the overall components of the
19 employee compensation portion of the budget. The green portion shows the costs already included in
20 the draft budgets. The blue portion represents the new positions. And the red portion represents the
21 costs that are not currently in the budget summary.
- 22
- 23 ○ Budget Requests With All Positions: This sheet gives an overall account of the revenues and expenses
24 from each budget account. This scenario includes all the requested new employees, along with the
25 associated costs (equipment, uniform, etc.).
- 26

- 1 ○ Budget Requests With No New Positions: This sheet gives an overall account of the revenues and
2 expenses from each budget account. This scenario includes none of the requested new employees, nor
3 does it have the associated costs (equipment, uniform, etc.).

4 ***Overarching Discussion Points***

- 5 • The task for the Council and staff is to construct a budget that is in line with the City’s mission and vision. The
6 budget has different components that are connected, much like pieces of a puzzle. The discussion on Tuesday
7 will focus on how those pieces will come together, based on the Council’s priorities.
- 8 • The following list identifies some notable issues to address, of which the Council is well aware:
 - 9 ○ Staffing levels needed to maintain services, infrastructure, and parks.
 - 10 ○ 5-yr capital improvement needs.
 - 11 ○ Wage compression.
 - 12 ○ Long term utility fund solvency.
 - 13 ○ Method and policy for internal service allocations and depreciation pricing.

14 [10:17:46 AM](#)

15 City Manager Bovero reviewed the staff memo and an excel spreadsheet that summarized the requested budget for
16 each Department in two formats: one included requested personnel positions and the other did not. He indicated that one
17 proposal would result in a budget surplus and the other in a deficit. There was brief general discussion among the Council
18 and staff throughout Mr. Bovero’s presentation, the purpose of which was to help the Council gain a clearer understanding of
19 the budget documents included in the packet. Throughout the discussion there was a focus on items such as the internal fund
20 allocation, funding priorities, the option of hiring new employees compared to increasing wages of existing employees,
21 overall employee compensation (merit increases, compression increases, market adjustments, and career advancement
22 increases), franchise taxes, deficits and surplus in utility funds and associated utility rates, utility infrastructure capital
23 projects, and depreciation.

24
25 [12:01:51 PM](#)

26 The meeting recessed briefly for lunch.

27

1 [1:55:56 PM](#)

2 The meeting reconvened.

3

4 [1:56:15 PM](#)

5 Council and staff discussion continued with a heavy focus on employee compensation and wage increases to correct
6 wage compression. There was also discussion regarding the use of budget surplus in the current and next FY, and the five
7 year capital equipment purchase plan. Throughout the meeting, Finance Director Marshall edited a working budget document
8 to reflect changes requested by the Council throughout the discussion. Continued discussion centered on items such as
9 memberships, travel and training budgets, sponsorships or contributions to various entities (Miss Syracuse Pageant, Arts
10 Council), funding of the Farmer's Market, and electronic equipment or telecommunications policy for City employees.
11 Discussion then refocused on employee compensation, with an emphasis on proper employee classification and the algorithm
12 used to determine the compression proposal.

13

14 [4:09:23 PM](#)

15 3. Discussion regarding proposed Utility Rate and Cost Allocation Policy

16 A staff memo from City Manager Bovero explained that since January, the Council has discussed the issue of
17 pricing internal services, and whether utility rates should be set at a rate that covers all of the direct and indirect costs of the
18 service. As directed by the Council, a draft policy is attached for your consideration. The draft is a working document that
19 will serve as a basis for the discussion of policy on April 26th. The purpose of the discussion is to determine what the Council
20 feels is the best policy for the City, as it relates to this issue.

21 [4:10:50 PM](#)

22 Mr. Bovero reviewed his staff memo and provided an overview of the draft Utility Rate and Cost Allocation Policy.

23 [4:17:05 PM](#)

24 The Council and staff participated in high level discussion regarding the draft policy, with a focus on whether utility
25 or enterprise funds should be self-sustaining or if it is appropriate to use enterprise funds to subsidize the General Fund.
26 There was also discussion about direct and indirect costs charged to utility funds, with a suggestion made to determine a
27 percentage of enterprise funds that should be provided to the General Fund to cover administration costs. Discussion

1 regarding discontinuing the practice of covering administrative costs with enterprise funds continued, with the Council
2 indicating that if discontinuation becomes necessary and the City must make up the loss of funding through a utility rate
3 increase or a tax increase, they would opt for a tax increase and include a ballot question on the next municipal election ballot
4 to allow them to vote on the funding option.

5
6 [4:56:10 PM](#)

7 The meeting recessed briefly.

8
9 [5:04:44 PM](#)

10 The meeting reconvened.

11
12 Discussion of the Utility Rate and Cost Allocation Policy continued; the Council decided to amend the policy to
13 indicate that the enterprise funds will contribute up to 10 percent of the annual operating budget to the General Fund, with
14 Councilmember Lisonbee indicating she would prefer that the percentage be closer to 6.5. She indicated this will leave more
15 money in the enterprise funds that can be used for capital projects. Discussion of the draft policy continued, with a focus on
16 changes in the practice of transferring money from the enterprise funds to the general fund and ensuring those changes are
17 sustainable in the long term. Mr. Bovero stated he is nervous about relying upon one-time monies to reduce the transfer
18 amount. The Council ultimately concluded to continue the discussion over the course of future work session meetings before
19 deciding upon a final policy. Mr. Bovero indicated he will consider Council feedback to adjust the draft policy before
20 bringing it back to the Council.

21
22 [5:36:36 PM](#)

23 2. Comprehensive review of budget proposals for Fiscal Year (FY) 2017

24 (continued)

25 The Council moved back to item one on the agenda and continued discussion of various Department budgets to
26 determine additional reductions or adjustments that can be made. Discussions centered on equipment purchases, uniforms
27 and employee apparel ordering consolidation, park maintenance and improvement projects and costs, trail resurfacing, street

City Council Special Meeting
April 26, 2016

1 lighting, sundry funds, funding to meet recent storm water mandates, training budgets, novelties, badge and nametag
2 manufacturing, miscellaneous incremental supplies, sidewalk and other concrete repairs, LED light conversions,
3 advertisements for town hall meetings, outside consulting services, park development, park acquisition funding,

4

5 The meeting adjourned at [5:49:32 PM](#)

6

7

8

9

10 _____
11 Terry Palmer
12 Mayor

Cassie Z. Brown, CMC
City Recorder

13 Date approved: _____

Minutes of the Syracuse City Council Work Session Meeting, April 26, 2016

Minutes of the Work Session meeting of the Syracuse City Council held on April 26, 2016, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
City Attorney Paul Roberts
Community and Economic Development Director Brigham Mellor
Public Works Director Robert Whiteley
Police Chief Garret Atkin
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Deputy Fire Chief Jo Hamblin

The purpose of the Work Session was to have a follow-up discussion regarding location of proposed Wall Ball structure; discuss Centennial Park restroom facilities; review and discuss the Criddle Farms Preliminary Plat, located at approximately 4000 W. 1200 S.; discuss cul-de-sac standards; hear a report on Town Hall meetings; discuss a request for matching funds to move and save the Raymond James Building; discuss the City's Credit Card Use Policy; discuss the Employee Recruitment and Retention Policy and Fiscal Year (FY) 2017 Employee Compensation Plan; and discuss Council business.

[6:01:33 PM](#)

Councilmember Anderson led the audience in the Pledge of Allegiance. Councilmember Bolduc provided an invocation.

[6:03:15 PM](#)

Public comments

There were no public comments.

1

2 [6:03:42 PM](#)

3 **Follow-up discussion regarding location of proposed**

4 **Wall Ball structure.**

5 A staff memo from Parks and Recreation Director Robinson explained Jay Meyer, Lacrosse representative, has
6 submitted and email with his top choices to be considered by the Council for the location of a Wall Ball structure. Staff is
7 seeking approval and direction regarding the location of the Wall Ball structure.

8 [6:03:52 PM](#)

9 Ms. Robinson reviewed her staff memo and stated Mr. Meyer has indicated his top two park choices are Rock Creek
10 Park and Freemont. She indicated she agrees Rock Creek would be a good location for the structure, but she is concerned
11 about encouraging excessive use of the park given that it will be reseeded this year and heavy use could keep the grass from
12 growing.

13 [6:08:07 PM](#)

14 The Council discussed the request and the pros and cons of each location, with a focus on the best location for the
15 facility in the long term. They ultimately concluded to make a final decision at a future Council business meeting.

16

17 [6:26:33 PM](#)

18 **Discussion regarding request for matching funds to**

19 **move and save the Raymond James Building.**

20 A staff memo from the City Manager explained The Raymond James Building located near the corner of 2000 West
21 and Antelope Drive is currently one of the oldest standing commercial buildings in the City. With the UDOT SR 108 Project
22 (2000 West Widening), this building is slated for demolition. Mayor Palmer has worked with the Museum Board to bring
23 public awareness of the historic importance of this building, and has been able to raise approximately \$45,000 from residents
24 and philanthropic groups to help pay for moving the building to another location. The proposed location is adjacent to the
25 museum on the east side, currently owned by the City. In order to move the building, it would need to be placed on a new

1 foundation. A new foundation, along with utility connections, would add to the total cost. It is estimated that the total cost
2 for everything, including the relocation of the building itself, the new foundation, and running utilities is between \$85,000 -
3 \$110,000. As part of the project, the electronic marquee sign would need to be removed. The electronic marquee sign has
4 deteriorated over the years, and is no longer cost-effective to repair. The City's Emergency Preparedness Committee has
5 discussed the need for such a marquee for important notices to the public. The electronic sign can also be used for other
6 important announcements in the City. The cost to replace the sign is estimated at \$20,000 - \$30,000. The memo concluded
7 the purpose of this discussion item is two-fold. First, to discuss whether the Council would consider appropriating matching
8 funds to help relocate the historic building. And second, whether the Council would consider replacing the marquee sign
9 with a new one. If the Council were to move forward, a budget opening would be scheduled in May to appropriate a portion
10 of the fund balance to the project.

11 [6:26:50 PM](#)

12 City Manager Bovero and Mayor Palmer reviewed the staff memo; Mayor Palmer stated the he is working with the
13 Museum Foundation to raise funds for the project and they are seeking matching funds from the City.

14 [6:29:42 PM](#)

15 The Council reviewed the contributions made to the project thus far and discussed the request for matching funds
16 from the City. Councilmember Gailey spoke to the importance of preserving the building, as it is a great piece of history for
17 the City. Councilmember Lisonbee suggested the creation of a Go Fund Me page for the project to increase fundraising
18 efforts before providing matching funds from the City. Councilmember Maughan agreed.

19 [6:40:44 PM](#)

20 Mayor Palmer also invited members of the Museum Foundation to provide their thoughts about the project, which
21 three members did, after which Councilmember Lisonbee stated she feels the City is committed to work hand-in-hand with
22 the Foundation to continue fundraising efforts for the project.

24 [6:52:13 PM](#)

25 **Discussion regarding Centennial Park restroom**
26 **facilities.**

1 A staff memo from Parks and Recreation Director Robinson and Public Works Director Whiteley explained the
2 concept sketch for Centennial Park restroom has been revised since the March 8, 2016 City Council meeting. The memo
3 referenced the following attachments: conceptual design for Centennial Park with space for a future pavilion included in the
4 concept, and a plan sheet for restroom. The memo concluded staff is seeking input from Council prior to completing the
5 design.

6 [6:52:21 PM](#)

7 Ms. Robinson reviewed her staff memo as well as the updated conceptual plan for the project.

8 [6:52:48 PM](#)

9 Councilmember Maughan stated he appreciates the changes that were made to the conceptual plan.

10
11 [6:54:51 PM](#)

12 **Review and discussion of Criddle Farms Preliminary**

13 **Subdivision Plat, located at approximately 4000 W. 1200**

14 **S.**

15 A staff memo from the Community and Economic Development (CED) Department referenced the following
16 information regarding the application:

17	Current Zoning:	PRD
18	Annexation/Concept Plan Date:	12/10/13
19	Total Area:	20.061 acres
20	Development Agreement Density:	6.7 units/acre
21	Concept Plan # of Lots:	99
22	Preliminary Plan # of Lots:	101

23 During the April 5, 2016 meeting the Planning Commission tabled the application and asked that the applicant
24 provide more detail for what amenities will be offered in the common space, reconfigure design so common space is more
25 accessible and interconnected, and add trail or sidewalks through the common spaces. During the April 19, 2016 meeting the
26 Planning Commission denied the application on a four to one vote based on common open space, landscaping, and parking

1 concerns. The memo concluded the subject property was annexed into the city with a development agreement. The agreement
2 determines the max density, housing type (single family), open space, trail, and concept plan. Nevertheless, the project is
3 required to go through the preliminary and final subdivision process during which modifications to the plan can be made as
4 required by ordinance. Please review the attached documents for additional detail.

5 [6:55:06 PM](#)

6 Mr. Mellor reviewed the staff memo.

7 [6:59:22 PM](#)

8 The Council reviewed the plat and discussed the changes that have been made since it was initially presented to the
9 Council for consideration. Mr. Mellor stated the applicant will proceed with their preliminary plat application, but another
10 option has been discussed, which entails spreading the density throughout the development and dedicating additional open
11 space. Property to the north would be annexed into the City and be combined with the subject property to make a 55 acre
12 parcel that could be zoned R-3 rather than PRD. This would result in a maximum number of lots of just over 200 lots spread
13 throughout the entire acreage. Councilmember Lisonbee stated that it would also be nice to include elements in the project
14 that highlight the history of the property as well as provide trail connectivity. The Council discussed the concept, with a focus
15 on the timeline for proceeding with the annexation of the property to the north and development of the subject property.
16 Councilmember Gailey thanked Councilmember Lisonbee for her involvement in discussions regarding the project as he
17 feels the current proposal is an improvement over what was originally presented to the Council.

18
19 [7:14:18 PM](#)

20 **Discussion regarding cul-de-sac standards.**

21 A staff memo from Community and Economic Development (CED) Director Mellor and Fire Chief Froerer
22 explained there has been a concern brought to staff's attention regarding the cul-de-sac standard for our city. Currently the
23 City's standard is 100' diameter TBC (to back of curb). Two years ago the City's cul-de-sac design standard was 100' to
24 property line allowing only a 78' diameter drivable surface. The City adopted appendix D in the IFC which requires a 96'
25 diameter drivable surface, this changed the size of the cul-de-sacs to accommodate the larger turning radius of our fire
26 apparatuses. We are now being asked by a developer to change the standard back to 100' to property line which would reduce

1 the diameter of the cul-de-sac to 78' face of curb. These are the reasons why the City should continue to use the 96' diameter
2 for the cul-de-sac:

- 3 1. The size of our apparatuses and neighboring fire departments' apparatuses has increased, requiring
4 a larger turnaround radius. Currently our first responding apparatus cannot perform a complete
5 turnaround without performing a three point turn in the 78' cul-de-sacs. This is ok if there is open
6 space to do so; however, this is normally not the case.
- 7 2. Typically most cul-de-sacs have additional obstacles in them to maneuver around, i.e.; parked
8 vehicles, garbage cans, basketball hoops, snow removal. Depending upon the location of the
9 obstacle and size the 96' cul-de-sacs allows the driver the ability to perform a continuous turn
10 around or the open space to conduct a three-point turn; whereas, the smaller cul-de-sac is not as
11 forgiving. This can be critical for time sensitive responses if a wrong address is given or a wrong
12 turn is taken.
- 13 3. Cul-de-sacs are not used just for turnarounds we must also view them as access to buildings that
14 are built on these dead end streets which allows us to get the appropriate amount of emergency
15 vehicles on scene to conduct fire suppression and exposure protection operations. The larger cul-
16 de-sac allows us more room to better position the apparatuses for these operations, while still
17 maintaining workable space around them.

18 The primary issue here is that we have two separate conflicting code standards:

19 SMC § 8.15.010
20 (L) *Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround)*
21 *shall be no longer than 500 feet from the centerline of the adjoining street to the center of the turnaround.*
22 *Each cul-de-sac must be terminated by a turnaround of not less than **100 feet in diameter, measured to the***
23 ***property lines.***

24 VS.

25 SMC § 7.05.020 And Syracuse engineering standards
26 *The International Fire Code as currently adopted by the state of Utah is hereby adopted by reference and*
27 *made part of this chapter. Appendices B, Fire-Flow Requirements for Buildings; C, Fire Hydrant Locations*

1 *and Distribution; and D, Fire Apparatus Access Roads of the International Fire Code are also hereby*
2 *adopted. Any successive amendments or editions adopted by the state of Utah are hereby incorporated*
3 *herein by reference and shall be effective upon the date they are effective as a Utah State Statute. In the*
4 *event a successive amendment or edition is adopted, **Appendices B, C and D shall also be adopted and are***
5 ***hereby incorporated herein by this reference and shall be effective upon the same date.** Appendices A,*
6 *Board of Appeals; E, Hazard Categories; F, Hazard Ranking; and G, Cryogenic Fluids – Weight and*
7 *Volume Equivalents are included as guides. A copy of said code shall be deposited in the administrative*
8 *office of the City and open for public inspection.*

9 The memo concluded staff is asking that the Council direct staff to come back for the May 2016 City Council
10 business meeting with a prepared amendment for either SMC 07.05.020 or SMC 08.15.010 to reflect the width the city would
11 like to see going forward - based on the information presented to the council - thus correcting the conflict between the two
12 codes.

13 [7:14:34 PM](#)

14 CED Director Mellor reviewed his staff memo in conjunction with Developer Mike Schultz, who provided his input
15 regarding his desire for the City to amend its design standards relative to length of cul-de-sacs.

16 [7:24:46 PM](#)

17 Deputy Fire Chief Hamblin used the aid of a PowerPoint presentation and brief videos to illustrate the turning radius
18 of fire apparatus used by the Department.

19 [7:34:25 PM](#)

20 The Council discussed the merits of the request to amend the design standards relative to cul-de-sac lengths, with
21 Councilmember Lisonbee indicating she is comfortable considering amendments that would meet Mr. Schultz's request.
22 Councilmembers Bolduc and Maughan agreed. Mr. Mellor stated he will include an action item on the May 10 agenda to
23 allow the Council to consider code amendments.

24
25 [7:44:48 PM](#)

26 **Report on Town Hall meetings.**

1 A staff memo from the City Manager explained Mayor Palmer will provide an overview and report of four town hall
2 meetings that he conducted. The Mayor held four meetings at City hall, with two meetings in November and two meetings in
3 January. For each meeting, a quadrant of the City was invited specifically but any citizen was welcome to attend. In total,
4 approximately 120 residents participated. The following items were included in all of the meetings:

- 5 • A statistical overview of the City, with a comparison with benchmark cities. This included city-wide
6 information on crime, fire/EMS response, parks, economic development, tax rates, and utility rates.
- 7 • Specific information on crime, utilities, road improvements, park improvements, and new development
8 related to each quadrant.
- 9 • A map exercise where participants were able to provide input on what they would like to see in Syracuse.
- 10 • A Q & A session where residents were able to ask any questions about the City.

11 The overall feedback from participants was positive as residents felt comfortable asking questions and getting
12 specific information about the City. Along with the town hall meetings was an online survey with questions about the overall
13 vision for the City. The City received approximately 150 responses, which are attached.

14 [7:45:02 PM](#)

15 Mayor Palmer reviewed the staff memo and provided an overview of the topics discussed and feedback received
16 during the four town hall meetings that were held.

17 [7:50:04 PM](#)

18 Council discussion centered on some of the comments received during the meetings with a focus on commercial
19 activity or economic development in the City and the number of parks in the City.

20
21 [7:52:10 PM](#)

22 **Discussion regarding City Credit Card Use Policy.**

23 An administrative staff memo explained Councilmembers Maughan and Anderson asked that an item be added to
24 the agenda to review and discuss the City's Credit Card Use policy. The memo indicated the City's current policy is included
25 in the Personnel Policies and Procedures Manual and was also included in the Council packet for reference.

26 [7:52:28 PM](#)

1 Mr. Bovero reviewed the staff memo and provided an overview of the City's credit card use policy. Councilmember
2 Maughan stated he did not request the agenda item out of suspicion of abuse of the policy; rather, he attended the Utah
3 Taxpayers Association meeting recently and there was discussion about policies controlling credit card use. He stated he
4 asked for this item for information purpose only. He provided staff with information about the talking points from the
5 meeting, such as the use of gift cards and lack of receipts for credit card charges. Finance Director Marshall stated that his
6 professional background is an auditor and he is very strict in administering the credit card use policy as he understands it is
7 an opportunity for fraud. He stated that all Department Heads are very responsible in the use of the credit cards. Council
8 discussion of the credit card use policy continued as the Council sought to gain an understanding of the controls included in
9 the policy.

10
11 [8:07:14 PM](#)

12 **Discussion regarding Employee Recruitment and**
13 **Retention Policy and Fiscal Year 2017 Employee**
14 **Compensation Plan.**

15 A staff memo from the City Manager explained from time to time the Council should review the Recruitment and
16 Retention Policy to see it needs any modifications in order to recruit and retain the best employees possible. The memo
17 referenced the attached current Recruitment and Retention Policy, along with suggested edits to make clarifications, and
18 updates along with a draft Compensation Plan for FY2017. The Compensation Plan is a key part of the recruitment and
19 retention of good employees. Included in the draft are proposed edits, some of which are for clarification, others are from
20 comments suggested by councilmembers. The memo concluded the purpose of this discussion item is review and find
21 consensus on both documents, preparatory to the adoption of the FY2017 budget.

22 [8:07:31 PM](#)

23 Mr. Bovero reviewed his staff memo and facilitated a discussion with the Council regarding various aspects of the
24 Plan. Councilmember Maughan wondered if there are opportunities to improve the Plan. He suggested that all skill sets for
25 City employees are not equal and it may be better to pay different classifications of positions at a higher or lower percentile
26 of the market. He stated some positions are harder to fill than others and he may want to pay a higher percentile for 'at risk'

1 positions. Discussion centered on the benchmarking practices highlighted in the Plan, with a focus on the cities that the City
2 directly competes with.

3 [8:22:27 PM](#)

4 Councilmember Lisonbee stated it may be necessary to amend the Plan to clarify the maximum merit increase
5 amount an employee can get each year as a result of recent action taken by the Council. Mr. Bovero stated he can adjust
6 language in the Plan to indicate the maximum merit increase will be 2.3 percent; however, he has concerns about including a
7 maximum merit increase or cap in the Plan. Merit increases are the primary way an employee will move through their wage
8 scale and the amount previously discussed and decided upon was a result of research that indicated that with the percentage
9 increases possible, it would take an employee 18 years to move through their wage scale. If the maximum merit increase is
10 2.3 percent, only the top employees will get through their wage scale in 18 years while others, even good employees, will get
11 through their wage scale in up to 25 years. This led to a discussion regarding appropriate merit increase amounts, with several
12 Councilmembers expressing concerns about providing too great of raises that will result in an employee reaching the top of
13 their wage scale too soon, which would result in them seeking employment elsewhere in order to receive more money.

14
15 [8:28:44 PM](#)

16 **Council business**

17 The Council and Mayor provided brief reports regarding the activities they have participated in since the last City
18 Council meeting.

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20
21 The meeting adjourned at 8:46 p.m.

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23 _____
24 Terry Palmer
25 Mayor

23 _____
24 Cassie Z. Brown, CMC
25 City Recorder

26
27 Date approved: _____

Minutes of the Syracuse City Council Special Meeting, June 13, 2016

Minutes of the Special Meeting of the Syracuse City Council held on June 13, 2016, at 2:30 p.m., in the Council Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Bovero
City Recorder Cassie Z. Brown

Staff Present: Finance Director Steve Marshall
City Attorney Paul Roberts
Community and Economic Development Director Brigham Mellor
Public Works Director Robert Whiteley
Police Chief Garret Atkin
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson

[2:33:26 PM](#)

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at [2:33:31 PM](#) p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

[2:34:09 PM](#)

Councilmember Bolduc offered an invocation.

[2:34:52 PM](#)

2. Discussion regarding Employee Recruitment and Retention Policy and Fiscal Year 2017 Employee Compensation Plan.

Councilmember Bolduc introduced a proposal assembled by herself and Councilmember Lisonbee to address concerns that have been raised regarding employee compensation as part of the proposed Fiscal Year 2017 Compensation Plan and total budget. She stated the proposal closely follows the pay scale used by the United States Military; it includes grades and steps and the steps could be adjusted according to the amount of time an employee must work in order to be eligible for full retirement. She reviewed the wage scale she was using as an example and offered several hypothetical situations and her opinion regarding how the scale would address certain concerns that have been raised over the course of several meetings to discuss the budget and employee compensation. The Council engaged in discussion regarding the

1 recommendation to transition to a wage and step program, with a focus on ensuring competitive wages with other comparable
2 cities. Councilmember Bolduc stated she would recommend a different wage scale for each Department as each Department
3 has employees with different skill sets and minimum requirements. Councilmember Lisonbee stated that advancement
4 through the wage scale would be based upon merit and would resolve any compression issues because an underperforming
5 employee should be considered to have compression issues as the fact he/she may be lagging through the wage scale is
6 directly related to performance.

7 [2:57:24 PM](#)

8 Councilmember Maughan stated he is concerned that the proposal would result in ‘scrapping’ the current Plan in its
9 entirety; he would prefer to just address the areas of the Plan that are problematic and have been cause for concern.
10 Councilmember Lisonbee stated she is recommending scrapping the plan completely because of issues like double and triple
11 remunerations being offered to multiple employees due to the algorithm that was created to address wage compression.
12 Councilmember Maughan suggested that section of the Plan could be addressed rather than completely rewriting it. He asked
13 why a grade and step scale is needed. Councilmember Bolduc stated this type of wage scale will allow employees to move
14 through their wage scale in an appropriate amount of time based upon performance; the scale is also predictable for
15 employees. Council discussion regarding the proposal to amend the City’s wage scale continued, with a focus on various
16 opportunities for employees to receive pay increases; there was also a discussion centering on how the City’s compensation
17 practices may compare with compensation practices in the federal government and the private sector.

18 [3:07:31 PM](#)

19 Councilmember Lisonbee then indicated she has done some of her own research and fact checking on the data that
20 was provided by City Administration relative to the results of the recent benchmark study and she has not arrived at the same
21 conclusion as City Administration. She feels it is appropriate to conduct an ‘apples to apples’ comparison for employees to
22 ensure appropriate remuneration. There is a need for a program that is fair and balanced and she believes the wage scale she
23 is recommending will get the City further than benchmarking alone. She stated she believes the wage scale will ensure
24 competitiveness for 20 years. Councilmember Anderson stated it will be necessary to at least ‘check-in’ with other cities every
25 10 years to ensure that City wages are still competitive. Councilmember Gailey stated it is not possible to adopt a wage scale
26 that will not be adjusted for 10 years and think that it will remain competitive. He added that the federal government adjusts
27 their wage scale annually. Councilmember Lisonbee stated adjustments in the federal scale are based upon census data and

1 most adjustments have been downward and employees are being hired at lower wages based upon the market.
2 Councilmember Maughan stated he feels the Council is focusing on the wrong issue; the problem is not inherent in
3 benchmarking and, rather, the problem relates to the fact that senior employees were eligible for multiple 'stacking'
4 adjustments that the City could not absorb. Councilmember Bolduc stated that issue would be addressed by the scale she is
5 recommending as the only way an employee can move through is based upon merit; any additional increase for educational
6 achievements would be incremental between steps. Councilmember Lisonbee added that if the City is going to pay for
7 educational opportunities for employees, a policy is needed that would require them to maintain their employment with the
8 City for a certain amount of time or reimburse the City for their training costs.

9 [3:15:17 PM](#)

10 Mayor Palmer stated that he does not believe what is being proposed mirrors what is happening in the private sector.
11 He stated he would prefer to maintain the current Plan with some adjustments to address concerns that have been raised. He
12 stated that he believes the biggest competitors for City employees are other cities and some private sector entities. He stated
13 that the federal government is not a great competitor and he does not support 'scrapping' the current Plan in favor of adopting
14 something used in the federal government. Councilmember Lisonbee stated it is her understanding from past meetings that all
15 Councilmembers are supportive of 'scrapping' the current Plan and developing something new; this is why she and
16 Councilmember Bolduc brought this proposal forward. She added that benchmarking is not working and does not reflect the
17 actual market. She stated there are many variables related to multiple positions in the City that are not addressed through
18 benchmarking. Discussion regarding benchmarking best practices continued, with Councilmember Maughan stressing his
19 concerns about benchmarking is that it is very subjective and it is easy to manipulate data gained through benchmarking. He
20 stated he feels it would be appropriate to address the subjectivity of benchmarking. Councilmember Gailey agreed and stated
21 he would like to arrive at a solution that would regenerate the trust of employees. Mr. Bovero addressed concerns regarding
22 subjectivity of benchmarking; the subjectivity lies in the algorithm that is used to determine wage increase proposals and the
23 factors in the algorithm can be manipulated to weight the importance of certain parameters. He stated the algorithm was
24 reviewed by and approved by the Council. Councilmember Bolduc stated that when the Council saw the results of the
25 implementation of the algorithm, they were concerned and understood it would be difficult to afford. Councilmember
26 Lisonbee stated that she was also concerned about the fact that multiple employees stood to receive more than one pay
27 increase in one year. Mayor Palmer suggested that City Administration be given an opportunity to address the concerns with

1 the subjectivity of benchmarking by contacting each benchmark city to gain data regarding the variables for various
2 positions; this could include tenure, skill set, and number of employees supervised. Councilmember Lisonbee stated she is
3 unsure she wants to move in that direction and feels it may be more appropriate to hire an outside consultant to complete a
4 salary survey for the City. Mayor Palmer stated the Council may not accept the results of a study and he is cautious to spend
5 money on a study for that reason. Mr. Bovero stated that he feels it is appropriate to dedicate staff time to gathering the
6 information the Council is seeking as long as the Council can be clear about the information they are seeking in order to offer
7 an apples to apples comparison. Councilmember Lisonbee stated that she would like a private sector comparison in addition
8 to a comparison with cities in order to truly reflect the market and that is too much work for staff to perform. Councilmember
9 Anderson stated it may only be appropriate to consider private sector data for certain positions. Discussion regarding
10 benchmarking continued, with Councilmember Maughan indicating that after hearing the proposal made by Councilmembers
11 Bolduc and Lisonbee and participating in discussion about a grade and step pay scale, his opinion has not changed and he
12 feels it is appropriate to move on. He stated that he feels it would be inappropriate to abandon the current Plan and, rather, it
13 is appropriate to address the concerns that have been identified. If it is impossible to address the concerns within the current
14 Plan, more time will be needed to consider Plan amendments. He is uncomfortable doing away with the entire Plan at this
15 point. The Council engaged in a discussion regarding the concerns that have been identified regarding the current Plan, after
16 which Councilmember Anderson indicated she feels it is possible for the Council to work together to develop a policy that
17 calls for 'checking in' with the market to determine if the City is still competitive. Councilmember Bolduc stated that she
18 feels one of the guides for 'checking in' must be the census. Councilmember Gailey stated he would like to put the employee
19 compensation issue on hold for now and come back for additional discussion with documentation regarding the proposal
20 being discussed available to all Councilmembers. The Council engaged in discussion regarding the issues that should be
21 addressed through policy amendments or a new policy. Mr. Bovero indicated it is acceptable to freeze employee
22 compensation for general employees, but he would like to address wage issues in the Police Department due to the current
23 'wage war' underway between cities along the Wasatch Front. The Council discussed the possibility of convening in a closed
24 session to discuss individual employees in the Police Department before acting on compensation for the Department, with
25 Councilmember Maughan indicating he would prefer to address the compensation system for the Department rather than
26 talking about individual employees. He stated he would like to deal with the Department as a whole and address outliers
27 during a closed session. Mr. Bovero suggested the Council approve a lump sum of money to be allocated to addressing Police
28 Department compensation issue; he would work with Finance Director Marshall and Police Chief Atkin following the

1 adoption of the budget to develop a proposal for allocating the money. He would seek approval of the proposal from the
2 Council. The Council discussed this proposal and concluded they are not comfortable approving a lump sum of money sans a
3 policy. Councilmember Lisonbee suggested that Mr. Bovero come to the Council tomorrow during their business meeting
4 with a conservative recommendation that can be justified by all the data available to him relative to Police Department
5 wages. The Council supported that recommendation and they discussed parameters Mr. Bovero should consider when
6 developing his recommendation. Councilmember Lisonbee stated that the Department is currently very ‘young’ and that
7 should be considered. Councilmember Maughan stated he would like the recommendation to focus on the most ‘at risk’
8 positions with the understanding that higher level positions are not being recruited as heavily. The Council also directed Mr.
9 Bovero to consider whether the Department’s wages are competitive with other comparable cities in Weber and Davis
10 Counties, with Councilmember Lisonbee stating she feels that the bigger the pool, the greater the data.

11 [4:29:34 PM](#)

12 Councilmember Gailey stated that following the last Council meeting where employee compensation was discussed
13 he contacted each Department to talk to them about their concerns regarding the issue and each of them were altruistic and
14 expressed their concerns about the employees they supervise. He stated he wants to be cautious to not take any action that
15 will erode the trust of City employees. All Councilmembers agreed.

16
17 The meeting adjourned at [4:30:47 PM](#).

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22 _____
23 Terry Palmer
24 Mayor

25 _____
Cassie Z. Brown, CMC
City Recorder

Date approved: _____

Minutes of the Syracuse City Council Regular Meeting, June 14, 2016

Minutes of the Regular meeting of the Syracuse City Council held on June 14, 2016 at 6:07 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Police Chief Garret Atkin

6:07:33 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 6:07:37 PM p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Maughan provided an invocation. Mayor Palmer led the audience in the Pledge of Allegiance.

6:09:03 PM

COUNCILMEMBER BOLDUC MOVED TO ADOPT THE AGENDA. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

6:09:51 PM

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Teara Bennett and Cole Flinders for the month of June, 2016.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for

1 Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics,
2 academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at
3 a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City
4 Newsletter, City's Facebook and Twitter Feed, and City's website; be featured on the Wendy's product television; and
5 receive a \$10 gift certificate to Wendy's.

6 Mayor Palmer noted both teens receiving the award for May 2016 were nominated by the staff of Bluff Ridge
7 Elementary School.

8 Teara Bennett:

9 Teara Bennett is one of the hardest working, determined students in the class. Teara believes in the importance of
10 facing any difficult or unknown challenge with great determination. Even when she is afraid to try something, she
11 will set it in her mind that she can do it. Teara has overcome many challenges both academically and socially. Teara
12 believes in the importance of education. Even though school has been difficult at times, she continues to push
13 herself to succeed.

14 This past year Teara has tried to be a friend to everyone in the class. She has cared about others in the class. Over
15 the last year, she has also asked teachers what she can do to help get things done. She has always been willing to do
16 whatever was asked of her. On many accounts, she has been seen helping others without even being asked.

17 Teara has also improved academically in the last year. She has taken on many challenging math concepts. Every
18 time she did not understand a concepts or math strategy, she would ask for help. She was also very willing to share
19 with others what she learned. Teara does a wonderful job to work in groups and is a supportive partner during
20 different class activities. In Reading and writing Teara has accomplished great growth. She loves to write. She
21 makes sure that she takes her time and that what she would like to say in her writing comes across clear and concise.
22 Teara has also worked very hard in reading comprehension. She takes the time to understand an article or text and
23 connects it with real life experiences.

24 If Teara keeps up this strong desire to be successful, she will become a great asset to society. She has shown her
25 whole class what it means to stayed determined, focused, and has a great love of learning. Teara's teachers have
26 expressed great in having the opportunity to have Teara in their class. Ms. Orme, her teacher said "I have learned a
27 lot through her great example; I also know that others have as well."

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Cole Flinders:

Cole Flinders is an amazing student and an extraordinary young man! He is intuitive and pays close attention to the feelings of others. He willingly extends himself to students who are struggling socially and goes out of his way to include others in his friendship circle. He is an excellent peer tutor for his classmates who are challenged academically. He works with them to help them understand and grasp concepts in such a way that he builds and strengthens their ability to be successful academically, but more importantly he builds their desire to risk and feel valued. He has a maturity that goes beyond his 10 years of age. He has come to me on several occasions to express his concern regarding a sensitive situation that he has observed in the classroom or in other school settings. He asks for advice on how he can help; and with great sensitivity and wisdom has even offered counsel on how the teacher might improve her approach in dealing with challenging situations. She challenged him at the beginning of the year to broaden and enrich his reading horizons. He has risen to the challenge given to him and has become an avid reader of a vast variety of books. Some of the most favorite moments with Cole have involved animated discussions of books that we both love. Cole is very appreciative and will often express his gratitude for some small effort that I have extended on his behalf. His enthusiasm for life, learning and his ability to communicate unconditional love to others makes him a very worthy recipient of this Award of Excellence. She states that she's honored to be his teacher!

[6:18:24 PM](#)

3. Request to be on the agenda: Dan Aamodt of Lone Peak Events re: Ghost

Town Triathlon.

Dan Aamodt was not present and this item was moved to the June 28 work session agenda.

[6:21:17 PM](#)

4. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session and Regular Meeting of May 10, 2016 and the Work Session of May 24, 2016.

1 [6:21:41 PM](#)

2 Councilmember Lisonbee stated that she has a few small typographical corrections that she will email to City
3 Recorder Brown.

4 [6:22:00 PM](#)

5 COUNCILMEMBER MAUGHAN MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE
6 AGENDA AS AMENDED. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

7

8 [6:19:14 PM](#)

9 5. Public comments

10 TJ Jensen referenced the items included on the agenda dealing with amendments to Title Two of the City Code; he
11 took time to conduct research regarding regulations in other cities as well as in State Code relative to committee or board
12 appointments and the language used in Syracuse City actually mirrors State Code language with one nuance: the State Code
13 indicates that the Mayor may appoint rather than shall appoint. The language also indicates the Council shall provide for the
14 filling of vacancies for boards and commissions and he feels the Governing Body already has the power to appoint as desired.
15 He recommended the group have more dialogue regarding opportunities for working together under the existing language
16 before making any unnecessary changes to Title Two. He addressed appointments to special districts as previously discussed
17 by Councilmember Lisonbee and indicated that is another matter that should be addressed separately. He feels it is best for
18 the Council and Mayor to work together to find the best appointees rather than creating a turf war.

19

20 [6:22:00 PM](#)

21 6. Proposed Resolution R16-28 awarding a contract for liability and property

22 insurance coverage for Fiscal Year 2017.

23 A staff memo from the City Manager explained at the request of the City Council, administration advertised a
24 request for proposal (RFP) for general liability, auto, and property insurance. There were two bidders on the RFP – Olympus
25 and Utah Local Government Trust. Administration assembled a review committee of six individuals to evaluate the written
26 bids and grade them based on the following factors:

- 1 • Overall Cost, Coverage, and Approach
- 2 • Experience and qualification servicing the public sector
- 3 • Service Team - a. Experience b. Expertise c. Education
- 4 • Loss Prevention
 - 5 ▪ a. Extent of agency's ability to analyze risk
 - 6 ▪ b. Scope of loss prevention programs and training
 - 7 ▪ c. Breadth of education and certification offerings
- 8 • AM Best ratings for proposed carriers and/or reinsurers
- 9 • Quality of references

10 Each bidder was given the opportunity to make a 10-15 minute presentation to the City Council during their May 24,
11 2016 work session meeting. The Council must determine which proposal best meets the needs of the City, considering the
12 written submissions and presentations by the proposers. Action at this meeting is essential in order to ensure coverage
13 beginning in July.

14 [6:22:19 PM](#)

15 Mr. Marshall reviewed the staff memo.

16 [6:23:45 PM](#)

17 COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R16-28 AWARDDING A
18 CONTRACT FOR LIABILITY AND PROPERTY INSURANCE COVERAGE FOR FISCAL YEAR 2017 TO OLYMPUS
19 INSURANCE. COUNCILMEMBER GAILEY SECONDED THE MOTION.

20 [6:24:12 PM](#)

21 Councilmember Lisonbee stated the Council had a fairly robust discussion regarding this issue during the May 24
22 work session meeting and she referred to the minutes of that meeting if any person is interested in more information
23 regarding the proposal regarding the services to be provided by Olympus Insurance.

24 [6:24:23 PM](#)

25 Mayor Palmer stated there has been a motion and second to adopt the resolution and he called for a vote; ALL
26 VOTED IN FAVOR.

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[6:24:39 PM](#)

7. Accept or Deny Petition 2016-01 requesting the annexation into Syracuse City 237.46 acres of property located at approximately 2000 West and Gentile Street and forward to the City Recorder for certification.

A staff memo from the City Recorder explained on June 1, 2016 Woodside Homes filed a petition to annex into Syracuse City 237.46 acres of property located at approximately 2000 West and Gentile Street. If the Council votes to accept the annexation petition I will begin the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated.

[6:24:58 PM](#)

City Recorder Brown reviewed her staff memo.

[6:26:32 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO ACCEPT PETITION 2016-01 REQUESTING THE ANNEXATION INTO SYRACUSE CITY 237.46 ACRES OF PROPRETY LOCATED AT APPROXIMATELY 2000 WEST AND GENTILE STREET AND FORWARD TO THE CITY RECORDER FOR CERTIFICATION. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

[6:26:51 PM](#)

Councilmember Lisonbee stated she is excited about the momentum current underway on and around the subject property and she feels that the development to be completed on the property will benefit the City.

[6:27:19 PM](#)

Councilmember Gailey commended staff for their work on the project to date, specifically for identifying the need to include in the annexation petition the contiguous property to the east of the subject property. Councilmember Maughan also thanked staff and indicated he feels the entire process has been handled very well to this point and the Council has been kept apprised of the status of the project throughout.

[6:27:50 PM](#)

1 Mayor Palmer stated there has been a motion and second to accept the annexation petition for certification and he
2 called for a vote; ALL VOTED IN FAVOR.

3
4 [6:28:27 PM](#)

5 8. Proposed Ordinance 16-16 amending Titles Seven and Eight of the Syracuse
6 City Code as they pertain to cul-de-sacs and engineering design standards.

7 A staff memo from the Community and Economic Development (CED) Department explained it was brought to the
8 attention of the CED department that there were conflicts in the Syracuse Municipal Code: SMC § 8.15.010 (L) Cul-de-sacs
9 (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than 500 feet from
10 the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of
11 not less than 100 feet in diameter, measured to the property lines. VS. SMC § 7.05.020 And Syracuse engineering standards
12 The International Fire Code as currently adopted by the state of Utah is hereby adopted by reference and made part of this
13 chapter. Appendices B, Fire-Flow Requirements for Buildings; C, Fire Hydrant Locations and Distribution; and D, Fire
14 Apparatus Access Roads of the International Fire Code are also hereby adopted. Any successive amendments or editions
15 adopted by the state of Utah are hereby incorporated herein by reference and shall be effective upon the date they are
16 effective as a Utah State Statute. In the event a successive amendment or edition is adopted, Appendices B, C and D shall
17 also be adopted and are hereby incorporated herein by this reference and shall be effective upon the same date. Appendices
18 A, Board of Appeals; E, Hazard Categories; F, Hazard Ranking; and G, Cryogenic Fluids – Weight and Volume Equivalents
19 are included as guides. A copy of said code shall be deposited in the administrative office of the City and open for public
20 inspection. This item was discussed in the extended work session of the city council on April 26, 2016 where city staff and
21 the development community (represented by Mike Shultz of Castle Creek homes) discussed the pros and cons of each of the
22 code text examples above and felt that 110 feet diameter is a good compromise. Planning Commission weighed in on the
23 subject in their May 17, 2016 meeting and felt that the city should stick with the 120 foot diameter because they felt that that
24 allowed the best turnaround for fire apparatus, other delivery trucks, and wider lot designs. The motion passed 5-1. The
25 memo concluded staff recommends the Council amend Syracuse City Code Sections 07.05.020 and 08.15.010 to reflect the
26 width the city would like to see going forward based on the information presented to the council correcting the conflict
27 between the 2 codes.

28 [6:28:16 PM](#)

1 CED Director Mellor reviewed the staff memo.

2 [6:30:01 PM](#)

3 The Council engaged in discussion regarding the implications of the proposed ordinance, with a focus on the
4 recommendation provided by the Planning Commission. They also heard from Deputy Fire Chief Hamblin regarding the proposed
5 ordinance and amendments and how a reduction in cul-de-sac lengths would impact the ability of a driver to turn their fire
6 apparatus. Mr. Mellor concluded the current recommendation is to adjust the ordinance to require a 120 foot diameter in cul-de-
7 sacs, after which Council discussion regarding the implications of the ordinance concluded.

8 [6:47:51 PM](#)

9 COUNCILMEMBER GAILEY MOVED TO ADOPT ORDINANCE 16-16 AMENDNG TITLES SEVEN AND
10 EIGHT OF THE SYRACUSE CITY CODE AS THEY PERTAIN TO CUL-DE-SACS AND ENGINEERING DESIGN
11 STANDARDS. COUNCILMEBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

12

13 [6:48:21 PM](#)

14 9. Proposed Ordinance 16-20 amending the existing zoning map of Title Ten of
15 the Syracuse City Code by changing from Residential (R-2) to Residential (PRD)
16 the parcel of property located at approximately 1972 S. 2000 W.

17 A staff memo from the Community and Economic Development (CED) Department provided the following
18 information about the application:

19	Location:	1972 S. 2000 W.
20	Current Zoning:	R-2
21	Proposed Zoning:	PRD
22	General Plan:	PRD
23	Property Acreage:	5.21 Acres
24	R-2 Density allowed:	14 lots (3 lots/gross acre)
25	PRD Density allowed:	28 lots (6 lots/gross acre)

26 The Planning Commission reviewed this rezone application in their meeting on June 7th, 2016 and is forwarding a
27 unanimous recommendation of approval. City Council approved the General Plan designation of this land to PRD on May

1 10th, 2016 after tabling the item on April 12th, to give the applicant a chance to provide the minimum 5 acres required in the
2 PRD zone. The Planning Commission reviewed the General Plan Map change on April 5th and recommended denial to City
3 Council because it did not meet the minimum acreage among other items. This property is adjacent to the Craig Estates
4 development. The applicant wishes to join the Craig Estates HOA and extend a similar product onto their property. The Craig
5 Estates HOA board has shown support for the project. A PRD development must have a minimum of five acres. Minimum
6 acreage requirements are met. A development agreement is required in this zone. This will be required at the subdivision
7 stage of the development process and not required at the rezone stage. Early concept plans that staff has seen from the
8 developer show approximately 18 new homes. The entitlement process would include the following: a general plan
9 amendment (done), current zoning map amendment (this application), development agreement, concept subdivision plan,
10 preliminary subdivision plan, and final subdivision plan approvals.

11 [6:48:46 PM](#)

12 CED Director Mellor reviewed the staff memo.

13 [6:49:32 PM](#)

14 COUNCILMEMBER BOLDUC MOVED TO ADOPT ORDINANCE 16-20 AMENDNG THE EXISTING
15 ZONING MAP OF TITLE TEN OF THE SYRACUSE CITY CODE BY CHANGING ROM RESIDENTIAL (R-2) TO
16 RESIDENTIAL (PRD) THE PARCEL OFPROPRETY LOCATEDAT APPROXIMATLEY 1972 S. 2000 W.
17 COUNCILMEBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

18 [6:49:49 PM](#)

19 Councilmember Lisonbee asked if the Planning Commission forwarded to the Council any special concerns
20 regarding this application. Councilmember Gailey stated the Planning Commission had discussion regarding a small sliver of
21 property, the zoning of which is not in harmony with the surrounding area and will need to be changed. He added that any
22 additional concerns will be addressed in a development agreement for the project.

23 [6:51:12 PM](#)

24 Planning Commissioner Jensen stated that aside from the concerns regarding the zoning for the small sliver of
25 property referenced by Councilmember Gailey, the Planning Commission liked the zoning request and the design for the
26 project.

1 [6:51:51 PM](#)

2 Mayor Palmer stated there has been a motion and second to adopt the ordinance and he called for a vote; ALL
3 VOTED IN FAVOR.

4
5 [6:52:06 PM](#)

6 10. Minor Subdivision Plan Approval, Jensen Park Estates, located at
7 approximately 3025 S. Bluff Road.

8 A staff memo from the Community and Economic Development (CED) Department provided the following
9 information about the application:

10	Location:	3025 S. Bluff Road
11	Current Zoning:	R-2
12	General Plan:	R-2
13	Total Subdivision Area:	0.69 acres

14 The Planning Commission reviewed this application in their meeting on June 7th, 2016 and is forwarding a
15 unanimous recommendation of approval. The applicant has requested approval of a 2 lot minor subdivision known as Jensen
16 Park Estates 2 lots in the R-2 Zone. The dimensions of these lots are as follows:

17	Lot	Zone	Lot Size	Lot Width	Existing Structures to Remain
18	1	R-2	12,066	85	None
19	2	R-2	17,934	88.68	None

20 All proposed lots meet the minimum lot dimension requirements in the R-2 Zone. There is one problem, the survey
21 boundaries do not match county property lines. This must be rectified with the county recorder's office before the plat can be
22 recorded. An approval can be made with the condition that this is corrected. This is a minor (less than 10 lot) subdivision and
23 because of that, the preliminary and final approval stages are combined.

24 [6:52:12 PM](#)

25 CED Director Mellor reviewed the staff memo.

26 [6:53:42 PM](#)

1 COUNCILMEMBER BOLDUC MOVED TO GRANT MINOR SUBDIVISION PLAN APPROVAL FOR THE
2 JENSEN PARK ESTATES, LOCATED AT APPROXIMATELY 3025 S. BLUFF ROAD, BASED ON THE CONDITION
3 RECOMMENDED IN THE STAFF REPORT RELATIE TO CORRECTING BOUNDARY LINES INCLUDED ON THE
4 PLAT. COUNCILMEBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

5
6 [6:54:37 PM](#)

7 11. Final Subdivision Approval, Keller Crossing Phase 2, located at
8 approximately 1975 S. 1000 W.

9 A staff memo from the Community and Economic Development (CED) Department provided the following
10 information about the application:

11	Location:	1300 W. 2000 S.
12	Current Zoning:	R-2 and R-3
13	General Plan:	R-2 and R-3
14	Total Subdivision Area:	3.34 acres

15 The preliminary plan for Keller Crossing subdivision was approved by the City Council on June 9, 2015. The
16 applicant has requested approval of a 10 lot subdivision phase known as Keller Crossing Subdivision Phase 2 with 8 lots in
17 the R-2 Zone and 2 lots in the R-3 Zone. The dimensions of these lots are as follows:

18	Lot	Zone	Lot Size	Lot Width	Existing Structures to Remain
19	201	R-2	12,166	85	None
20	202	R-2	11,491	85	None
21	203	R-2	12,168	90	None
22	204	R-2	11,493	85	None
23	205	R-3	12,170	90	None
24	206	R-3	12,153	90	None
25	207	R-2	11,478	85	None
26	208	R-2	12,153	90	None
27	209	R-2	11,478	85	None

1 210 R-2 12,153 90 None

2 As is shown, all proposed lots meet the minimum requirements for their respective zones.

3 [6:54:54 PM](#)

4 CED Director Mellor reviewed the staff memo.

5 [6:55:34 PM](#)

6 COUNCILMEMBER ANDERSON MOVED TO GRANT FINAL SUBDIVISION APPROVAL FOR KELLER
7 CROSSING PHASE 2, LOCATED AT APPROXIMATELY 1975 S. 1000 W. COUNCILMEBER BOLDOC SECONDED
8 THE MOTION.

9 [6:56:07 PM](#)

10 Councilmember Gailey noted that phases one and three of the project are currently underway and phase two will
11 provide connectivity between those two phases.

12 [6:56:17 PM](#)

13 The applicant thanked the Council and staff for working with him on the manner in which he proceed with phasing
14 of the project. He does business in many cities and counties and he has found that doing business in Syracuse is one of the
15 best experiences he has had.

16 [6:57:19 PM](#)

17 Mayor Palmer stated there has been a motion and second to grant final subdivision approval and he called for a vote;
18 ALL VOTED IN FAVOR.

19

20 [6:57:32 PM](#)

21 12. Public Hearing – Proposed Resolution R16-29 adopting the certified tax rate
22 provided by Davis County and adopting the Fiscal Year 2016-2017 budget.

23 A staff memo from the Finance Director explained As required by Utah Code Annotated 10-6-113, the governing
24 body shall establish the time and place of a public hearing to consider its adoption and shall order that notice of the public
25 hearing be published at least seven days prior to the public hearing. This requirement has been met since the City Council
26 adopted the tentative budget on May 10th and set a public hearing on June 14, 2016 to consider adoption of the final budget.

1 As required by Utah Code Annotated 10-6-118, “before the last June 22 of each fiscal period, or, in the case of a property tax
2 increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is
3 proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for
4 which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer
5 and filed with the state auditor within 30 days after adoption.” The changes discussed at the May 24th meeting have been
6 incorporated into the budget proposal. These include:

- 7 • Removed **\$1,500** from City Council budget account 10-41-59 for Davis County Gala.
- 8 • The Animal Control contract was negotiated at a 50/50 expense split. With that change, the total cost to the
9 City will be \$59,012. The budget was increased from \$54,755 in the tentative budget proposal or an
10 increase of **\$4,257** in expense in the general fund.
- 11 • Our building inspector II quit and we need to replace him. Brigham is requesting the ability to hire a new
12 building inspector II up to the midpoint if needed. Currently, the rate of pay for this position in the budget
13 is \$18.92. The midpoint for a building inspector II is 22.70. The net increase in salaries and benefits for
14 this position would be approximately **\$10,086**.
- 15 • We recommended that **\$20,000** be added for contract services to mow all parcels related to subdivision
16 entrances, mow lawns at city office buildings, and the library. This would be split 1/3 (**\$6,700**) to building
17 maintenance in general fund and 2/3 (**\$13,300**) to the park maintenance fund.
- 18 • We recommend adding **\$75,000** to the transportation impact fee fund for an environmental study for the
19 gentile and bluff street improvement project. This project is funded by the Wasatch front regional grant
20 and will take place in 2021. If we do the environmental study now, there is a good chance that project will
21 be pushed up and completed sooner.

22 This would change the general fund surplus to \$29,348 with the items above added to the budget. The parks
23 maintenance budget would increase \$13,300; however, we recommend using the line item in 17-40-30 titled miscellaneous
24 park improvements to pay for this item. The transportation impact fee fund expense would increase \$75,000. We have
25 money in the fund to pay for this study if the council desires to go ahead with it. The memo concluded this is the last council
26 meeting the Council has to adopt a final budget before the June 22 deadline provided by State Law.

27 [6:57:45 PM](#)

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Finance Director Marshall reviewed his staff memo.

[7:00:58 PM](#)

Councilmember Maughan stated he would like to provide the Council with a proposal he has developed to address employee compensation issues in the Police Department and across all City Departments. He stated he is suggesting a one-time market adjustment for City employment positions; this would supersede any merit, compression, or benchmarking increases and would ‘right the ship’. Additionally, he would recommend evaluating Departments on a biannual basis going forward; every four months one Department would be selected for a ‘deep dive’ to evaluate the market for the positions in the Department and what their wage scale should be. This would give the City the chance to consider all factors relevant to benchmarking. He has spoken with many cities who use this type of practice and it addresses the concerns that have been raised regarding simple benchmarking being too subjective and easily manipulated. He stated that prior to tonight’s meeting he asked Mr. Bovero to run a report that would give the Council an idea of how a one-time market adjustment would impact the Department and the City’s budget. The fiscal impact of the one-time market adjustment is just \$9,000 more than the money the Council has already set aside to address employee compensation issues. He distributed the report to the Council for their review, after which he further expounded on his proposal to review Departments on a biannual basis; he would recommend the review take place in the following order: Police, Fire, Public Works, Administration and Community and Economic Development (CED), and Parks and Recreation. This means the wages in each Department would be reviewed in-depth every two years.

[7:06:38 PM](#)

The Council engaged in discussion regarding Councilmember Maughan’s proposal, with a focus on how the recommended market adjustments were determined. Councilmember Bolduc then stated that she believes an in-depth review for each Department every two years is too often. Councilmember Anderson inquired as to Councilmember Maughan’s definition of a ‘deep dive’. Councilmember Maughan stated that to him a ‘deep dive’ means that the City would first consider benchmarking ratings as a partial market indicator; then City Administration would consider how actual staff members compare with staffers in other cities relative to longevity, performance, and other variables. He added he wants some flexibility in the plan to allow the City to also compare with the private sector. The current system is a ‘one size fits all’ for all employees, but that is not realistic and the market does not bear that.

[7:11:51 PM](#)

1 Councilmember Lisonbee stated that she cannot support Councilmember Maughan's recommendation because some
2 Departments in the City are already competitive with the market and she is not willing to apply a one percent market adjustment
3 across the board and adjust compensation for positions that are already competitive. Councilmember Maughan stated he is not
4 recommending a one percent adjustment across the board; rather, he is suggesting a one-time market adjustment. Councilmember
5 Lisonbee reiterated that some positions do not need a market adjustment. She indicated that she is convinced that the City makes a
6 mistake in proactively benchmarking without completing all relevant interest; she also believes there is a conflict of interest in
7 having the City Manager and Department Heads complete that work and she believes an independent contractor completing a
8 compensation study would be a better solution for the City because they will provide data with no interest in skewing or altering
9 it. She stated she does not want to create a policy in the City that would give City Administration the opportunity to be dishonest.
10 She feels benchmarking is problematic and the data used to develop Councilmember Maughan's market adjustment proposal is
11 based upon the benchmarking that has been completed this year. She stated she spent 20 hours completing her own research and
12 found that the benchmark data was not in line with the market. She noted that in the private sector positions are addressed on an
13 individual basis and making adjustments based on irrelevant data is problematic and will only compound the problems the City
14 has with employee compensation. The Council owes it to the taxpayers to ensure that every dollar is spent appropriately and
15 responsibly; she appreciates the recommendation, but cannot support it. Discussion regarding the details of Councilmember
16 Maughan's proposal continued, with debate regarding the factors used to determine the market adjustment amounts that would be
17 allocated to each Department. Councilmember Lisonbee then stated that there was discussion about employee compensation
18 during yesterday's special meeting and the Council made the decision to take an extended period of time to address the City's
19 compensation plan; she is not prepared to consider a policy tonight and she came to tonight's meeting prepared to consider and
20 approve adjustments for the Police Department.

21 [7:20:23 PM](#)

22 Discussion regarding the definition of the term 'deep dive' continued among the Council. Councilmember Maughan
23 stated he envisions the 'deep dive' being a Departmental review to determine how Departments are positively impacting the City.
24 Mr. Bovero then clarified that while the numbers included in Councilmember Maughan's market adjustment proposal may have
25 been based on benchmarking data, they do not completely mirror them and adjustments have been made according to
26 Councilmember Maughan's feeling that the City cannot afford to implement all wage increases recommended by the
27 benchmarking study. Councilmember Lisonbee stated that the Council has agreed the benchmarking data is not correct and that

1 bad data cannot be used for the basis of decisions. It would be irresponsible to vote on a policy that is based upon bad data. Mayor
2 Palmer stated he is not sure the entire Council agreed that the benchmarking data is not correct; there are differing opinions
3 regarding the data that resulted from the benchmarking study, but staff has had no intention of providing false data to the Council.
4 Councilmember Lisonbee stated no one has insinuated that, but an ‘apples to apples’ comparison has not been completed to this
5 point and that has resulted in skewed data. Mayor Palmer stated there may be two Councilmembers who feel that is correct, but he
6 is not sure all six members of the Governing Body feel that way. Councilmember Anderson stated that she does not know whether
7 or not the data is correct, but there have been concerns expressed regarding the process that was used to gather the data; she has
8 not declared that the information provided by Mr. Bovero is incorrect, but she had questions about the cities that were used for
9 benchmarking and the manner in which the data was collected. Councilmember Lisonbee stated she actually does not believe the
10 data is correct; she spent 20 hours of her time that she will not be remunerated for to contact cities to conduct her own comparison
11 of Syracuse City employment positions with their positions and she knows for a fact that the data is not correct. She stated she is
12 not accusing anyone of doing anything nefarious and the process used by City Administration was in line with the City’s
13 compensation plan, but it is not possible to make the adjustments that are recommended by the benchmark data. Councilmember
14 Maughan stated that all Councilmembers spend time doing things for the City that they are not compensated for; Councilmember
15 Lisonbee chose to spend time that was not required of her, but she is grateful that she did that. However, all Councilmembers
16 attended a meeting yesterday for the sole purpose of trying to find a solution that could be incorporated into the budget and he
17 feels they spent a lot of time on a plan that he did not believe would move the City in the right direction. As a result, he spent time
18 developing an alternative recommendation; the Council does not need to support it, but he believes that it is inappropriate to attack
19 one another for their opinions or recommendations. He was simply trying to propose a solution for the Council to consider tonight.
20 Councilmember Lisonbee thanked Councilmember Maughan, but stated that she did not expect that during the meeting held
21 yesterday the Council would find a solution that could be incorporated in the budget that is scheduled for passage tonight. She
22 feels that any policy must be connected to detailed and accurate data. Councilmember Bolduc added that she feels blindsided by
23 Councilmember Maughan’s proposal; there is not time to digest it and information should have been included in the packet for the
24 meeting. Councilmember Maughan stated that following yesterday’s meeting where no resolution was reached, he began to work
25 on an alternative proposal and there was not time to include documentation of his proposal in the packet for tonight’s meeting. He
26 stated there was no nefarious attempt to withhold information from the rest of the Council.

27 [7:31:57 PM](#)

1 Councilmember Gailey stated he feels there is merit in what was presented yesterday and what has been presented
2 tonight and he proposed that the Council move forward with the public hearing regarding the budget and, at the conclusion of the
3 public hearing, consider adoption of the budget as discussed previously. He added he has not seen any documentation regarding
4 the recommendations made by Councilmembers Bolduc and Lisonbee during yesterday's meeting and he would like to see that
5 data. Councilmember Anderson supported Councilmember Gailey's recommendation.

6 [7:35:15 PM](#)

7 Mayor Palmer opened the public hearing.

8 [7:35:13 PM](#)

9 TJ Jensen noted there are not many residents in attendance this evening to hear discussion regarding the proposed budget
10 and that should be taken as a testament to the work done by the Council, Mayor, and staff and that the citizens trust them to make
11 the right decisions. He added that following the last meeting another citizen made the comment to him that they were impressed
12 by the civility of the Mayor and Council as they deliberated regarding the budget. The Council is forced to deal with issues that
13 can sometimes create tension and they are doing a good job. He commended the Council for the long hours they have put in to
14 consider the budget. He referenced Councilmember Maughan's proposal and indicated that he likes the idea of evaluating
15 Departments individually and every two years. He applauded the Council for taking seriously the compensation issues in the
16 Police Department and he is glad they are doing what they can to try to keep good officers in the City.

17 [7:37:27 PM](#)

18 Kevin Homer stated he follows politics at all levels of government; when he sees the House of Representatives or
19 the Senate propose massive bills composed of hundreds of thousands of pages after they have been presented to the body at
20 the last minute, he feels a disservice is done to the citizens; people cannot be expected to analyze and understand proposals in
21 a short amount of time. However, he appreciates the initiative that has been recommended by Councilmember Maughan and
22 he feels there is value to the ideas presented. He suggested the Council determine a process that would require any
23 documentation regarding a proposal be submitted to the entire body within a certain amount of time before it is to be
24 discussed. He was surprised to see something presented at the last minute and when the Council is expected to adopt a budget
25 tonight. He then suggested that the Council consider more than one source of data for benchmarking; an independent study
26 would be risky, but he would prefer to see two or three sets of data.

1 [7:39:59 PM](#)

2 There were no additional persons appearing to be heard and the public hearing was closed.

3 [7:39:54 PM](#)

4 The Council then engaged in high level discussion regarding the tentative budget. Councilmember Bolduc wondered if it
5 is necessary to remove the \$500 budgeted for the City's participation in the Utah Benchmark Study System due to the fact that the
6 Council has concerns regarding the benchmark data that the City has received. Mr. Bovero clarified that participation in the
7 system does not relate to salary data; it provides statistical information about other cities that can be used to mine data to
8 determine how the City is performing compared to other cities.

9 [7:44:42 PM](#)

10 Discussion regarding the proposal for addressing compensation in the Police Department ensued and Councilmember
11 Lisonbee indicated she would like to pass the budget and the proposal for the Department with adjustments made for factor years.
12 She stated she would like an understanding moving forward that if someone is underperforming year after year and they are not
13 receiving the full 2.3 merit increase – which is meant to move them through their wage scale at a certain rate – they are going to
14 seem compressed after 10 years, but that will not be because the City has not remunerated them appropriately; rather, it will be
15 because they were underperforming. She wants to ensure that merit increases are tied to performance ratings and that the
16 adjustments made in the Police Department be adjusted to consider factor years. Councilmember Maughan suggested that the
17 wage increases for the Police Department not be adjusted to consider factor years; it has been explained to the Council that not
18 every employee in a Department can receive the full merit increase and, in fact, high performers may receive less than the 2.3
19 percent allowed. He indicated Councilmember Lisonbee's suggestion would work if everyone in a Department were eligible to
20 receive the full merit increase, that according to the City's policy that is not allowed. Mr. Bovero agreed and indicated that each
21 employee group is divided into thirds based on their performance scores and the middle and bottom thirds will not receive the full
22 merit increase. Councilmember Lisonbee stated she does not like that policy and would like to review it. She stated she would like
23 every employee to have the opportunity to receive the 2.3 percent merit increase.

24 [7:52:36 PM](#)

25 COUNCILMEMBER LISONBEE MOVED TO ADOPT RESOLUTION R16-29 ADOPTING THE CERTIFIED
26 TAX RATE PROVIDED BY DAVIS COUNTY AND ADOPTING THE FISCAL YEAR 2016-2017 BUDGET AS

1 PRESENTED, FREEZING THE FUNDS THAT MR. BOVERO SUGGESTED YESTERDAY AND PASSING POLICE
2 DEPARTMENT WAGE PROPOSAL 'A' WITH ADJUSTMENTS TO THE FACTOR YEARS AND MERIT
3 PERFORMANCE.

4 [7:53:12 PM](#)

5 Councilmember Maughan stated he is not comfortable with that motion; just as complaints have been made about
6 insufficient time to digest his proposal, there was not sufficient time to review and consider Police Department Wage
7 Proposal 'A'. He is also uncomfortable passing a budget with frozen monies. He wants to finalize a timeline for dealing with
8 outstanding issues to communicate the Council's commitment to addressing them.

9 [7:54:29 PM](#)

10 Mayor Palmer stated there is a motion on the table and he asked if there is a second. COUNCILMEMBER
11 ANDERSON SECONDED THE MOTION.

12 [7:54:43 PM](#)

13 Discussion and debate of Councilmember Lisonbee's motion ensued. Councilmember Maughan stated he wants to
14 address the Police Department, but he also feels the Council owes it to the rest of the City to send a message that they are
15 willing to consider a proposal that will address other Departments as well. Councilmember Lisonbee stated that she is
16 comfortable including a deadline in her motion and she is committed to addressing the rest of the Departments. Discussion of
17 a timeline and the opportunity to meet and address policy issues continued.

18 [7:58:28 PM](#)

19 COUNCILMEMBER LISONBEE AMENDED HER MOTION TO INCLUDE A DEADLINE FOR
20 ADDRESSING THE COMPENSATION FOR ALL OTHER CITY DEPARTMENTS BY THE END OF JULY WITH THE
21 OPPORTUNITY TO CONSIDER PASSAGE OF PLAN ADJUSTMENTS AT THE CITY COUNCIL AUGUST 9
22 MEETING.

23 [7:59:52 PM](#)

24 Mr. Bovero then proceed with his review of the Police Department Wage Proposal 'A'. The wage scale for the
25 Department is split into sections or categories according to same or comparable positions; he has recommended a special
26 adjustment across the board that will send the message to the entire Department that they are supported and the City desires

1 to retain them as employees. The total fiscal impact of the adjustments would be \$66,000 in the next FY. In addition, all
2 employees in the Police Department will be eligible for a merit increase. He briefly discussed how the employees in the
3 Department will compare with their counterparts in other cities and noted that most cities are implemented wage increases as
4 well, some of them sizeable, and that will change the City's ranking when compared to those cities. High level discussion
5 regarding the proposal continued, with Councilmember Maughan expressing concerns that the increases may not make the
6 City as competitive as the Council desires if other cities are also increasing wages. Councilmember Lisonbee disagreed and
7 stated she feels the increases will make the City very competitive and comparable and if an officer chooses to leave the City
8 there is nothing that could have been done to stop them because the increases are more than fair. Councilmember Anderson
9 asked if Police wages will be considered again once there is a clear understanding of the increases that have been given to
10 Police Departments in other cities. Mr. Bovero answered yes, but it would be best to consider that data in conjunction with a
11 finalized City-wide compensation policy so that the Council and City Administration have clear direction regarding how to
12 proceed.

13 [8:11:14 PM](#)

14 COUNCILMEMBER LISONBEE RESTATED HER MOTION TO ADOPT RESOLUTION R16-29 ADOPTING
15 THE CERTIFIED TAX RATE PROVIDED BY DAVIS COUNTY AND ADOPTING THE FISCAL YEAR 2016-2017
16 BUDGET AS PRESENTED, FREEZING THE FUNDS THAT MR. BOVERO SUGGESTED YESTERDAY AND
17 PASSING POLICE DEPARTMENT WAGE PROPOSAL 'A' WITH ADJUSTMENTS TO THE FACTOR YEARS AND
18 MERIT PERFORMANCE, AND INCLUDING A DEADLINE FOR ADDRESSING THE COMPENSATION FOR ALL
19 OTHER CITY DEPARTMENTS BY THE END OF JULY WITH THE OPPORTUNITY TO CONSIDER PASSAGE OF
20 PLAN ADJUSTMENTS AT THE CITY COUNCIL AUGUST 9 MEETING. COUNCILMEMBER ANDERSON
21 SECONDED THE MOTION; ALL VOTED IN FAVOR.

22
23 [8:12:39 PM](#)

24 13. Proposed Resolution R16-30 authorizing and directing the participation of
25 Syracuse City in the public employee's retirement system and the public safety
26 retirement system of the Utah retirement systems for fiscal year 2016-2017.

1 A staff memo from the Finance Director explained the City is required by Utah Code Title 49, Chapters 11-15 to pay
2 retirement on our full-time employees. Each year, the City is required to certify the contribution rates that will be paid for
3 retirement to Utah Retirement Systems (URS) for our full-time employees. These rates vary depending on which system the
4 employees are in and when they were hired. We currently participate in 9 different retirement programs offered by URS.
5 This includes our police, fire, and administrative staff as well as tier I and tier II employees. They are outlined below and in
6 the URS rates table attached.

Local Government Employee	Tier I – DB	18.47%
Local Government Employee	Tier II – DB Hybrid	16.69%
Local Government Employee	Tier II – DC	16.69%
Public Safety – Police	Tier I – DB	34.04%
Public Safety – Police	Tier II – DB Hybrid	23.83%
Public Safety – Police	Tier II – DC	23.83%
Public Safety – Fire	Tier I – DB	18.94%
Public Safety – Fire	Tier II – DB Hybrid	12.08%
Public Safety – Fire	Tier II – DC	12.08%

7 Approve resolution authorizing and directing the participation of Syracuse City in the public employee’s retirement
8 system and the public safety retirement system of the Utah retirement systems for fiscal year 2016-2017.

9 [8:12:54 PM](#)

10 Mr. Marshall reviewed his staff memo.

11 [8:13:28 PM](#)

12 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-30 AUTHORIZING AND
13 DIRECTING THE PARTICIPATION OF SYRACUSE CITY IN THE PUBLIC EMPLOYEE’S RETIREMENT SYSTEM
14 AND THE PUBLIC SAFETY RETIREMENT SYSTEM OF THE UTAH RETIREMENT SYSTEMS FOR FISCAL YEAR
15 2016-2017. COUNCILMEMBER GAILEY SECONDED THE MOTIN; ALL VOTED IN FAVOR.

16

17 [8:13:51 PM](#)

1 14. Proposed Resolution R16-31 adopting the Fiscal Year 2016-2017 wage
2 scale.

3 A staff memo from the Finance Director explained City Administration is recommending adding 2 additional job
4 classifications to the employee wage scale as discussed with this year's budget proposal. They include:

- 5 ○ Parks Superintendent
- 6 ○ IT Technician – part-time

7 City staff performed a salary benchmark for both of these positions and have set the proposed wage scale to match
8 the wages to the 60th percentile of comparative cities based upon our current compensation plan. The detail benchmark is
9 attached with this write-up. No other changes have been proposed with this wage scale update.

10 [8:14:00 PM](#)

11 Mr. Marshall reviewed his staff memo.

12 [8:14:29 PM](#)

13 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-31 ADOPTING THE
14 FISCAL YEAR 2016-2017 WAGE SCALE, WITH THE UNDERSTANDING THAT THE WAGE SCALE WILL BE
15 RECONSIDERED UPON THE ADOPTION OF A CITY-WIDE EMPLOYEE COMPENSATION PLAN.
16 COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

17

18 [8:16:12 PM](#)

19 15. Public Hearing – Proposed Resolution R16-27 authorizing the adoption of
20 the 2016 Storm Water Management Program for Syracuse City, Utah.

21 A staff memo from the Public Works Director explained Syracuse City has updated the SWMP in compliance with
22 the Utah Pollutant Discharge Elimination System General Permit for discharges from small municipal separate storm sewer
23 systems issued by the Utah Division of Water Quality. This general permit is issued in compliance with the provisions of the
24 Utah Water Quality Act, Title 19, Chapter 5, UCA 2004 and the Federal Water Pollution Control Act (33 USC). Updates to
25 the SWMP are required each time the general permit is reissued. This permit is effective March 1, 2016 and expires Feb 28,
26 2021 when the permit will again be renewed. Permittees that are renewing are given 120 days after the effective date to
27 submit an updated SWMP to the division. The main purpose of the SWMP is to provide a program that will improve the

1 quality of storm water to the maximum extent practicable. These are achieved by setting measurable goals through six control
2 measures. The control measures include the following:

- 3 ○ Public education and outreach on storm water impacts
- 4 ○ Public involvement / participation
- 5 ○ Illicit discharge detection and elimination
- 6 ○ Construction site storm water runoff control
- 7 ○ Long-term storm water management in new development and redevelopment
- 8 ○ Pollution prevention and good housekeeping for municipal operations

9 [8:16:52 PM](#)

10 Mr. Whiteley reviewed his staff memo.

11 [8:18:25 PM](#)

12 COUNCILMEMBER BOLDUC MADE A MOTION TO ADOPT RESOLUTION R16-27 AUTHORIZING THE
13 ADOPTION OF THE 2016 STORM WATER MANAGEMENT PROGRAM FOR SYRACUSE CITY, UTAH.
14 COUNCILMEMBER ANDERSON SECONDED THE MOTION.

15 [8:18:44 PM](#)

16 Councilmember Lisonbee referenced page 343 of the document which includes the statement that water usage in the
17 home can easily be reduced by 15 to 20 percent without major discomfort by implementing a program to conserve water in
18 homes. She stated that the City has been asked to conserve year after year and sometimes the 15 to 20 percent reduction is not
19 absorbed as easily as indicated in the document. Mr. Whiteley stated that the statement is considered a best management
20 practice (BMP) and the plan refers more to standard operating procedures than BMPs. Councilmember Lisonbee referenced a
21 form in the plan entitled 'storm water activity permit application agreement' and she asked if such an agreement is required
22 for parcels on acre and larger or just parcels larger than one acre. Mr. Whiteley stated it is required for parcels one acre and
23 larger and is called out in the City Code.

24 [8:20:42 PM](#)

25 Mayor Palmer opened the public hearing; there were no persons appearing to be heard and the public hearing was
26 closed.

1 [8:20:50 PM](#)

2 Mayor Palmer stated there has been a motion and second to adopt the resolution and he called for a vote; ALL
3 VOTED IN FAVOR.

4

5 [8:21:11 PM](#)

6 16. Public Hearing – Proposed Resolution R16-32 amending the Syracuse City
7 Consolidated Fee Schedule by making adjustments throughout.

8 A staff memo from the Finance Director explained staff periodically reviews and recommends changes to the
9 consolidated fee schedule. I am recommending the following changes outlined in red in Exhibit A. These changes include:

- 10
- Increase our utility bill advertising fees to cover the cost of printing and mailing.
 - Added new fees for our passport program. They include:
 - Passport photo - \$10.00
 - Passport Acceptance Fee - \$25.00
 - Passport Expediting Shipping Fee - \$25.00
 - Added a car restoration permit fee of \$25.00 and a renewal fee of \$15.00

16 [8:21:22 PM](#)

17 Mr. Marshall summarized his memo.

18 [8:22:34 PM](#)

19 Councilmember Lisonbee stated she was the City's first passport customer and the City's team members did a great
20 job in assisting her. She feels the City's designation as a passport acceptance facility will be a great asset to the citizens and
21 the City.

22 [8:22:47 PM](#)

23 Mayor Palmer opened the public hearing.

24 [8:22:57 PM](#)

25 TJ Jensen stated that the fee schedule includes a \$20 late fee for those that pay their utility bills late; this is well over
26 25 percent of the total bill and that seems too high to him. He suggested lowering the fee as it seems too punitive.

1 [8:23:26 PM](#)

2 Councilmember Lisonbee stated she received another citizen comment regarding the utility bill late fee being too
3 high and she would be willing to consider lowering it.

4 [8:23:49 PM](#)

5 There were no additional persons appearing to be heard and the public hearing was closed.

6 [8:23:51 PM](#)

7 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-32 AMENDING THE
8 SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT.

9 The motion failed for lack of a second.

10 [8:24:26 PM](#)

11 The Council engaged in discussion regarding the utility bill late fee, with a focus on potentially lowering it. Mr.
12 Marshall stated that the City initially implemented a \$10 late fee and it did not result in a decrease of past due utility accounts
13 each month; the Council later made the decision to increase the late fee to \$20 to accomplish the goal of reducing past due
14 accounts. He stated since the implementation of the \$20 fee the number of past due accounts has decreased by 10 percent.
15 Councilmember Lisonbee proposed reducing the late fee to \$15 per month. This led to a discussion regarding whether the fee
16 would cover costs. Mr. Marshall stated he is comfortable with lowering the fee as it does not have much impact on the utility
17 bill collection process. Councilmember Maughan stated he would prefer to leave the late fee as is; if it was raised to try to
18 curb a certain behavior and that has not been accomplished, it does not make sense to lower the fee. Mr. Marshall added that
19 City staff works with citizens that may be experiencing a hardship and oftentimes the late fee is waived. Councilmember
20 Maughan stated he believes that reducing the late fee is incentivizing bad behavior. Councilmember Lisonbee stated that if
21 the fee is not impacting behavior and the City has received comment that it is too high, she does not have a problem lowering
22 it. She stated that a lower fee would be more in line with what other cities are doing and she supports reducing it to \$15.

23 [8:31:23 PM](#)

24 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-32 AMENDING THE
25 SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT AND

1 LOWERING THE UTILITY BILL LATE FEE FROM \$20 TO \$15. COUNCILMEMBER GAILEY SECONDED THE
2 MOTION; ALL VOTED IN FAVOR.

3

4 [8:31:49 PM](#)

5 17. Public Hearing – Proposed Resolution R16-33 adjusting the Syracuse City
6 Budget for Fiscal Year ending June 30, 2016.

7

8 A staff memo from the Finance Director explained that with the bond refinance in March 2016, the City must show
9 the gross bond proceeds as revenue to the City and a corresponding bond principal payment and bond fees expense to show
10 the retirement of the old bonds. This is a net zero cost to the City. The proposed budget opening requests the following
11 changes:

- 12 ○ Increase bond proceeds revenue by **\$11,300,000**
- 13 ○ Increase bond principal payment by **\$11,136,000**
- 14 ○ Increase bond fees expense by **\$164,000**.
- 15 ○ **Net change to the MBA fund is \$0.**

16 [8:32:05 PM](#)

17 Mr. Marshall summarized his memo.

18 [8:32:29 PM](#)

19 Mayor Palmer opened the public hearing; there were no persons appearing to be heard and the public hearing was
20 closed.

21 [8:32:44 PM](#)

22 COUNCILMEMBER BOLDUC MADE A MOTION TO ADOPT RESOLUTION R16-33 ADJUSTING THE
23 SYRACUSE CITY BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2016. COUNCILMEMBER ANDERSON
24 SECONDED THE MOTION; ALL VOTED IN FAVOR.

25

26 [8:33:07 PM](#)

1 18. Proposed Resolution R16-34 authorizing the Mayor to execute an Interlocal
2 Agreement with Davis County regarding animal services.

3 A staff memo from City Manager Bovero explained that following the County's proposal to shift the majority (90%)
4 of the animal control service costs to the cities, the city managers in Davis County convened a meeting to discuss the issue. In
5 conjunction with the desires of each city's elected bodies, the group decided to open a dialogue with the County regarding
6 both operational costs and capital needs in hopes to find a preferred scenario for providing animal control services to
7 residents. This contract is the result of that dialogue with the County. The agreement authorizes the County to provide
8 animal control services within Syracuse City, including enforcement of the City's animal control ordinances. Prosecution for
9 violations of the animal control policy will be the responsibility of the City. Animal Control will be funded from the
10 following sources:

- 11 o Davis County general fund
- 12 o Cities within the interlocal agreement
- 13 o Fines, fees, and other collections by Davis County Animal Control
- 14 o Donations

15 The cities will be responsible for 50% of the projected expenses, after subtracting the revenue received by the
16 County from licenses, fees, etc. Syracuse City's obligation will be based on the City's proportion of animal control calls for
17 services, compared with all calls for service county-wide. Wild and nuisance animals are billed separately at \$25.75 per call.
18 A 5-year capital projects fund is established at \$562,000 and will be funded 50% by the cities, at 20% of each city's
19 obligation per year. The City's obligation is, again, calculated based on the proportional calls for service versus the entire
20 County. An advisory committee is established to advise the County on budgetary issues. The committee is made up of 2
21 members from the County and 2 city managers recommended by the city managers group. Every two years, the County will
22 conduct a fee/fine survey to ensure rates are set at market levels. The term of the agreement is through December 31, 2020.
23 Either party may terminate the agreement. Each party holds the other party harmless and indemnifies the other party. The
24 2016 Calendar year contract amount for the City is:

- 25 o Usage Rate-Based Cost: \$52,514.93
- 26 o Wild Life Calls: \$2,214.50
- 27 o Capital Project Fund: \$4,282.44

1 o **Total:** **\$59,011.87**

2 The memo concluded that based on the average 880 calls for service, and an additional 86 calls for wild animals, it
3 was determined that approximately 1,932 hours per year, or 37 hours per week, would be needed to cover animal control
4 response in the City. Factoring in related personnel costs, such as equipment, uniform, etc., along with additional fees related
5 to animal impoundment, veterinary fees, and other animal holding costs, the proposed contract amount with Davis County
6 was found to be more advantageous to the City.

7 [8:33:28 PM](#)

8 Mr. Bovero summarized his memo.

9 [8:33:35 PM](#)

10 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-34 AUTHORIZING THE
11 MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY REGARDING ANIMAL
12 SERVICES. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

13

14 [8:34:48 PM](#)

15 19. Proposed Ordinance 16-17 amending various provisions of Titles Two and
16 Three of the Syracuse Municipal Code pertaining to disorderly conduct, removal
17 proceedings, Youth Court, Youth City Council, Council Liaisons, and Volunteer
18 Coordinators.

19 A staff memo from the City Attorney explained staff and the City Council has discussed potential amendments to
20 Titles Two and Three of the City Code previously, and no changes have been made to these amendments since the last work
21 meeting. The draft ordinance would adopt the following changes:

- 22 - Confirms that expulsion from a council meeting for disorderly conduct applies only to that meeting
- 23 - Confirms that removal proceedings must be initiated in accordance with state law, should an individual seek to
- 24 permanently remove an elected official from that official's post
- 25 - Adopts provisions authorizing and governing Youth Court & Youth City Council
- 26 - Codifies the Council's practice of appointing liaisons to various organizations outside of the City, as well as to
- 27 committees and commissions within the City's organization
- 28 - Establishes the position of Volunteer Coordinators (formerly called the Volunteer Committee) for
- 29 Councilmembers to help facilitate community service within the City

1 [8:35:05 PM](#)

2 Mr. Roberts summarized his memo.

3 [8:35:54 PM](#)

4 Discussion regarding the manner in which members of the Youth Council are selected took place.

5 [8:37:56 PM](#)

6 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-17 AMENDING VARIOUS
7 PROVISIONS OF TITLE TWO AND THREE OF THE SYRACUSE MUNICIPAL CODE PERTAINING TO
8 DISORDERLY CONDUCT, REMOVAL PROCEEDINGS, YOUTH COURT, YOUTH CITY COUNCIL, COUNCIL
9 LIAISONS, AND VOLUNTEER COORDINATORS. COUNCILMEMBER ANDERSON SECONDED THE MOTION;
10 ALL VOTED IN FAVOR.

11

12 [8:38:32 PM](#)

13 20. Proposed Ordinance 16-18 adopting Chapter 2.15 of the Syracuse City
14 Municipal Code pertaining to appointment procedures.

15 A staff memo from the City Attorney explained the accompanying ordinance implements specific procedures related
16 to appointments. Specifically, it adds sections to our Administrative Code governing the means by which appointments are
17 made by the Mayor and Council.

18 Mayor with Advice & Consent

19 When the code calls for mayoral appointment, with advice and consent, the procedure is that the Mayor will first
20 seek Council advice using a variety of methods. After seeking their advice, he submits the nominee to the Council at a
21 regular or special meeting. If the voting councilmembers do not support the nominee by a majority vote, the Mayor identifies
22 another nominee, until there is agreement between the Mayor and Council.

23 Council Appointments

24 When code identifies the Council as the appointing authority, the usual method for appointment is to discuss
25 potential appointees during a work session. After this discussion, the item will come before the council in a regular or special
26 meeting for an official vote.

1 Vacant Elected Positions

2 This section provides structure for times when the Council may need to fill a vacant elected position. In those cases,
3 the public is notified of the need for an appointment, and questions may be submitted to all of the candidates by the City
4 Recorder, in consultation with the Mayor and Council. The interested parties are invited to a regular or special council
5 meeting, where they will be given five minutes to introduce themselves to the Council.

6 Based upon the written responses provided and the introduction, the Council will then narrow the field of candidates
7 by ballot. Three ballots each will be distributed to Councilmembers with the Councilmember's name written on it. They will
8 then cast their ballots, and the results will be read in the open meeting. Only one ballot may be cast for a candidate by each
9 councilmember, although the councilmember may choose to cast only one ballot if they have a clear preference. Those who
10 receive no votes will not advance to the next round. The remaining 1/3 of the candidates will move forward, based upon the
11 number of ballots cast in their favor.

12 The second round will involve unscripted questions by the Council to individual candidates. At the conclusion of
13 this round, discussion ensues and a motion is made to appoint one of the remaining candidates.

14 The candidate receiving a majority vote is immediately sworn in and may take part in the remaining business on the
15 council agenda for the evening.

16 City Manager Appointment

17 The provisions of this section have changed since our work session. Those changes are to subsection D. Previously,
18 it provided:

19 "The Mayor may remove the City Manager, with the advice and consent of the Council."

20 That language has been replaced by:

21 "Removal of the City Manager shall proceed in accordance with section 2.25.020."

22 That section allows either the Mayor or the Council to initiate removal proceedings. However, both must be in
23 agreement in order for a Manager to be removed.

24 The remainder of the section has not changed. It seemed appropriate to have this section due to the unique provision
25 in state code that permits the Mayor to participate as a voting member in the cases of manager appointment or removal.

26 [8:38:31 PM](#)

27 Mr. Roberts summarized his memo.

1 [8:39:41 PM](#)

2 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-18 ADOPTING CHAPTER
3 2.15 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO APPOINTMENT PROCEDURES.
4 COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

5 [8:41:09 PM](#)

6 Mr. Roberts indicated that the ordinance does not include the language regarding removal that is included in the staff
7 report. He asked that the Council reconsider their motion and adopt the ordinance with the language included in his staff
8 report.

9 [8:41:18 PM](#)

10 COUNCILMEMBER LISONBEE MADE A MOTION TO RECONSIDER ORDINANCE 16-18.
11 COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

12 [8:41:48 PM](#)

13 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-18 ADOPTING CHAPTER
14 2.15 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO APPOINTMENT PROCEDURES INCLUDING
15 THE LANGUAGE FROM THE STAFF REPORT REGARDING THE REMOVAL OF THE CITY MANAGER.
16 COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

17
18 [8:42:28 PM](#)

19 21. Proposed Ordinance 16-19 amending Subsection 2.10.010(B) and
20 enacting Section 2.45.060, relating to appointments to certain local
21 districts.

22 A staff memo from the City Attorney explained accompanying this staff report are two conflicting ordinances. The
23 first removes from the Mayor the power to appoint (with advice and consent) board members of the Sewer and Mosquito
24 Abatement local districts. Under the proposed code, the Mayor would participate as a voting member after the motion is
25 made. Additionally, it provides that any appointment to local districts which are occasioned by the resignation of a
26 councilmember would need to take place after that person's successor is appointed. Because the Mayor's power will be

1 restricted by this ordinance, pursuant to section 10-3b-302(1)(b) of the Utah Code, the Mayor participates as a voting member
2 of the council. As expressed in a prior opinion, however, only a majority vote is necessary in order to enact this ordinance.
3 The second ordinance expressly provides that local district boards are included within the Mayor's powers to appoint with
4 advice and consent, and requires that he solicit Council input during a Work Session prior to making the nomination. As I
5 mentioned in our previous work meeting, these ordinances are not compatible, so passing both of them would not be
6 advisable. Both are legally defensible. If neither passes, then the Mayoral power to appoint with advice and consent will
7 remain unchanged. A motion to enact should therefore designate which ordinance is being adopted (A or B).

8 [8:42:40 PM](#)

9 Mr. Roberts summarized his memo.

10 [8:44:14 PM](#)

11 Council discussion regarding the implications of option 'B' of Ordinance 16-19 ensued, with a focus on the process
12 the City would follow to select appointees to special districts.

13 [8:46:18 PM](#)

14 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT ORDINANCE 16-19A AMENDING
15 SUBSECTION 2.10.010(B) AND ENACTING SECTION 2.45.060, RELATING TO APPOINTMENTS TO CERTAIN
16 LOCAL DISTRICTS. COUNCILMEMBER BOLDUC SECONDED THE MOTION.

17 [8:46:34 PM](#)

18 Councilmember Gailey indicated he spoke with LeGrand Bitter, who works with local service districts, to
19 understand is experience with appointment processes employed throughout the State. His position is that adopting option A
20 of the ordinance would put the City out of step with most every city in the State of Utah. Councilmember Bolduc stated she
21 does not mind being different; the process has been contentious in the past and the proposed ordinance addresses that and
22 allows the City to be revolutionary. Councilmember Anderson stated she has heard all arguments regarding this issue and she
23 has thought long and hard about it; she believes that either option is acceptable and legal and follows the spirit and letter of
24 the law. The Council must determine what is best for the City and she believes that option A addresses any issues that could
25 arise when considering appointments to special district. It also provides an opportunity for the Mayor to be nominated for

1 appointment to a special district. She stated that the process has been very controversial in the past and sticking with
2 something just because every other city does it that way may not be the best answer for Syracuse.

3 [8:50:15 PM](#)

4 Mayor Palmer stated there has been a motion and second to adopt the ordinance and he called for a roll call vote.
5 VOTING 'AYE': COUNCILMEMBERS BOLDOC, ANDERSON, MAUGHAN, AND LISONBEE. VOTING 'NAY':
6 COUNCILMEMBER GAILEY AND MAYOR PALMER.

7

8 [8:50:47 PM](#)

9 22. Public comments

10 There were no public comments.

11

12 [8:51:18 PM](#)

13 23. Councilmember reports.

14 At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in
15 since the last City Council meeting. Councilmember Lisonbee's report began at [8:51:23 PM](#). She was followed by
16 Councilmembers Maughan, Gailey, Anderson, and Bolduc.

17

18 [9:12:55 PM](#)

19 24. Mayor's Report.

20 Mayor Palmer's report began at [9:13:10 PM](#).

21

22 [9:14:00 PM](#)

23 25. City Manager report

24 City Manager Bovero's report began at [9:14:06 PM](#).

25

1 The Council recessed the meeting briefly at [9:18:44 PM](#) to convene in special Redevelopment Agency and
2 Municipal Building Authority meetings.

3 The meeting reconvened at [9:23:31 PM](#).

4
5 [9:23:57 PM](#)

6 26. Consideration of adjourning into Closed Executive Session pursuant
7 to the provisions of Section 52-4-205 of the Open and Public Meetings
8 Law for the purpose of discussing the character, professional
9 competence, or physical or mental health of an individual; pending or
10 reasonably imminent litigation; or the purchase, exchange, or lease of
11 real property.

12 [9:24:00 PM](#)

13 COUNCILMEMBER BOLDUC MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION
14 PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE
15 PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR
16 REASONABLY IMMINENT LITIGATION. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL
17 VOTED IN FAVOR.

18 The closed session began at 9:24 p.m.

19 The meeting reconvened at 9:55 p.m.

20

21

22 At 9:55 p.m. COUNCILMEMBER BOLDUC MADE A MOTION TO ADJOURN. COUNCILMEMBER
23 ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

24

25

26

27

28

29

Terry Palmer

Cassie Z. Brown, CMC

City Council Regular Meeting
June 14, 2016

1 Mayor
2
3 Date approved: _____

City Recorder

Minutes of the Syracuse City Redevelopment Agency Special Meeting, June 14, 2016.

Minutes of the Special Meeting of the Syracuse City Redevelopment Agency held on June 14, 2016, at 9:18 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Members: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson

9:19:12 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 9:19 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Boardmember.

9:19:20 PM

BOARDMEMBER MAUGHAN MADE A MOTION TO ADOPT THE AGENDA. BOARDMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

9:19:34 PM

2. Public Hearing- Proposed Resolution RDA16-02 to adopt the annual budget for the Fiscal Year 2016-2017 as required by section 17A-2-1216(1), Utah Code Annotated, 1953.

A staff memo from the Finance Director explained the City Council and Mayor are the acting board members for both the RDA and the MBA. Each is a separate legal entity and each has a separate budget proposal to go along with proposed resolutions RDA16-02 and MBA16-03. The RDA board oversees two RDA areas (town center and 750 West) and the SR-193 EDA area. There have not been any changes to these budgets since the tentative budget was approved on May 10, 2016. This is the last council meeting we have to adopt a final budget before the June 22 deadline provided by State Law.

1 [9:19:41 PM](#)

2 Mr. Marshall reviewed his staff memo.

3 [9:20:33 PM](#)

4 Mayor Palmer opened the public hearing; there were no persons appearing to be heard and the public hearing was
5 closed.

6 [9:20:55 PM](#)

7 BOARDMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION RDA16-02 TO ADOPT THE
8 ANNUAL BUDGET FOR THE FISCAL YEAR 2016-2017 AS REQUIRED BY SECTION 17A-2-1216(1), UTAH CODE
9 ANNOTATED, 1953. BOARDMEMBER MAUGHAN SECONDED THE MOTION. ALL VOTED IN FAVOR.

10

11

12 At [9:22:33 PM](#) p.m. BOARDMEMBER ANDERSON MADE A MOTION TO ADJOURN. BOARDMEMBER
13 MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

14

15

16 _____
17 Terry Palmer
18 Mayor

Cassie Z. Brown, CMC
City Recorder

19
20 Date approved: _____

Minutes of the Syracuse City Municipal Building Authority Special Meeting, June 14, 2016

Minutes of the Special Meeting of the Syracuse City Municipal Building Authority held on June 14, 2016 at 9:22 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Trustees: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Paul Roberts
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Community and Economic Development (CED) Director Brigham Mellor

9:22:37 PM

1. Meeting Called to Order/Adopt Agenda.

President Palmer called the meeting to order at p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Trustee.

9:22:46 PM

TRUSTEE GAILEY MADE A MOTION TO ADOPT THE AGENDA. TRUSTEE LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

9:22:39 PM

2. Public Hearing- Proposed Resolution MBA16-03 to adopt the annual budget for the Fiscal Year 2016-2017 as required by section 17A-2-1216(1), Utah Code Annotated, 1953.

A staff memo from Finance Director Marshall explained the City Council and Mayor are the acting board members for both the RDA and the MBA. Each is a separate legal entity and each has a separate budget proposal to go along with proposed resolutions RDA16-02 and MBA16-03. The RDA board oversees two RDA areas (town center and 750 West) and the SR-193 EDA area. There have not been any changes to these budgets since the tentative budget was approved on May 10, 2016. This is the last council meeting we have to adopt a final budget before the June 22 deadline provided by State Law.

1 [9:22:45 PM](#)

2 Mr. Marshall reviewed his staff memo.

3 [9:22:54 PM](#)

4 President Palmer opened the public hearing; there were no persons appearing to be heard and the public hearing was
5 closed.

6 [9:23:23 PM](#)

7 TRUSTEE LISONBEE MADE A MOTION TO ADOPT RESOLUTION MBA16-02 TO ADOPT THE ANNUAL
8 BUDGET FOR THE FISCAL YEAR 2016-2017 AS REQUIRED BY SECTION 17A-2-1216(1), UTAH CODE
9 ANNOTATED, 1953. TRUSTEE MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

10

11

12 At [9:23:23 PM](#) TRUSTEE LISONBEE MADE A MOTION TO ADJOURN. TRUSTEE GAILEY SECONDED
13 THE MOTION; ALL VOTED IN FAVOR.

14

15

16 _____
17 Terry Palmer
18 President

Cassie Z. Brown, CMC
City Recorder

18

19 Date approved: _____



COUNCIL AGENDA

July 12, 2016

Agenda Item #5

Planning Commission appointment

Factual Summation

- Any question regarding this agenda item may be directed at Mayor Palmer.
- The term for Planning Commissioner TJ Jensen expired on June 30, 2016. Mayor Palmer has indicated he would like to appoint Gary Bingham to fill the vacancy on the Commission.
- Please see the attached proposed resolution, which can be adopted to formalize the suggested appointment.

RESOLUTION R16-37

**A RESOLUTION OF THE SYRACUSE CITY COUNCIL
APPOINTING GARY BINGHAM TO THE SYRACUSE CITY
PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE
30, 2020.**

WHEREAS Title 3 of the Syracuse City Code provides for the establishment of a Planning Commission in Syracuse; and

WHEREAS Section 3.10.010 of the Syracuse City Code calls for the Mayor to appoint members to the Planning Commission with the advice and consent of the City Council; and

WHEREAS Section 3.10.020 of the Syracuse City Code dictates that each member of the Planning Commission shall serve for a term of four years, and until his successor is appointed; and

WHEREAS Gary Bingham is a current Syracuse City resident and has expressed his desire and willingness to serve on the Planning Commission.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
SYRACUSE CITY, UTAH, AS FOLLOWS:**

Section 1. Appointment. Gary Bingham is hereby appointed to serve as an member of the Syracuse City Planning Commission with his term expiring June 30, 2020.

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

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE
CITY, STATE OF UTAH, THIS 12th DAY OF JULY, 2016.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Terry Palmer, Mayor



COUNCIL AGENDA

July 12, 2016

Agenda Item #6

Public Hearing: Authorize Administration to dispose of surplus equipment.

Factual Summation

- Several City Departments have indicated they have surplus property to dispose of. Please review the lists provided by the respective Department Heads of the Departments referenced below as well as the attached list from the Police Department.

FIRE DEPARTMENT:

The Fire Department would like to surplus for sale our 2002 Horton (Ford F350 Chassis) Ambulance, VIN 1FDWF36F02EC51267. This ambulance has been held in reserve since the addition of our new 2015 Horton Ambulance went in service in August 2015 to replace the 2002. Currently we have two ambulances in regular service; a 2015 front-line and a 2007 as reserve. The 2002 ambulance does not get used enough as a reserve to justify keeping it in the fleet. We recommend putting it for sale as it has become a maintenance liability.

PUBLIC WORKS DEPARTMENT

2005 Dodge Ram 2500 hemi (Qty 2)
1999 Chevrolet Silverado 2500

Staff Recommendation

Authorize Administration to dispose of surplus property.

Police Surplus Items

Item #	Qty	Description	Value	Total
1	5	Black Office Chair	\$10 each	\$50
2	6	Maroon Office Chair	\$10 Each	\$60
3	5	Tall Black Office Chair	\$5 Each	\$25
4	7	Tall Maroon Office Chair	\$5 Each	\$35
5	1	Gray Office Chair	\$5 Each	\$5



CITY COUNCIL BUSINESS MEETING

July 12, 2016

Agenda Item #7

Amend Title 10 Relative to Onsite Parking

Due to its presence in the zoning code, the proposed amendment of section 10.40.030 was brought to the Planning Commission on July 5 and received significant attention and discussion. Ultimately, the Planning Commission recommended approval of the amendment, with some changes from what was presented:

- A reference to subsection (4) was added to subsection (1), as it provides for parking in driveways, which can be located in side yards
- Undeveloped properties are included with non-residential properties as prohibiting parking, except in paved areas.
- "Paved areas" includes concrete, asphalt, and gravel of at least 2 inches in depth
- Side yard parking is only permitted if the area is paved
- It was clarified (at Council's suggestion during our work meeting) that the provisions in subsection (6) mean that tractors may park in any yard area in the A-1 Zone (including the front yard). In all other zones, they will be treated as other vehicles, and would need to park in either the back yard, or on paved surfaces in the side or front yard.

The approval was given by a margin of 5-2.

This item is now ready for your review in a business session. This item is scheduled for a public hearing prior to your decision.

If you have any questions regarding this item, please contact Paul Roberts.

ORDINANCE NO. 16-21

AN ORDINANCE AMENDING SECTION 10.40.030 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ONSITE PARKING.

WHEREAS, the City Council has the authority, pursuant to state law, to establish ordinances for the health, welfare, comfort and safety of its residents and those visiting the City; and

WHEREAS, the Planning Commission and City Council have reviewed existing regulations governing parking on residential lots in areas of the lot not improved for parking; and

WHEREAS, the City has conducted a public hearing in order to solicit input from our residents regarding this measure; and

WHEREAS, the Council finds that removing restrictions on parking in certain portions identified by the ordinance is in the best interest of the community, in order to permit residents to have full enjoyment of their property, and in the interest of the comfort and safety of its residents,

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

Section 1. Amendment. Subsection 10.40.030(C) of Syracuse City Municipal Code is amended as attached in Exhibit A.

Section 2. 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 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12th DAY OF July, 2016.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Anderson	___	___
Councilmember Bolduc	___	___
Councilmember Gailey	___	___
Councilmember Lisonbee	___	___
Councilmember Maughan	___	___

Exhibit A

10.40.030 - General Provisions

(C) Prohibited Locations.

(1) It shall be unlawful to park a motor vehicle, trailer, or boat in a front yard or side yard-area, as defined in SCC 10.10.040, on any residential property, except as provided in subsections (4) and (5) of this section or on areas not improved for parking.

(2) On non-residential and undeveloped properties, it shall be unlawful to park a motor vehicle, trailer or boat, except in paved areas. For purposes of this section, "paved areas" includes concrete or asphalt, as well as gravel of at least two inches in depth.

(3) No one shall develop any portion of a front yard, as required in this title, as a public parking area in conjunction with a permitted multifamily, commercial, or industrial use without approval by the Planning Commission at site plan review.

(4) No one shall pave or improve any portion of a required front yard, other than approved parking and driveways leading directly to or adjacent to a garage, so as to encourage or make possible the parking of vehicles therein. Residents may use paved driveways leading directly to or adjacent to a garage as an approved parking area for additional vehicles to meet the requirements of this chapter.

(5) On residential properties, vehicles and trailers may be parked in paved areas of the side yard, as defined in section 10.10.040, but in no case any closer than twenty feet (20') from

the right of way. Additionally, side yard parking for corner lots may only occur if an opaque fence of at least six feet (6') in height separates the parked vehicle from the right of way running along the side of the corner lot.

(6) The provisions of this section do not prohibit the parking of tractors kept for agricultural use in any yard area of properties in the A-1 zone.

All vehicles on the property shall be licensed and operable. The owner of any vehicle that has been inoperable or unlicensed for longer than four months shall remove said vehicle from the property or store it in a completely enclosed structure, including any and all vehicle parts. If a vehicle is under restoration, the vehicle owner shall possess a current and valid restoration permit from the City Community Development Department. Restoration permits shall expire one year from the date of issuance and no individual-address may have more than two restoration permits at any time.



CITY COUNCIL BUSINESS SESSION

July 12, 2016

Agenda Item # 8

Code Enforcement Regulations

In light of our discussion during the work meeting, some changes have been made to the draft. It is important to note that, due to its land use implications, the changes related to subsection 10.40.030 have been separated and will be heard apart from these changes.

The changes which I have made to the draft since last meeting includes the following:

- Added subsection (10) to section 6.15.010(B), providing that construction sites which have been abandoned for more than three months are deemed nuisances, if there are conditions present that are dangerous or an attractive nuisance, such as holes, sharp metal objects, exposed rebar, etc. The property owner, not the developer, will be ultimately responsible for the cleanup of the site.
- New Subsection (D) in section 11.20.040 – This provides that even if you park your RV in the road for a short time, it cannot be a place of habitation. It also prohibits using a trailer's bump-out feature, if it is parked in the right-of-way
- New Subsection (E) in section 11.20.040 – Prohibits the storage of trailers used in the course of business in residential zones, during nighttime hours. This would override the usual 24 hours prohibition in cases of trailers that are used in business. Evidence of their use in business would need to be gathered in order to enforce this provisions, such as registration to a business entity, statements by the owner or neighbors, signs or advertising posted on the trailer, or other circumstantial evidence.

I hope that these changes are in line with what you had in mind. Please let me know if there are additional changes or concerns, and I can prepare some alternative language for consideration during the meeting.

Paul Roberts

ORDINANCE NO. 16-22

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO PUBLIC NUISANCES AND PARKING WITHIN PUBLIC RIGHT-OF-WAY.

WHEREAS, the City Council has the authority, pursuant to state law, to establish ordinances for the health, welfare, comfort and safety of its residents and those visiting the City; and

WHEREAS, section 10-8-11 of the Utah Code permits cities to regulate the use of streets, alleys, avenues, sidewalks under the City's jurisdiction, and prevent and remove obstructions and encroachments thereon; and

WHEREAS, section 10-8-60 of the Utah Code permits the City to declare nuisances and provide for the abatement thereof; and

WHEREAS, the Council finds that the following amendments will serve the public interest, prevent nuisances, increase traffic safety for motorists and pedestrians, prevent obstructions and encroachments on roads in residential areas,

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

Section 1. Amendment. Subsection 10.40.030(C) of Syracuse City Municipal Code is amended as attached in Exhibit A.

Section 2. 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 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12th DAY OF July, 2016.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Anderson	___	___
Councilmember Bolduc	___	___
Councilmember Gailey	___	___
Councilmember Lisonbee	___	___
Councilmember Maughan	___	___

Exhibit A

6.15.010 Purpose - Conditions constituting nuisance.

(A) It is the purpose of this chapter to establish a means whereby the City may remove or abate or cause the removal or abatement of injurious and noxious weeds; and of garbage, refuse, or any unsightly or deleterious objects or structures pursuant to the powers granted to it by Title 10, Chapter 11, Utah Code Annotated 1953, and pursuant to its general power to abate nuisances. The provisions adopted herein are intended to:

- (1) Prevent fire hazards;
- (2) Prevent insect and rodent harborages;
- (3) Prevent the introduction of hazardous pollens in the air;
- (4) Prevent further spreading of vegetation that threatens the public health, safety, or welfare;
- (5) Abate the existence of objects, structures, or solid waste that threaten the public health, safety, and welfare;

(6) Protect and promote the public health and safety of the community by preventing or abating conditions on real property or the structures thereon which create or maintain public nuisances.

(B) The following conditions shall constitute a nuisance subject to abatement under this chapter:

(1) Vegetation on private property which, due to its proximity to any public property or right-of-way, interferes with the public safety or lawful use of the public property or right-of-way.

(2) Weeds, grasses, or noxious vegetable growth which has grown to a height exceeding the height limitations or otherwise violating the weed control specifications and requirements under SCC 6.10.030.

(3) Vegetable waste, litter, garbage, filth, or refuse of any nature, kind, or description detrimental to health allowed to accumulate upon any private yard or area.

(4) Any property which has been allowed to become a fire hazard due to the accumulation of garbage, refuse, litter, waste products, dry or drying weeds, or any combustible materials, objects, or structures.

(5) Weeds, garbage, refuse, objects or structures that create a source of contamination or pollution of water, air, or property, a danger to health, a breeding place of habitation for insects, rodents, or other forms of life deleterious to human habitation, or that otherwise create a condition deleterious to their surroundings.

(6) Noxious weeds determined to be especially injurious to public health, crops, livestock, land, or other property.

(7) Any property where the outside storage, keeping, accumulation, or abandonment of the following ~~unsightly~~ material or objects is ~~clearly~~ visible from a public street and is not a use of property permitted or allowed under the land use code:

(a) Uncontained garbage, refuse, litter, or other solid waste;

(b) Household items, indoor appliances, indoor furniture or equipment, construction waste, or demolition waste;

~~(bc)~~ Auto parts, tires, scrap metal, machinery or parts thereof, or other junk or salvage material as defined in either this title or SCC Title 10; or

~~(ed)~~ Any inoperable and unlicensed vehicles.

(8) Vacant buildings or structures which have not been secured against entry by placing secured coverings on openings and which buildings are not maintained in accordance with the maintenance requirements of this code.;

(9) Dumpsters or storage containers remaining on the property for greater than thirty (30) days, unless present pursuant to a valid and current building permit;

(10) Construction sites for which building permits have been abandoned for greater than three (3) months, and which contain conditions that render the site dangerous or an attractive nuisance, such as unsecured holes or structures, sharp metal, or exposed rebar. Such sites shall be rendered secure and safe by the property owner.

(~~9~~11) Vegetation or structures obstructing the view of drivers of motor vehicles as prohibited by this title.

(~~10~~12) Public nuisances as defined in this title.

(~~11~~13) Other conditions involving weeds, garbage, refuse, or any unsightly or deleterious conditions, objects or structures subject to City abatement under other provisions of this code.

(C) Property owners shall be responsible for any of the above conditions existing on the area between their property line and the curb or edge of the roadway, as provided in SCC 6.10.010.

11.20.010 Purpose.

The purpose of this chapter is to prevent the creation of nuisances to neighbors and those traveling on streets within the city, which are created by the presence of trailers, heavy duty vehicles, and inoperable vehicles; any vehicle or trailer during the months of snow removal; and parking vehicles or trailers in such a way as to endanger safety, block access, impede drivers' and pedestrians' views of oncoming traffic, and render residential zones unsightly. It is intended that the owners of trailers, heavy duty vehicles and inoperable vehicles shall be required to store those items in locations other than in the public right-of-way.

11.20.020 Off-street parking during winter months.

In order to allow for the orderly and timely removal of snow during winter months, it shall be unlawful to park any vehicle within the public right-of-way of any street within the corporate limits of Syracuse City at any time during the accumulation or removal of snow unless special permission is granted by the Syracuse Police Department. Violation of this section shall be a Class C misdemeanor, punishable in accordance with all the provisions of law.

11.20.030 Parking heavy duty vehicles in residential zones regulated.

(A) The driver of a motor vehicle having a total gross weight, loaded or unloaded, in excess of 50,000 pounds, or having a total length in excess of 24 feet from the most forward point of the vehicle or its load to the most rear point of said vehicle or its load, shall not park said vehicle or allow it to stand upon any City street or public right-of-way located within a residential zone for longer than two hours.

(B) The driver of a motor vehicle having a total gross weight, loaded or unloaded, in excess of 10,000 pounds and less than 50,000 pounds, or having a total length between 20 feet and 24 feet, from the most forward point of the vehicle or its load to the most rear point of said vehicle or its load, shall not park said vehicle or allow it to stand upon any City street or public right-of-way located within a residential zone for longer than 24 hours.

(C) In determining the total gross weight or total length as provided in subsection (A) of this section, the length or weight of a trailer connected or attached to or in tandem with the motor vehicle shall also be included in making such determination.

11.20.040 Parking of trailers, recreational vehicles.

(A) It shall be unlawful for any person or business to park, place, store, or otherwise leave standing on any public street, public roadway, public alley or City property any unattached trailer of any type, whether for the occupancy of people, storage of items or for towing

purposes; any boat, whether the same is loaded or not on an unattached trailer or otherwise; any camper not mounted on a vehicle; any motor home or mini motor home of any length; and any combination of a pulling or towing vehicle with an attached trailer for a period longer than 24 hours.

(B) Such vehicle shall be considered to be in violation of this section if parked in any one location for longer than 24 hours, or if the vehicle has been parked [in public right-of-way or streets](#) in one or more locations within Syracuse City for longer than 24 hours, except that a permit may be obtained from the Police Department for a period not to exceed seven days for out-of-town visitors.

(C) Parking of any such trailer or recreational vehicle on private property must not impede visibility of sidewalks and streets from adjacent driveways, nor impede vision on a corner lot for a distance of 40 feet from each of the intersecting streets.

(D) No trailer or recreational vehicle may be used as a place of sleep or habitation while it is parked on a public right-of-way. Recreational vehicles or trailers with a “bump-out” feature, by which the sides of the trailer expand to the left or right in order to increase the space within the trailer, may not have that feature activated while parked on the public right-of-way.

(E) Trailers used in the course of business shall be stored off of the public right-of-way, and may not be parked overnight on any right-of-way in any residential zone.

11.20.040-050 Parking restrictions.

It shall be unlawful to stop, stand, or park any vehicle or trailer:

(A) In such a manner so as to obstruct access upon, or use of, the entire surface of any sidewalk;

(B) Upon any street, public right-of-way, or publicly owned or controlled property, for a period of more than seven days, if the vehicle or trailer is mechanically inoperable or cannot be lawfully operated on public streets. For purposes of this subsection, “mechanically inoperable” includes, but is not limited to, flat tire, dead battery, any mechanical problem that would prohibit the immediate starting of the engine and proceeding in a normal manner. “Lawfully operated” includes, but is not limited to, having current registration and required equipment, and the absence of any physical condition which would prohibit lawful operation, such as missing or inoperable lighting;

(C) In any fire lane, or to otherwise block or obstruct any fire lane or hydrant established by the City, except as necessitated by an emergency;

(D) On any public property, other than in designated parking areas, or as legally permitted on roadways;

(E) In a manner that obstructs the delivery or retrieval of mail from a mailbox, or which obstructs refuse collection. This subsection is only applicable during times when those services are occurring or are likely to occur, and does not apply if the driver is present and moves the vehicle or trailer to avoid obstruction when such services are actually rendered; or

(F) In a manner that obstructs all or part of a public or private driveway, without permission from the driveway's owner.

(G) (1) This section does not apply to any vehicle or trailer which is owned by a governmental entity and which is being used for official government business, or to vehicles which have been authorized by the applicable highway authority to stop, stand or park in a manner otherwise contrary to this section.

(2) Such vehicles may not block access to private or public driveways, except in cases of emergency repairs, when necessary in order to provide police or fire services, or pursuant to a road or lane closure authorized by the applicable highway authority.

(3) When it is anticipated that access to private or public driveways will be blocked, the entity shall coordinate its plan with the City, and shall communicate its plan to the affected property owner, at least 24 hours prior to the time access is blocked.

11.20.060 Impoundment authorized.

Vehicles or trailers left parking or standing in violation of this chapter may be marked with a notice that the vehicle or trailer will be towed if not moved immediately. If the vehicle has not been moved to an appropriate location within two (2) hours of the notice, a peace officer or code compliance officer may direct that the posted vehicle or trailer may be removed and impounded at the owner's expense, using impoundment procedures found in Utah law.

11.20.070 Evasion of parking regulations.

(A) In residential zones, the following constitute evasion of parking regulations, and shall not avoid the regulations of this chapter or restart the calculation of time for purposes of sections 11.20.030, 11.20.040 or 11.20.060:

(1) moving a parked vehicle, motor home, or trailer from its original location on a public street, to any other location or locations on a public street within one-half (1/2) mile of the original location, if the cumulative time of the vehicle at both or multiple locations would exceed the lawful amount of time permitted at a single location; or

(2) removing an unlawfully parked vehicle, motor home, or trailer from a public street for a period of time of less than eight (8) hours, and then returning the vehicle, motor home or trailer to a public street within one-half (1/2) mile of the original location.

(B) Evasion of parking regulations shall constitute a separate offense, punishable as an infraction, if done with intent to evade the provisions of this chapter.



CITY COUNCIL REGULAR MEETING AGENDA

July 12th, 2016

Agenda Item # 9 Subdivision Amendment 1025 South 2200 West

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed to Royce Davies, City Planner.

Location: 1025 South 2200 West
Current Zoning: R-2
General Plan: R-2
Total Subdivision Area: 1.408 Acres

Summary

The applicant has requested approval of a 2 lot amendment to a subdivision known as San Melia in the R-2 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size (R-2 10,000 Sq. Ft. Min.)	Lot Width (R-2 85 Ft. Min.)	Existing Structures to Remain
19	R-2	24,781	140	Home
20	R-2	15,311	97.20	None

As is shown, all proposed lots meet the minimum lot dimension requirements in the R-2 Zone. The main intent of the amendment is to rectify an issue with the previously recorded plat and move the western property line of lot 19 to the west approximately 20 feet. The discrepancy is result of surveying errors made when the lot was developed.

Utah State Code 10-9a-523 has come to the attention of staff. This Code states that “A parcel boundary adjustment is not subject to the review of the land use authority.” As such, staff will be sure to direct all future requests for parcel boundary adjustments to comply with the State Code.

Suggested Motion Language

Approval – “I move the City Council approve the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone.”

Table – “I move the City Council continue the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone until (give date) based on the following findings:

1. (list findings)”

Denial – “I move the City Council deny the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone based on the following findings:

1. (list findings).”

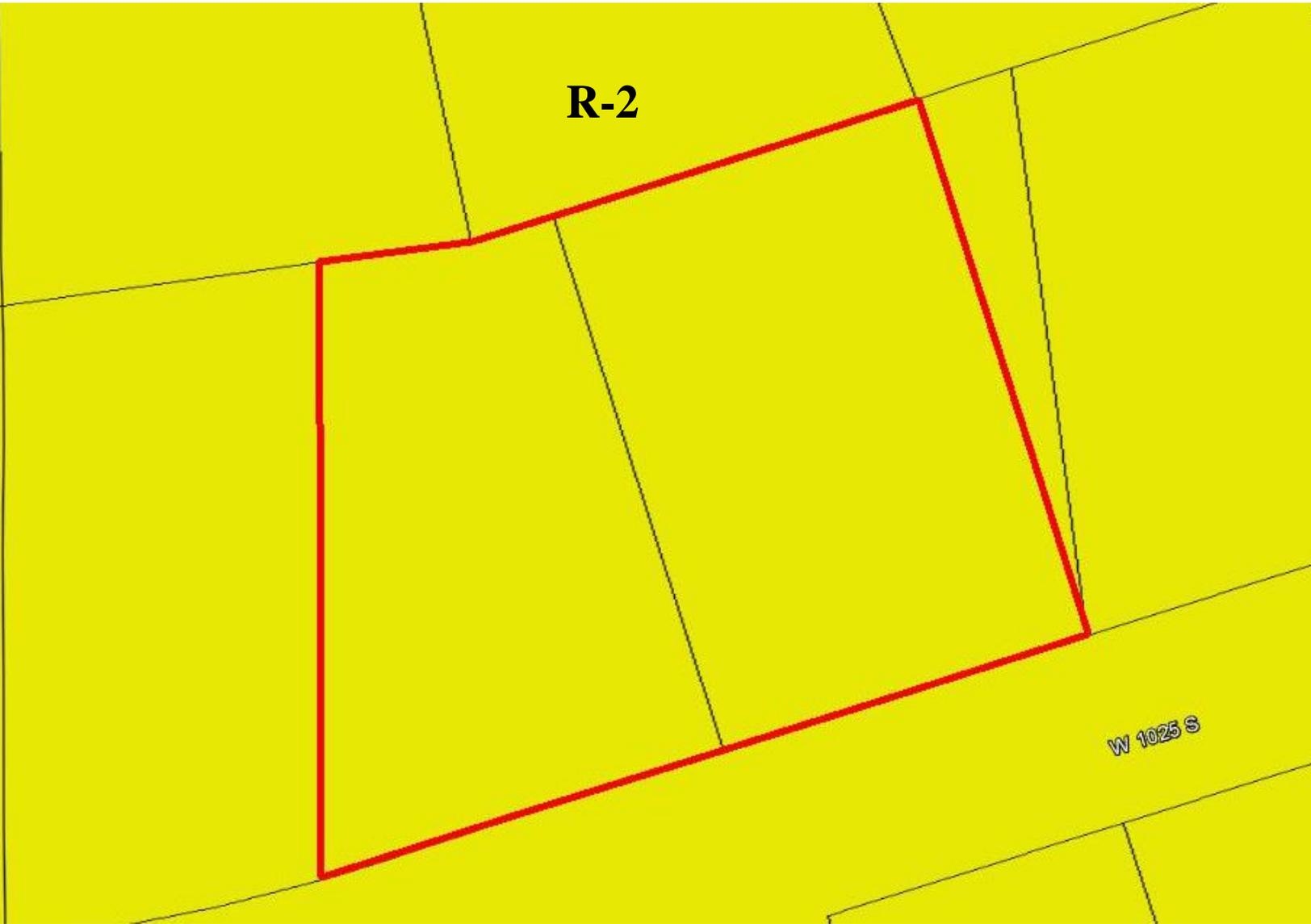
Attachments:

- Aerial Map
- Zoning Map
- General Plan Map
- Subdivision Plat
- R-2 zoning ordinance
- Minor subdivision review ordinance

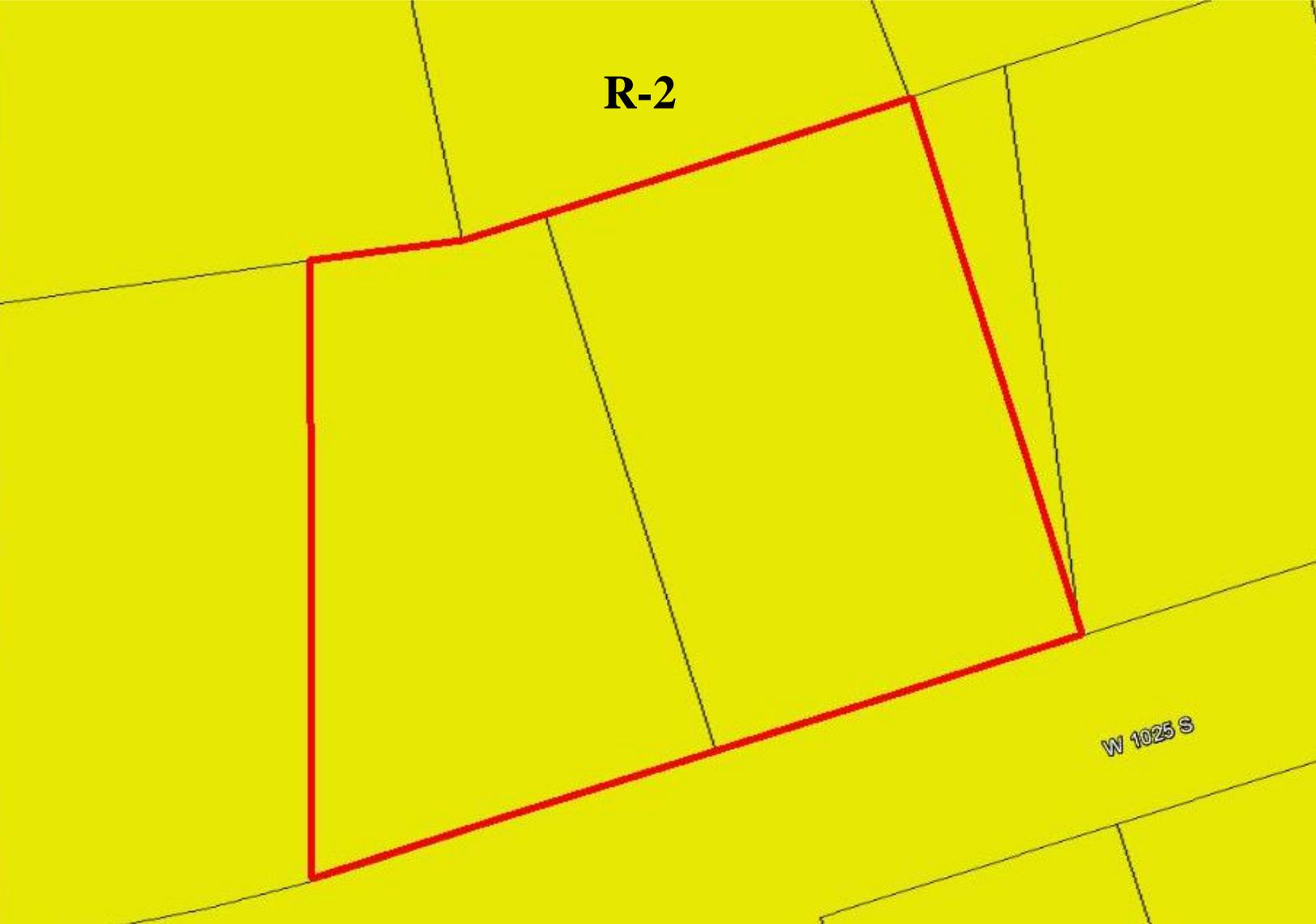
AERIAL MAP



ZONING MAP



GENERAL PLAN MAP



R-2 ZONING ORDINANCE

10.65.010 Purpose.

The purpose of this zone is to provide for moderate density single-family residential development that conforms to the system of services available.

10.65.020 Permitted uses.

The following, and no others, are uses permitted by right provided the parcel and building meet all other provisions of this title and any other applicable ordinances of Syracuse City.

(A) Accessory uses and buildings (200 square feet or less).

(B) Agriculture.

(C) Churches, synagogues, and temples.

(D) Dwellings, single-family.

(E) Educational services.

(F) Household pets.

(G) Minor home occupations.

(H) Public and quasi-public buildings.

(I) Public parks.

(J) Rabbits and hens.

(K) Residential facilities for persons with disabilities.

(L) Vietnamese potbellied pigs.

10.65.030 Conditional uses.

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080:

(A) Accessory uses and buildings (greater than 200 square feet) (minor).

(B) Apiaries (minor).

(C) Day care centers (major).

(D) Dwellings, accessory (major/minor, see SCC 10.30.020).

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

(H) Temporary commercial uses (see SCC 10.35.050) (minor).

(I) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor).

10.65.040 Minimum lot standards.

All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards:

(A) Density: minimum lot size 10,000 square feet, but in no case shall the density exceed 3.0 lots per gross acre.

(B) Lot width: 85 feet.

(C) Front yard: 25 feet.

(D) Side yards: eight feet (both sides).

(E) Rear yard: 30 feet.

(F) Building height: as allowed by current building code.

(G) Variation of lot: the Land Use Authority may reduce the lot width requirement in particular cases when a property owner provides evidence they acquired the land in good faith and, by reason of size, shape, or other special condition(s) of the specific property, application of the lot width requirement would effectively prohibit or unreasonably restrict the ability to subdivide the property or a reduction of the lot width requirement would alleviate a clearly demonstrable hardship as distinguished from a special privilege sought by the applicant. The Land Use Authority shall approve no lot width reduction without a determination that:

(1) The strict application of the lot width requirement would result in substantial hardship;

(2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;

(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;

(4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan.

10.65.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC.

10.65.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.

MINOR SUBDIVISION ORDINANCE

8.30.035 Minor residential subdivisions.

(A) Purpose. In an effort to reduce the expense and time of development, minor residential subdivisions may be considered and approved under this section.

(B) This section does not modify or reduce requirements or standards for lots, infrastructure, or subdivisions, requirements for platting, or any other requirement or standard in this code. Its sole purpose is to provide more expedient approval for minor residential subdivisions.

(C) Minor Residential Subdivision Requirements. To be considered a minor residential subdivision, the subdivision must meet all the following requirements:

- (1) The subdivision contains 10 or less lots;
- (2) The subdivision is not traversed by the mapped lines of a proposed street as shown in the City's general plan;
- (3) The subdivision is located in a zoned area; and
- (4) The subdivision is not part of an existing, previously platted subdivision. Changes to a platted subdivision are to be done by amending the previously approved plat.

(D) Minor Residential Subdivision Application Procedure. The application procedure for a minor residential subdivision is:

- (1) Pre-Application Meeting. City staff shall review whether the subdivision meets the requirements of a minor residential subdivision and notify the developer of any requirements for necessary construction drawings.
- (2) Concept Plan Approval. The concept plan approval process for a minor residential subdivision shall follow that found in Chapter 8.20 SCC.
- (3) Final Minor Residential Subdivision Plan Approval Procedure. The final plan for a minor residential subdivision shall combine all requirements for both preliminary and final plan approval found in this title into one application.

(E) The Planning Commission and the City Council shall process the proposed minor residential subdivision and consider it for approval in accordance with SMC 8.30.030. All required signatures and conditions provided in that section apply to minor residential subdivisions.

8.30.040 Severability.

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end, the provisions of this chapter are severable.



CITY COUNCIL REGULAR MEETING AGENDA

July 12th, 2016

Agenda Item # 10 City Code Amendment Section 10.30.050

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed to Royce Davies, City Planner.

Code Section: 10.30.050 Lot and Yard Regulations

Summary

Recent review of home plans has raised concern about restrictions in our ordinance relating to cantilevered floors, roofs, and other yard encroachments.

The first section of Code that has presented issues is:

10.30.050.C.1 Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two structures be less than 10 feet.

This has been an issue for developers as many times cantilevered floors are wider than 8 feet. It's likely that this code was only meant to apply to bay windows and other similar features and as such, would be sufficient, however it continues to be an issue as homes built to setback lines become more and more common.

The next section of code that has caused concern is:

10.30.050.2 Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required front or rear yard.

The final section of Code is:

10.30.050.C.3 Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line. Since the rear setback in the R-3 Zone is 20 feet, this code does not allow covered deck/patio encroachments into the rear setback of the zone. This may have been intentional and is not a significant concern to staff, but has been of concern to developers trying to include covered decks/patios in the R-3 Zone.

Developers have expressed that the cantilever Codes are too restrictive and should be loosened.

It is also possible that the concerns expressed by developers are a symptom of homes being built to setback lines in many cases. This issue arises from home builders acquiring a few home floor plans and attempting to apply them to lots of various sizes and shapes rather than designing a home to fit a specific property. However, as this is generally a more affordable option, it is likely that this type of ones-size-fits-all home development will continue to be proposed.

The Code sections in question have been discussed in detail with the Planning Commission during two work sessions held on June 7, 2016 and June 21, 2016. As result of these sessions, staff has been directed to address minimum side yard distances, covered decks and patios, and building cantilever widths. The proposed code is included as an attachment to this report.

The proposed ordinance was recommended for approval by the Planning Commission on July 5, 2016.

Suggested Motion Language

Approval – “I move the City Council approve the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone.”

Table – “I move the City Council continue the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone until (give date) based on the following findings:

1. (list findings)”

Denial – “I move the City Council deny the request of Andy Hubbard for a 2 lot subdivision amendment to the San Melia Subdivision consisting of 1.408 acres on property located at 1025 South 2200 West in the R-2 Residential Zone based on the following findings:

1. (list findings).”

Attachments:

- Proposed Ordinance Revisions

PROPOSED ORDINANCE REVISIONS

10.30.050 Lot and yard regulations.

(C) Yard Encroachments. This title prohibits any encroachments into minimum required yard space, other than the following:

- (1) Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than ~~eight~~ 16 feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two primary structures be less than 10 feet.
- (2) Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, or rear, ~~or side~~ yard and only 3 feet into required side yards. Uncovered porches and decks may project 10 feet into any required front or rear yard.
- (3) Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed ~~33~~ 75 percent of the total ~~length~~ width of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line in all zones aside from the R-3 Zone. Attached covered decks and patios may not extend closer than 10 feet to the rear property line in the R-3 Zone, and must be open on 3 sides.

ORDINANCE NO. 16-23

AN ORDINANCE AMENDING SECTION 10.30.050(C) OF THE SYRACUSE CITY LAND USE CODE, RELATED TO YARD ENCROACHMENTS.

WHEREAS, the City has adopted a Zoning Ordinance to regulate land use and development within the corporate boundaries of the City; and

WHEREAS, the City Council is authorized to amend the provisions of its zoning code in order to promote the health, safety, comfort and property values of its residents; and

WHEREAS, an amendment to the Syracuse City Zoning Code related to yard encroachments has been prepared; the same has been recommended for approval by the Planning Commission; and a public hearing was held with the proper notice having been given 10-days prior to the hearing date; and

WHEREAS, the Council finds that current provisions related to yard encroachments for windows, sills, cantilevers, and ornamental features should be expanded to permit wider encroaching objects; and

WHEREAS, the Council finds that side yard encroachments by cornices, eaves, gutters and terraces should only encroach within three feet into side yards; and

WHEREAS, the Council finds that some modification to the requirements associated with covered decks and patios will serve existing and future residents of Syracuse without creating a nuisance or impermissible obstruction to neighboring properties; and

WHEREAS, the Council finds that the requested ordinance change will promote the health, safety and welfare of our community, and promote prosperity and protect urban development,

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

Section 1. Amendment. Subsection 10.30.050(C) of Syracuse City Municipal Code is amended as attached in Exhibit A.

Section 2. 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 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12th DAY OF JULY, 2016.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Anderson	_____	_____
Councilmember Bolduc	_____	_____
Councilmember Gailey	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Maughan	_____	_____

EXHIBIT A

10.30.050 Lot and yard regulations.

(C) Yard Encroachments. This title prohibits any encroachments into minimum required yard space, other than the following:

(1) Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than ~~eight~~ 16 feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two primary structures be less than 10 feet.

(2) Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, or rear, ~~or side~~ yard and only 3 feet into required side yards. Uncovered porches and decks may project 10 feet into any required front or rear yard.

(3) Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed ~~33~~ 75 percent of the total ~~length~~ width of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line in all zones aside from the R-3 Zone. Attached covered decks and patios may not extend closer than 10 feet to the rear property line in the R-3 Zone, and must be open on 3 sides.



COUNCIL AGENDA

July 12, 2016

Agenda Item #11

Approve R16-36 adopting the updates to the fiscal year 2016-2017 wage scale.

Factual Summation

- Please see the proposed changes to the fiscal year 2016 – 2017 wages scale. All recommended changes to the wage scale are highlighted in red. Any questions regarding this item can be directed at City Manager Brody Bovero or Finance Director Steve Marshall.
- The City Council has expressed a desire to increase the wage scales for the police department. These positions include:
 - Police Officer I – raise wage scale by \$1.50/hr
 - Police Officer II – raise wage scale by \$1.75/hr
 - Police Officer III – raise wage scale by \$2.00/hr
 - Police Sergeant – raise wage scale by \$2.00/hr
 - Police Lieutenant – raise wage scale by \$1.50/hr
 - Police Chief – raise wage scale by \$1,000.00 annual salary.
- The recommendations above were determined by gathering information from surrounding cities. This recommendation is being made to make the City competitive with other cities.

Recommendation

Adopt the resolution approving the updates to the fiscal year 2016-2017 wage scale.

RESOLUTION NO. R16-36

A RESOLUTION OF THE SYRACUSE CITY COUNCIL ADOPTING THE FISCAL YEAR 2016 - 2017 WAGE SCALE.

WHEREAS, Section 5.020 of the City Personnel Policies & Procedures Manual states that the City Council will adopt and maintain a compensation plan, which outlines standards and guidelines for salary and wage administration, pay grade schedules, and comparison/benchmarking strategies; and

WHEREAS, City Council has determined that the police department wage scales need to be adjusted in order to be competitive with surrounding cities; AND

WHEREAS, the City Council and Mayor have reviewed the draft wage scale and feel it addresses the needs of the City relative to the most efficient use of the City's resources.

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

Section 1. Adoption. The fiscal year 2016-2017 wage scale is attached hereto as Exhibit "A," and incorporated herein by reference is hereby adopted by Syracuse City.

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

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 14th DAY OF JUNE, 2016.

ATTEST:

SYRACUSE CITY

Cassie Z. Brown, City Recorder

By: _____
Terry Palmer, Mayor

FY 2016 - 2017 Wage Scale				
Grade	Status	Position Title	Min	Max
409	Salary	City Manager	\$86,646	\$129,684
408	Salary	City Attorney	\$83,383	\$123,947
407	Salary	Police Chief	\$73,814	\$108,966
406	Salary	Public Works Director Fire Chief	\$72,814	\$107,966
405	Salary	Community and Economic Development Director Finance Director	\$70,375	\$105,462
404	Salary	Information Systems Director Parks & Recreation Director	\$62,457	\$93,252
403	Salary	Human Resources Director	\$60,666	\$90,520
402	Salary	Development Services Manager	\$54,246	\$79,789
401	Salary	City Recorder	\$53,596	\$80,860
327	Full-time	Deputy Fire Chief	\$33.68	\$42.56
326	Full-time	City Engineer	\$31.43	\$44.05
325	Full-time	Police Lieutenant	\$28.78	\$42.55
324	Full-time	Police Sergeant	\$25.03	\$36.22
323	Full-time	Building Official	\$24.83	\$36.30
322	Full-time	Streets Superintendent Water Superintendent Environmental Superintendent	\$24.40	\$34.63
321	Full-time	Assistant Parks & Recreation Director Finance Manager	\$23.82	\$35.76
320	Full-time	Parks Superintendent	\$22.66	\$33.36
319	Full-time	Police Officer III	\$21.87	\$31.32
318	Full-time	Planner II/Grant Administrator	\$21.34	\$31.25
317	Full-time	Human Resources Specialist Building Inspector III	\$20.62	\$29.62
316	Full-time	Police Officer II	\$20.27	\$28.62
315	Full-time	Police Officer I	\$19.25	\$27.03
314	Full-time	Planner I/Grants Specialist Detective	\$18.94	\$27.84
313	Full-time	Building Inspector II	\$18.52	\$26.87
312	Full-time	Recreation Coordinator Parks Coordinator Fire Captain	\$17.75	\$25.53
311	Full-time	Court Clerk Supervisor Code Enforcement Officer Building Inspector I	\$16.82	\$24.82
310	Full-time	Water Maintenance Worker III Environmental Maintenance Worker III Street Maintenance Worker III Parks Maintenance Worker III Utilities Billing Supervisor Facilities Maintenance Technician	\$16.18	\$23.67
309	Full-time	Business License Clerk Administrative Professional	\$15.45	\$21.99
308	Full-time	Water Maintenance Worker II	\$14.93	\$21.30

Grade	Status	Position Title	Min	Max
		Street Maintenance Worker II		See previous page
		Environmental Maintenance Worker II		
		Fire Engineer		
307	Full-time	Court Clerk II / Admin Professional	\$14.67	\$20.70
		Senior Fire Fighter		
306	Full-time	Building Permit Technician	\$13.86	\$20.63
		Parks Maintenance Worker II		
		Utilities Billing Clerk		
305	Full-time	Parks Maintenance Worker I	\$13.54	\$19.73
		Streets Maintenance Worker I		
		Water Maintenance Worker I		
		Environmental Maintenance Worker I		
304	Full-time	Court Clerk I	\$12.50	\$17.92
303	Full-time	Fire Fighter II	\$11.92	\$18.08
302	Full-time	Administrative Assistant	\$11.60	\$15.15
301	Full-time	Fire Fighter I	\$11.17	\$12.89
214	Part-time	Events Coordinator	\$17.92	\$24.86
213	Part-time	IT Technician	\$17.64	\$25.01
212	Part-time	Building Inspector I	\$16.82	\$24.82
		Code Enforcement Officer		
211	Part-time	Administrative Professional	\$15.45	\$21.99
210	Part-time	Bailiff	\$14.79	\$19.22
209	Part-time	Parks Maintenance Worker I	\$13.54	\$19.73
		Recreation Coordinator I		
		Streets Maintenance Worker I		
		Water Maintenance Worker I		
		Environmental Maintenance Worker I		
		Facilities Maintenance Technician		
208	Part-time	Court Clerk	\$12.50	\$17.92
207	Part-time	Fire Fighter II	\$11.92	\$18.08
206	Part-time	Administrative Assistant	\$11.60	\$15.15
		Mail Clerk		
205	Part-time	Fire Fighter I	\$11.17	\$12.89
204	Part-time	Custodian	\$10.28	\$13.30
203	Part-time	Recreation Supervisor	\$8.64	\$11.24
		Front Desk Receptionist		
202	Part-time	Crossing Guard	\$8.23	\$10.70
201	Part-time	Recreation Assistant	\$7.46	\$9.70
104	Seasonal	Seasonal Fire Fighter	\$11.92	\$18.08
103	Seasonal	Cemetery Maintenance Worker	\$10.25	\$13.25
		Meter Reader		
		Gang Mower Operator		
102	Seasonal /Temporary	Streets Maintenance Worker	\$8.50	\$11.75
		Water Maintenance Worker		
		Environmental Maintenance Worker		
		Jensen Pond Maintenance Worker		
		Land Maintenance Worker		
		Administrative Assistant		
		Intern		
101	Seasonal	Sports Fields Worker	\$8.00	\$10.00

FY 2016 - 2017 Wage Scale				
Grade	Status	Position Title	Min	Max
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322	Full-time	Streets Superintendent	\$24.40	\$34.63
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317	Full-time	Human Resources Specialist	\$20.62	\$29.62
		Building Inspector III		
316	Full-time	Police Officer II	\$20.27	\$28.62
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315	Full-time	Police Officer I	\$19.25	\$27.03
314	Full-time	Planner I/Grants Specialist	\$18.94	\$27.84
		Detective		
313	Full-time	Police Officer II	\$18.52	\$26.87
		Building Inspector II		
312	Full-time	Police Officer I	\$17.75	\$25.53
		Recreation Coordinator		
		Parks Coordinator		
		Fire Captain		
311	Full-time	Court Clerk Supervisor	\$16.82	\$24.82
		Code Enforcement Officer		
		Building Inspector I		
310	Full-time	Water Maintenance Worker III	\$16.18	\$23.67
		Environmental Maintenance Worker III		
		Street Maintenance Worker III		
		Parks Maintenance Worker III		
		Utilities Billing Supervisor		
		Facilities Maintenance Technician		
309	Full-time	Business License Clerk	\$15.45	\$21.99

Grade	Status	Position Title	Min	Max
		Administrative Professional		
308	Full-time	Water Maintenance Worker II	\$14.93	\$21.30
		Street Maintenance Worker II		
		Environmental Maintenance Worker II		
		Fire Engineer		
			See previous page	
307	Full-time	Court Clerk II / Admin Professional	\$14.67	\$20.70
		Senior Fire Fighter		
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		Parks Maintenance Worker II		
		Utilities Billing Clerk		
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		Water Maintenance Worker		
		Environmental Maintenance Worker		
		Jensen Pond Maintenance Worker		
		Land Maintenance Worker		
		Administrative Assistant		
		Intern		
101	Seasonal	Sports Fields Worker	\$8.00	\$10.00



COUNCIL AGENDA

July 12, 2016

Agenda Item #12 Utility Billing Review Contract Award

Factual Summation

- Any question regarding this agenda item may be directed at City Manager Brody Bovero or Public Works Director, Robert Whiteley
- Please see attached supporting documentation provided by Brody Bovero.
- The City Council has discussed this contract in two previous work sessions, with July 28, 2016 being the most recent.
- Pursuant to the City's advertised RFP process, ISI Water Company is proposed to receive the contract award.
- In summary the RFP outlines the following scope of work:
 - The selected contractor reviews the City's utility billing accounts and, usually with the assistance of software-based analytics, identifies possible problems in the City's water system. Typically, the software identifies anomalies in the billing accounts that flag a potential problem, whether it is a leak in a valve, a faulty meter, or other similar problem.
 - Based on the analysis, the specific locations in the field are investigated to see if there is, in fact, a problem.
 - Based on the findings, the problems are addressed by the City, and the difference between the recaptured revenue from the fix and the historical revenue is measured.
 - The selected contractor is paid only from the recaptured revenue, typically a percentage of the recaptured revenue for a specified number of years. The RFP is set up so that the City has no up-front cost or risk.
- This service is designed to improve the operational efficiency of the City's water system, and discover hard to find problems in the system in order to ensure the system is operating appropriately.
- A copy of the proposal and draft contract is included.

Previous Discussion

- Confidentiality Assurance: Contract language has been added to protect sensitive information of the City's utility customers.
- Require Notice of Overbilling: Contract language has been added to notify the City of any anomalies that indicate a situation where a customer might be overbilled.
- Fee: The original proposal from the contractor included a 60% fee on all new revenue obtained from the study for 36 months. Contract language has been amended to a contractor fee of 50% over 43 months.

Action

- This item is on the agenda to vote on whether to award the utility billing review contract to ISI Water Company.

RESPONSE TO
REQUEST FOR PROPOSAL
for
Review of Unbilled or Misbilled Utility Services

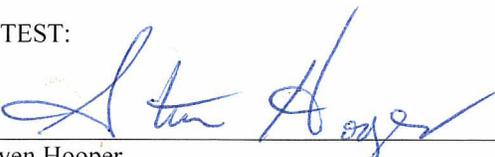
Due Date: April 25, 2016 3:00 PM Mountain Time

Requested by
SYRACUSE CITY, UTAH

Submitted to:
Mr. Brody Bovero
Syracuse City Hall
1979 W 190 S
SYRACUSE, UT 84075

Submitted by:
ISI WATER COMPANY
Steven Hooper
General Manager
5215 Fidelity Street
Houston, TX 77029
steve@watercompanyofamerica.com
(281) 352-0047

ATTEST:



Steven Hooper
General Manager, ISI Water Company

4-25-16

Date



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2. Company Profile, Experience, and Qualifications	4
3. Proposed Solution	13
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5. Price Proposal	32

April 25, 2016

Mr. Brody Bovero

Subject: EXECUTIVE SUMMARY

ISI Water Company (referred to herein as Water Company of America "WCA") is pleased to submit this response to the Request for Proposal entitled "Review of Unbilled or Misbilled Utility Services" to Syracuse City.

The study proposed in this RFP is identical to previous and current projects performed by WCA for Municipal Utility Departments nationwide, the first in 1989. Since initiating the first ever project of this nature in the nation, we have gained substantial national experience from a diverse group of very successful contract opportunities. While teaming with utilities as large as 374,000 accounts and as small as 1,600, WCA has increased the billings and collections to our clients by substantial amounts. The benefits of these increases in revenue are numerous and are detailed in our accompanying proposal.

In response to this RFP, and as with all previous contracts undertaken, WCA's program of revenue enhancement is offered on a performance fee basis. WCA will bear all of its study costs. WCA will be entitled solely to a share of increased collected revenues generated by this program.

Water Company of America has a proven program for improving customer billing equity and for revenue recovery. We most sincerely appreciate the opportunity to provide assistance to the City in this project. The contact information for WCA related to this RFP is as follows:

Steven M. Hooper, General Manager, ISI Water Company
5215 Fidelity St, Houston, TX 77029
(281) 352-0047 (direct); steve@watercompanyofamerica.com

WCA has adopted a code of business ethics that states that ISI Water Company will comply with all applicable laws, support and endorse antidiscrimination efforts and apply tangible business practices to utilize the full benefit of a supplier base that reflects the diversity of the American supplier community for needed supplies and services.

Steven Hooper, General Manager is authorized by the Company to negotiate contract terms and render binding decisions of contract matters.

This proposal is valid for a period of 120 days subsequent to the RFP submittal date of April 25, 2016.

Respectfully submitted,
Steven Hooper
General Manager

1. COMPANY PROFILE, EXPERIENCE and QUALIFICATIONS

Statement of experience and qualifications

ISI Water Company (a Texas corporation referred to herein as Water Company of America “WCA”) is registered to do business in the State of Utah and is pleased to submit this response to Syracuse City’s Request for Proposal entitled “*Review of Unbilled or Misbilled Utility Services*”.

WCA is uniquely qualified to perform the work outlined by the City in the RFP. The study proposed in this RFP is identical to 67 previous and current projects performed by WCA for Municipal Utility Departments nationwide, the first of which was in 1989. Since initiating the first ever project of this nature, we have gained substantial national experience from a diverse group of very successful contract opportunities. While teaming with utilities as large as 374,000 accounts and as small as 1,600, WCA has increased the billings and collections to our clients by substantial amounts. The benefits of these increases in revenue are numerous and are detailed in our accompanying proposal.

In response to this RFP, and as with all previous contracts undertaken, WCA’s program of revenue enhancement is offered on a performance fee basis. WCA will bear all of its study costs. WCA will be entitled solely to a share of increased collected revenues generated by this program.

Water Company of America has a proven program for revenue recovery. The WCA team of dedicated full time employees currently numbers eleven, including Mr. Frank Christiansen, a Contract Manager since 2005. In addition, two other key management individuals who will be directly involved are Jeff Haddock, CIS/data security and Steve Hooper, General Manager. We most sincerely appreciate the opportunity to provide assistance to the City in this project. The contact information for WCA related to this RFP is as follows:

Steven M. Hooper, General Manager

Home office: 5215 Fidelity St, Houston, TX 77029

steve@watercompanyofamerica.com

(281) 352-0047 (direct)

Executive Summary

ISI Water Company, and its parent Infrastructure Services, Inc. ("ISI") provide services to governmental entities on many levels in order to meet the maintenance, repair, and consulting needs of our nation's aging infrastructure system. Headquartered in Houston, Texas, ISI has established a reputation for meeting the diverse and changing needs of government with a wide range of services. This diversity of service to public and private entities continues to expand and currently includes three major areas of service. These are Account Review and Revenue Recovery Services for Municipal Utilities, Roadway Repair and Maintenance and Road and Utility construction. ISI employs people in regional profit centers across the United States.

The Municipal Revenue Recovery work to identify unbilled and/or misbilled service is marketed nationally under the trade name of **Water Company of America ("WCA")**. This name has been used since 1989, and because of national name recognition and existing contracts, ISI Water Company continues to market the service as Water Company of America.

WCA examines a utility's customer billing database of information and aspects of utility usage in the field with the objective of identifying the causes of and remedies for inaccuracies and deficiencies in each of the various utility processes that can potentially contribute to inaccurate billings for water, wastewater, and reclaimed water.

It is important to remember that an often significant portion of the service delivered by a Utility to its customers is never billed-for or collected. It is of vital importance that the appropriate fees be collected for all services rendered to insure the operational health of the utility. Each year millions of dollars are lost by utilities because of unbilled and/or misbilled services. WCA specializes in working cooperatively with staff to locate, assess and correct the conditions that cause lost revenue. WCA has the equipment, manpower, and expertise, including proprietary analytical software and sophisticated non-intrusive flow-metering technology, to research systems of all sizes for revenue losses. WCA can positively impact the City budget without increasing manpower requirements, overtime, or rates. WCA has a history of successful collaboration with municipal departments and is confident that it can stop the billing leaks that are silently draining revenues from the City.

WCA's program is conceptually straightforward and has proven to be effective based on extensive South Florida as well as national contract experience. This experience base equips

WCA to offer the most effective, proven method of enhancing revenue. Each month, the utility delivers millions of gallons of water to its end users or customers. The utility's retail billing meters record consumption and determine water and sewer billings. The difference between the actual services provided and the amount billed, or accounted for, represents *unbilled or misbilled service*. This program targets this variance and produces increased revenue for discretionary use by the City. In other words, this is *found or new revenue* that will have a positive impact on the budget. WCA locates this apparent loss component of non revenue water through a proprietary analysis technique and subsequent physical investigation. Once discrepancies are located, changes are made to the utility's billing system and/or physical metering system to produce the new revenues.

WCA provides a turnkey service that includes technical expertise, proprietary computer software, trained field personnel, state of the art flow-meter technology and even replacement meters if necessary. WCA can discover and help recover the revenue billings that are rightfully the utility's, and it can do the whole job as an independent contractor without disrupting normal service or daily operations and with a negligible requirement of utility staff time.

How WCA's System Works

1. WCA uses a proprietary technique to analyze users and meter types with property descriptions. WCA makes comparisons of like users. Various sort routines and comparisons are utilized to identify potential problems with consumers such as:
 - Unlisted Customers
 - Account Coding Errors
 - By-passed or Malfunctioning Meters
 - Unknown Sewer, Water and/or Electric Connections
 - Rate Discrepancies
2. Once WCA determines that an account's consumption and/or billing data is not consistent with certain norms, that account is selected for additional research. After an audit of a given property, if it still appears that the billing and/or consumption data do not meet certain criteria, WCA then performs field research of that specific location.
3. After completion of the field inspection, if additional sources of revenue have been discovered, formal documentation is submitted to the utility for billing changes and/or physical corrections.

All of the above procedures are standard for WCA and have been developed through years of successful contract experience.

WCA's revenue enhancement program is offered on a performance fee basis to the City. WCA will bear all of the cost of program implementation. The utility will never be required to reimburse WCA for any of its working capital expenditures, including professional staff, software, or the extensive resources required for field research. WCA will be paid only **a share of any new-found collected revenue** generated by this program. No other forms of payment are required.

Funding essential capital improvements to any water, sewer, stormwater, solid waste or reclaimed system is a major concern for every City. This project will provide a revenue source to accomplish needed improvements, thereby avoiding the appropriation of precious budget funds.

In summary, WCA's proposed program will have immediate and long-term benefits to the utility in the following ways:

- Provides improved rate-payer equity among customers.
- Provides improved accountability for services delivered to customers.
- Generates additional revenue from existing levels of service.
- Provides continuing increased revenue to the utility after program completion.
- Provides compensation to WCA based solely on performance.
- Provides an awareness of the necessity to practice conservation of a precious resource.
- Provides an effective way through conservation to reduce wastewater treatment loads.
- Provides a proven program that, by its existence, motivates internal personnel toward greater efficiency.

Key Study Personnel

WCA will perform the service proposed herein with trained management and field personnel with the requisite experience to accomplish the goals of the project. These employees are familiar with field procedures; appreciate the need for a clear understanding of applicable City billing policies, Ordinances, Rules and Regulations; comprehend variations in water distribution and sewer collection systems, and thus are capable of rapid mobilization for the City. Staffing needs for this project will be met by the Company in the following three manners:

1. Utah staff, officed at 404E 4500 S Murray, UT
2. Bringing experienced personnel from other locations
3. Recruiting, hiring and training from the local area

By approaching the issue of staffing in this manner, WCA can effectively perform the Scope of Work in a timely and effective manner.

The WCA program utilizes technical work methods conducted in an efficient manner and designed to optimize revenue impact without disruption to normal operating procedures of the City. All WCA field operations will be conducted in a manner consistent with requirements imposed by the City on its own personnel. Some of the basic WCA rules of staff operational conduct are listed below.

- WCA will conduct all operations to comply with applicable City procedures.
- WCA employees will adhere to all safety requirements of the City and WCA.
- WCA will insure that property conditions affected by field research activity will be returned to original or better than original condition.
- WCA vehicles will be clean and clearly marked with the Company Logo.
- WCA employees will be uniformed.
- WCA employees will display picture identification badges affixed to the employee's uniform.
- WCA employees will at all times maintain a neat and clean appearance that represents the professionalism of the City and WCA.

- WCA employees will exhibit a courteous and polite manner when dealing with any customer of the City.
-

Pre-employment Background Check

Every new applicant considered for employment with WCA is submitted to TrueScreen for a background check both local and nationally. Typically, a criminal background check which returns a history of crimes related to the type of work they will perform for WCA will make them ineligible to be hired by our company.

Subcontracting

WCA intends to perform all work required under the RFP and proposed in this response with WCA employees, therefore no subcontracting is anticipated.

The following key study personnel are herein proposed.**MR. FRANK CHRISTIANSEN - Contract Manager**

Mr. Christiansen is the original manager of the Utah regional office, since 2005. His training included in depth application of the Company WATERS software and “on site” practical property analysis in the field, during active contract operations in Utah, Colorado, and the Tampa Bay area. He is responsible for the day-to-day operations, workflow, production and client communication required for assigned projects. He will be directly involved with and responsible for the day-to-day management and operations of the project proposed herein. He was key man on nine contracts in Utah, including the Salt Lake City contract in 2005, and for the Denver Water contract in Colorado. Mr. Christiansen brings eleven years of related experience to studies requiring account review, consumption analysis and billing accuracy for revenue recovery for clients large and small. In addition, he oversees the monitoring of those accounts that have been identified by WCA for Increased Revenue as a direct result of the project. As a result of his experience and training, he brings skills to the project in the areas of account data analysis, metering system examination, wastewater flow evaluation, utility customer relations and reporting to the City. Internal to the local office, Frank is responsible for supervision of subordinate staff, accounts payable supervision, asset management and administrative duties. Mr. Christiansen reports to Mr. Hooper.

MR. JEFF HADDOCK – CIS/Data Security Manager

Mr. Haddock has been an integral part of the Company since 2000. He performed the duties of Central Florida Contract Manager from 2000 – 2012 and that of data manager from 2012 to current. He oversees the company’s electronic assets and resources, coordinates data needs with clients, and directs Company software development with programmers. Helps determine the information technology goals of the Company and is responsible for implementing computer systems to meet those goals.

- Manage the Company’s data security practices and policies
- Oversee company’s flow and processing of data from clients under contract
- Manage and maintain hardware and software assets
- Assist Contract Managers with data acquisition
- Intermediary with Programmers and to assist them as needed
- Assist with data manipulation and reporting at contract level as needed
- Setup field ready hardware and software systems as needed

Management level, reports to the General Manager.

MR. STEVEN M. HOOPER – General Manager

Mr. Hooper is responsible for management of *ISI Water Company*. He has 27 years of hands-on experience in the field of documenting unbilled utility revenue on a performance fee basis for governmental entities. From the first days of the first project of this nature, initiated in March of 1989, through the successful operation of contracts nationwide, he has developed the business plan, employee training procedure, best practices, specialized software application/design, flow and test meter application, national marketing strategy, and financial management. Participation in industry trade organizations and functions such as the American Water Works Association, the Water Environment Federation and the Government Finance Officers Association benefits the firm and clients by staying current with regard to industry standards and trends. He will coordinate all insurance requirements of the study, as well as oversight of company compliance and safety policy. Other duties include project resource allocation, production oversight, asset utilization, personnel deployment, and recruiting (as required). Hooper reports directly to Mr. Tim Herbert, Company President.

Authorized Negotiator

Steven Hooper, General Manager is authorized by the Company to negotiate contract terms and render binding decisions of contract matters.

All projects listed below have the same "project description" as called for in the Loveland RFP

Past Experience Table

The following is a partial listing of smaller systems, similar in size to Loveland. An unabridged list is available upon request

Governmental Entity	Total Number of Accounts	Client Contact	Title	Email	Telephone
Oldsmar, FL	8,000	Al Braithwaite	Administrative Services Director	abraithwaite@ci.oldsmar.fl.us	(813) 749-1107
Payson, UT	5,000	Dave Tuckett	City Manager	davet@payson.org	(801) 465-5209
Springville, UT	6,000	Mark Anderson	City Manager	manderson@ci.heber.ut.us	(435) 654-0757
Oakland Park, FL	8,000	Ken Resor	Director	kennethr@oaklandparkfl.gov	(954) 630-4458
Gainesville Regional Utilities	89,000	Steve McElroy	Technical Systems Analyst Sr.	MCELROYSL@gru.com	(352) 393-1653
Largo, FL	31,000	Kimball Adams	Management Services Director	kadams@largo.com	727-587-6747
Pace Water System, FL	14,000	Damon Boutwell	General Manager	dboutwell@pacewater.org	850-994-5129
Biloxi, MS	18,000	Dianne Merrill	Utility Billing Manager	dmerrill@biloxi.ms.us	228-435-6236
Dunedin, FL	12,000	Paul Stanek	Water Division Director	pstanek@dunedinfl.net	727-244-2236
Gulfport, MS	26,000	Sara Ladner	Utility Billing Manager	sladner@gulfport-ms.gov	228-868-5705
Brevard County, FL	85,000	Jim Helmer	Director	jim.helmer@brevardcounty.us	321-633-2092
St Petersburg, FL	90,000	Tammy Jerome	Billing and Collections Director	tammy.jerome@stpete.org	727-893-7892
Mt Olympus SSD, UT	28,000	Kerry Eppich	General Manager	kseppich@slcssd1.org	801-262-2904
Cooper City, FL	8,000	Mike Bailey	Director	mbailey@coopercityfl.org	954-434-5519
Jackson, MS	85,000	Linda Lindsey	Water/Sewer Utilities Manager	llindsey@city.jackson.ms.us	601-960-0922
Granger Hunter ID, UT	25,000	Clint Jensen	CEO/General Manager	cjensen@ghid.org	801-968-3551
Bartow, FL	6,000	Karen Hielscher	Manager, Utility Customer Services	khielscher.cs@cityofbartow.net	863-534-0188
Sanford, FL	17,330	Bill Marcous	Manager, Utility Support Services	marcousw@sanfordfl.gov	407-688-5105

Miscellaneous statements relevant to Section 2.

Litigation: WCA is not now, nor has it ever been involved in arbitration or litigation with any client governmental entity or with any utility customer of any client.

Financial stability: WCA has never filed for reorganization or bankruptcy.

Additional Services: Municipal Utility Managers often question WCA as to the ability to provide additional services if desired by the City, therefore a brief synopsis is offered. WCA works closely with each Client City to identify needs and offer solutions. The following is a list of examples of services that were added by various City and County governments over the years.

Analysis of cost apportionment to a client City

Example: the City is a wholesale customer of or a member agency of a Wastewater Treatment Authority serving multiple Cities.

Property water audits

When Customer Service Departments are hit with customer high bill complaints to elected officials, one solution is to use WCA for an arm's length third party field audit.

1. explain account data – customer sensitive
2. correlate last billed read to the current read
3. explain the rate, Ordinance and the reason for it (especially conservation rate)
4. inspect the meter leak indicator
5. identify water uses, especially irrigation
6. equate consumption to dollars, especially as regards irrigation
7. provide report documenting all activities

Example: Polk County

Water Pressure Logging

Example: turnkey work (hardware, install, read, report) for an engineering firm in Central FL engaged in a long range planning process for a municipality.

Saturate a service area to account for all connections

Example: The City must respond to a State DOT notification that a road will be widened, covering a sewer main. The City wants to ensure that every property parcel has a sewer tap of record. WCA will research County property appraiser records to identify all parcels, overlay with connection records, perform visual field confirmation where feasible and report to the City. Performed for Orange County, FL on SR50

Water and/or sewer flow-metering. Example: sewer only customer of Gulfport, MS

Section 3. PROPOSED SOLUTION

The accurate measurement of water is the means by which water utilities generate revenue to offset expense, determine equitable fees among users, promote conservation and minimize wastewater treatment loads. WCA will assist the various Syracuse Departments in identifying causes of, and suggesting remedies for system inaccuracies and deficiencies with respect to water, wastewater, electric and stormwater utility charges. System inaccuracies arise from many situations. Some of these situations are: unbilled connections, meters not listed in the billing database, unknown taps, unauthorized fireline usage, meter bypass abuse, inaccurate submeter credits, and other conditions that are routinely encountered. These inaccuracies can be identified and corrective action taken to insure compensation for services rendered.

In general, the above situations can be grouped into the five major categories listed below:

- o Meter Inaccuracy and Malfunction
- o Service Theft
- o Unmetered Firelines
- o Other Unbilled or Misbilled Usage
- o Stormwater

These categories are addressed in the text that follows.

A. METER INACCURACY

It is critical for any Utility to be able to identify those meters within the utility system that perform below accepted levels of efficiency. Three typical contributing factors are:

- o Failure of Meters and Other Mechanical Devices
- o Lack of System Capabilities
- o Budgetary Limitations

Problem # 1: Failure of Meters and Other Mechanical Devices

Problem Explanation: A meter's propensity for accuracy loss and potential failure is due to the very nature of a mechanical device with moving parts. This accuracy loss is random among meters and often cannot be predicted. When vandalism and other meter damage issues are added to the equation, the problem of inaccuracy becomes even more unpredictable.

Solution # 1: WCA has developed systems to detect abnormal trends that may indicate mechanical failures in a timely manner. The analysis of these trends, coupled with field investigations, will detect meter failures. Field investigations will determine if there is a potential for loss of revenue. Based upon the field work performed, WCA will recommend the appropriate course of corrective action. As a result of these actions, the potential for revenue increases will be greatly enhanced.

Problem # 2: Lack of System Capabilities

Problem Explanation: An example of the lack of system capabilities is as follows. A meter read is taken on a meter that is not performing to standard and registering low reads. This situation has occurred over an extended period of time. The meter reader (manual or AMI) has no concept of years prior consumption for the given property. The meter reader has no data to correlate with property characteristics such as property size, activity of occupant and occupancy rate. Therefore, an inaccurate meter with a history of low reads would not show a consumption pattern that would be indicative of a problem.

Solution # 2: WCA utilizes a system that compares like properties and isolates consumption differences. Consumption differences of this nature are selected for field review. The field review process confirms or denies consumption patterns with property characteristics.

Problem # 3: Budgetary Limitations

Problem Explanation: Budgetary limitations may restrict Department personnel from performing efficiently in isolating meter inaccuracies. Meter repair programs are usually limited to replacing known malfunctioning meters. Department personnel may be diverted from looking for meter inaccuracies to work on other distribution problems. Several operational factors impacted by this limitation are:

- o Allocation of existing manpower
- o Staffing capability
- o Acquisition of testing equipment
- o Acquisition of fleet and facility support

Solution # 3: WCA's program will provide a system for identifying meter inaccuracies at no cost to the Department during the term of the contract. All meter testing performed by the WCA shall recognize American Water Works Association (AWWA) standards, as utilized by the Department.

B. SERVICE THEFT

Service theft is the act of receiving utility service without proper remuneration. There are many factors that contribute to this problem, and the discovery of each factor must be approached systematically. Service theft can be divided into two broad categories, intentional and unintentional. These categories are discussed separately below.

1. INTENTIONAL SERVICE THEFT

Intentional service theft is the deliberate act on the part of a consumer of receiving service without proper remuneration to the utility. In general, intentional service theft is achieved from the following situations:

- o Incorrect Piping Arrangements
- o Usage on "Inactive" Accounts
- o Emergency Meter Bypass Abuse
- o Fire Hydrant Abuse

Problem # 1: Incorrect Piping Arrangements.

Problem Explanation: Theft of service can result from incorrect piping arrangements. Tampering is generally involved in these situations. Some examples of these situations are as follows:

- o Straight connects or an illegal cut-across
- o Installing a jumper after a meter was pulled, subject to the limitations below.
- o Removing a lock after a lock-out procedure, subject to the limitations below.
- o Removing a blind gasket after service termination

Solution # 1: WCA will identify these situations by way of account review and on-site inspection of suspect locations. A comprehensive field analysis of known problem areas will often reveal cases that cannot be traced via Departmental data. When multiple problems occur in a specific area, a saturation survey of the entire area is conducted to verify that all connections are proper.

Problem #2: Usage on "Inactive" Accounts

Problem Explanation: An account could be classified within the Department's system as "inactive". However, the meter serving this account could be in use.

Solution #2: Subject to the provisions below, WCA typically will make a field inspection on accounts classified as "inactive". Inactive accounts utilizing service will be identified and appropriate documentation submitted to the Department to initiate a change in account status. However, WCA will not receive compensation on Accounts in which the Department has terminated service due to non-payment of bills, also known as "cut off for nonpayment" or "CONP". These "known" (to the City) cases may often result in meter removal by the Department, which in turn may result in the illegal installation of a jumper by the customer. The Department has in place a process to field check all such accounts as part its routine procedures and therefore, for the sixty day period following a CONP, findings of jumpers or other illegal connections on such accounts are not subject to payment by the Department to WCA under the terms of this Agreement. WCA will investigate and submit findings only after the stipulated time period established by the City has been exceeded on the account.

Problem # 3: Emergency Meter Bypasses

Problem Explanation: The abuse of large meter emergency bypasses contributes to the theft of service problem. Open meter bypasses are especially difficult to identify when it represents only a portion of total usage. For example, a bypass could be partially opened thus allowing unmetered service and yet not prompting action since an account billing is being generated.

Solution # 3: WCA will identify all bypassed meters within the Department's system. Resolution of the bypassed meter problem is based upon a focused investigation of all meter installations with meter bypasses. WCA will physically inspect all bypassed meters on a regularly scheduled basis to determine if unmetered service is being provided. Only if a situation is found that is unknown to the City, and for which no active City Service Work Order is in effect, and has existed for a period of sixty days or longer, will WCA submit the item as a "find".

Problem # 4: Fire Hydrant Abuse

Problem Explanation: Service theft is compounded by the use of fire hydrants supplying water for purposes other than extinguishing fires. The Department controls the majority of these situations by way of policy and procedure in their rules and regulations

Solution # 4: WCA will review the existing policies and procedures as they relate to fire hydrants. If there appears to be any revenue enhancement potential that can be acted upon, recommendations will be made to the Department. These recommendations will include a benefit to cost analysis of any suggested solutions.

2. UNINTENTIONAL SERVICE THEFT

Unintentional service use is defined as the receipt of water and/or wastewater service for which the customer has no knowledge. In general the following situations are the cause of this type of service theft:

- o Incorrect Piping Arrangements
- o Incorrect Account Data

Problem # 1: Incorrect Piping Arrangements

Problem Explanation: The unintentional incorrect piping arrangement is a common contributor to the unbilled revenue problem. Accurate site utility plats are not always available during construction. These plats indicate which tap serves a particular location. If a tap is not identified correctly with the property receiving the service, errors occur. For example, if an adjacent location's tap is incorrectly identified, the property could ultimately receive water through a meter not associated with that property.

Solution # 1: WCA will locate incorrectly identified property by conducting comprehensive on-site inspections of selected properties, customer account research and comparisons to other adjacent properties. By performing these inspections, many instances of this kind will be discovered and the appropriate remedy will be submitted to the Department for corrective action. However, if the taps are being billed, no additional revenue will result. Therefore, WCA will not receive compensation on such Accounts.

Problem # 2: Incorrect Account Data

Problem Explanation: The tap or meter that is not correctly identified with the appropriate property is often unbilled. Sometimes a location is served by more than one tap. One meter can be generating legitimate billings while another is not. Confusion of service address with meter location can be a problem leading to incorrect account data. For example, a secondary meter might be physically located on a side street away from the primary or known meter. The second meter carries a different street address and normal search procedures by the Department result in fruitless efforts to locate, read or maintain the account. This occurs frequently in developed areas that were annexed by the Department and where installation records and “as built” drawings were not equivalent to those required by the Department today.

Solution # 2: WCA will compare like properties with similar usage characteristics to identify those consumers with lower than anticipated consumption. Ultimately, the correct association of multiple connections to a single property can only be ascertained by comprehensive field inspection and testing.

C. UNMETERED FIRELINES

The Department has established policies designed to minimize the abuse of unmetered firelines. Regulations specifically restrict unmetered fireline use. The Department’s policy regarding Detection Check Meters provides further safeguards against abuse. WCA will, by way of physical property research, make appropriate reports to the Department should any customer be found to be out of compliance with the Rules and Regulations.

Problem # 1: Unauthorized taps on Unmetered Firelines

Problem Explanation: The existence of connections made to unmetered firelines for use other than intended represents a loss of revenue faced by all utilities. The problem can be categorized into three basic areas:

- o Deliberate, illegal taps into fire systems
- o Control measures on identified firelines, such as detector check meters that are inoperative or are not checked routinely
- o Unmetered firelines that have no control devices to indicate usage

Solution # 1: WCA will isolate unmetered fireline abuses by researching properties with known service as well as searching for connections that are unknown to the Department. A few of the methodologies employed are:

- o Focus research on recently annexed areas and within areas of the system built during periods of rapid growth.
- o Research a random sample of that portion of the account population with known firelines.
- o Site inspections of a property always include an inspection of the fire protection system components.
- o In the case of large-scale installations with pressure alarms, a non-intrusive portable flowmeter will be utilized to verify unauthorized flow.

- o Other relevant databases of information such as State or Local fire insurance records can be compared to Departmental data regarding fireline billings.
- o The piping arrangement present in any location is traced and identified to the greatest extent possible.

D. OTHER SYSTEM DEFICIENCIES AND UNBILLED SERVICES

A multitude of factors impact the ability of the Department to bill correctly for its services. Other than those areas previously discussed, the following problems have been encountered in other utility systems. Other unbilled or misbilled usage can be the result of the following situations:

- o Incorrect Account Data
- o Abuse of Submeter Allowances
- o Unknown Accounts

Problem # 1: Incorrect Account Data

Problem Explanation: An example of this type of problem is as follows. A building is served by an unmetered fireline. However, the Customer Information System has no record of this data. Therefore, the Department may be losing revenue because of incorrect account data.

Solution # 1: Standard operating procedure utilized by WCA via its field research techniques is to verify all existing account data against actual property configurations. In that all account data is verified with the physical property configurations, discrepancies are noted and communicated to the Department by way of a Formal Work Order.

Problem # 2: Abuse of Submeter Allowances

Problem Explanation: Submeters allow credits for wastewater charges due to non-returned water to the sanitary system. Submeters for such uses as irrigation, processes and coolant towers provide reasonable usage credits to end users. However, if they are not properly installed, configured and monitored they can be abused. The net result of such situations is that the Department may not receive the appropriate remuneration for wastewater services.

Solution # 2: WCA will undertake a study of all known Submeter Account billings within the Customer Information System. All such properties will be researched to determine the validity of these credits with respect to credit calculations, and the appropriateness of those accounts receiving such credits.

Problem # 3: Unknown Accounts

Problem Explanation: Most major utilities have experienced growth by way of annexations of existing systems. If the accounting data from these acquired systems was not correct during the conversion, the probability is high that subsequent corrections to this data

may not have been made. Also, if the utility has experienced billing system conversions, some accounts tend to be lost during the conversion. Unknown accounts produce no revenue for the utility, while adding to the unaccounted-for water loss equation.

Solution # 3: Standard operating procedure for WCA field crews is to make checks of adjacent properties while performing selected field research. WCA's standard operating procedure utilizes radio-dispatched crews to perform field research. WCA's office staff uses a computer link to the Customer Information System to retrieve current account data. Communication between office staff and field personnel enables WCA to verify information on adjacent properties which may be unknown.

E. STORMWATER

A multitude of factors impact the ability of the municipality to bill correctly for its services. The following problems have been encountered while performing Stormwater studies for previous clients. In general, problems can be grouped into the four major categories listed below:

- o Incorrect Account Data
- o Unknown Customers
- o Unauthorized credits
- o Incorrect Impervious Area

Problem # 1: Incorrect Account Data

Problem Explanation: An example of this type of problem is as follows. A building is physically located within the boundaries of the Client's geographic area. However, a code is set which identifies its location in a neighboring service area. Therefore, the Department may be missing the fee from the property because of incorrect account data.

Solution # 1: Standard operating procedure utilized by WCA via its field research techniques is to verify all existing boundary areas with locations in the field. In that all account data is verified with the physical property configurations, discrepancies are noted and communicated to the Department by way of a Formal Work Order.

Problem # 2: Unknown Customers

Problem Explanation: An existing customer in the service area is not listed in the billing database, resulting in unbilled service.

Solution # 2: WCA will undertake a study of the service area to determine if all customers are correctly identified in the utility billing system. If discrepancies are noted, each will be submitted to the City for review.

Problem # 3: Unauthorized Credits

Problem Explanation: If a credit to billing is allowed by the City on a certain account, and the premise on which the credit is based is flawed, then underbilling results. For example, if credit for onsite retention is allowed and the basis for the calculation of the credit is wrong, then the billing is wrong.

Solution # 3: All such properties receiving credit will be reviewed and if errors are noted, then each case will be submitted to the City for review by way of a Work Order.

Problem # 4: Incorrect Impervious Area

Problem Explanation: Stormwater billings on commercial accounts are most often driven by the number of impervious area square feet on the parcel. If that number is understated, then the billing is understated.

Solution # 4: WCA will verify the impervious area of properties whose stormwater billing is driven by a unique measurement and calculation for a property. If errors are noted, data will be gathered in the field and a Work Order submitted to the City for review.

The Importance of the Criteria which Determine Utility Billing

A clear understanding of the billing policy of the City is absolutely critical to the success of the project. A lack of understanding will result in two things. The first is missed opportunity, defined as lower than expected discovery of Increased Revenue. The second is that submittals which are tendered to the City for review will be incorrect and thus rejected. An error in billing on an Account cannot be ferreted out without first gaining a working knowledge of the way things should be.

In the experience of WCA, no two utility clients apply exactly the same set of criteria to determine customer fees for water, wastewater and stormwater service. In all contracts entered into by the Company, all applicable sources of client billing reference information are carefully researched to determine the *intended billing methodology*. These include (but are not limited to) Statute, Charter, Ordinance, Rate Study, billing policy, special case rules, and finally, the utility billing software utilized by the client. The understanding gathered in this process enables WCA to correctly and fairly analyze individual customer billings and to recommend only those changes and corrections that fit within existing City guidelines. These guidelines determine both billings going forward in time as well as any appropriate retroactive billings. This same

methodology will be applied by WCA for the City. The Company's knowledge of utility systems is extensive. Therefore, WCA is well suited to accomplish the goals of this project. The City can be assured that WCA will only recommend account changes that are in accord with the intent of the City in determining customer fees.

Confidentiality Agreement

WCA agrees to comply with the requirements of laws and applicable ordinances concerning confidentiality of utility customer records.

Proposed schedule for completing the work

Data access through read only link and the data download process (described in Section 4, Task I. Step 1.) is a function of the City - over which WCA has no control. Because this period of time is impossible to forecast, it is not included in the Contract Term.

"Notice to Proceed" is defined as the written notification by the City to WCA to initiate Work. This notification is issued upon the successful receipt and conversion of Account data from the City by WCA. The date of the Notice to Proceed shall mark the initiation of the Contract Term.

Contract Term - It is anticipated that the period of time necessary for the "Work", (described in Section 4, Task I. Steps 2-8 and Task II.) for this project is one year. It is recommended that the City include renewal options to be exercised if it so desires. Because every Contract undertaken by WCA in years past has proven to be unique – in terms of results and the amount of time necessary to produce those results - adequate opportunity for the City to achieve maximum benefit must be allowed.

Insofar as the day to day and week to week schedule is concerned, WCA will gear the frequency of reports, updates and submittals of Work Orders according to the limitations, requests and requirements of the City.

Section 4. PROJECT IMPLEMENTATION

Summary

WCA offers solutions to municipal governments large and small to improve the billing accuracy for all services while preserving public resources. A primary objective is to partner with key staff personnel of the governmental entity to identify causes of, and implement remedies for, system inaccuracies and deficiencies that adversely affect the accuracy of customer fees.

ISI originated, and is the number one provider of the service whereby private industry provides a revenue enhancement program at no cost to municipal utilities, with compensation strictly contingent on contract performance. The history of the company dates back to the first ever contract of the nature contemplated by the City in this RFP. This first project was initiated in March of 1989 for the City of Houston. Subsequent to that time, WCA has established itself as the number one provider of the service, having successfully conducted or in the process of conducting identical projects for numerous governmental entities nationwide.

System Concept and Solution

The Study work shall consist of 3 general tasks and 13 specific steps that involve actions and decision points of the utility and of WCA. The steps are shown below in written form to explain the detail of each, and a flow chart diagram is included to illustrate the process. Mobilization of this project can be accomplished within thirty (30) days and the discovery phase is expected to be complete within one year and should the revenue opportunity justify additional work, extension years could be utilized.

Good communication is a key to the success of this project. A “start work” meeting shall be conducted with key members of each affected Department. Objectives are spelled out, an overview of the *method of approach* is discussed, and a clear chain of command and reporting is determined. Guidelines for subsequent updates can be established as well. An operational methodology based on good clear communication facilitates maximum production for the City.

TASK I – IDENTIFY AND ANALYZE

Step 1: Account Data Information Gathering and Review

Account data is accessed in two ways, first, a download of raw unjoined data run at a consistent point in time each month and second, an electronic link for review of real time data. All necessary data queries

and reports are created and run by WCA personnel on WCA computers with no City staff time requirement.

(1) Download

- (a) WCA will meet with the City IT representative to identify those needed data fields from the CIS schema to be included in the download.
- (b) City generates a script (stored routine) that writes raw unjoined tables of data to a file.
- (c) This file is run at whatever time of day or day of the month is convenient for the City.
- (d) WCA retrieves this file in whatever method is most advantageous for the City (portable hard drive, FTP, etc.)
- (e) This download is run monthly for the duration of the project, as it is used for initial investigation and to monitor the collection of Individual Service Revenue and thus to determine compensation.

(2) Electronic link – this resource enables WCA to gather current account information. Real time information is obtained through this *read only* password protected modem link to the CIS. This information link allows the rapid reference to additional unique pieces of information not contained in the download described above. By gaining access to real time data in this manner, any related City staff time requirement is eliminated.

Data that is typically reviewed includes; historical consumption and billing data as well as standard customer information such as; service address, customer name, meter number, billing codes, unit count, meter installation date, sewer surcharge level, etc. Once this customer account information is in hand, WCA begins the task of adapting its proprietary computer software by **designing a custom front end unique to Syracuse**. Queries and sort routines that facilitate the identification of unbilled and misbilled service revenue are tailored to Syracuse account data. These adaptations allow WCA to effectively utilize Utility data in whatever format it may be available. The company's investment in development costs of over \$450,000 has yielded proprietary software that is flexible, adaptable and custom built for studies of this nature for the Water, Wastewater, Stormwater and Solid Waste industries. It operates independently of the CIS, and in no way impacts the integrity of that data. The analysis of account data in this manner, which is unlike other less effective methods utilized by others, provides significant benefit to the City, including at least the following;

- 1) Quantity of revenue produced
- 2) Quality of discoveries and corrective action stand the test of time
- 3) Accuracy of quantifying revenue enhancement

- 4) WCA is committed to isolate the more difficult account problems (unknown or unlisted taps and connections), rather than merely the obvious

Step 2: Account Information Analysis Criteria

WCA analyzes the reliability of the account data as it relates to billing, identifying those key fields that could negatively impact billing if entered incorrectly. Twenty six years of experience has shown many of these criteria to be standard from one City to the next. However, every City has its own unique combination of factors that ultimately determine a customer billing. Therefore, WCA will perform a comprehensive study of the City's rates, Ordinances, Resolutions, billing policies and operational practices to clearly understand the correct method. Armed with this understanding, WCA will review customer accounts for instances of no bills, underbilling and over billing on an individual basis to identify increase revenue opportunities. The accuracy of CIS data pertinent to billing is critical to the success of the project. Typical account data and data analysis criteria include the following:

- 1) Service codes and resultant billing drivers
- 2) Meter size, age, type and total recorded flow
- 3) Meter repair history and frequency
- 4) User classification, whether commercial, industrial, multi-family or residential
- 5) Number of units and calculated consumption per unit
- 6) Property flow and demand characteristics and how those factors compare with consumption
- 7) Property geographic location as it relates to water, wastewater and solid waste collection service areas
- 8) Consumption analysis including monthly, quarterly and annual averages from year to year
- 9) Consumption patterns and trends that indicate failed meters
- 10) Comparison of usage to consumers with like profiles
- 11) Comparison of property type and/or classification to the appropriate billing rate
- 12) Meter read/reread history

The Utility's historical data is essential to Step 2 and is the basis upon which the remaining steps are predicated.

Step 3: Internal Property Selection Report

WCA produces a Property Report of suspect locations from the data analysis process described in Step 2. This "first cut" report provides a list of accounts ear-marked for further research. Each account record is scrutinized for additional facts that can validate account problems as probable.

Step 4: *DECISION POINT:*

A preliminary survey of work to be performed is conducted to maximize efficiency and to prioritize the work. Based on this preliminary review, WCA selects properties from the initial analysis for field work.

Step 5: Field Work Selection Report

WCA prepares a Field Work Selection Report that identifies the individual accounts and in some cases areas to be researched in the field. WCA submits the report to the Utility for review and approval. This step informs the Utility of WCA's intended field operations, and the location of its personnel within the system.

Step 6: Field Work Order Issued

After the Project Manager approves the Field Work Selection Report, WCA issues a Field Work Order to its field personnel. This document will be completed on site and is used to confirm all current property data. All causes of revenue loss will be explored including: meter inaccuracy, service theft, unmetered fire lines, wastewater service problems, coding problems, billing accuracy, and unlisted connections or meters. Generally, customers like seeing water utility representatives in the field. This field research typically promotes confidence to the customer that the utility is properly maintaining the system.

Step 7: Field Research & Account Documentation

Field personnel conduct site visits to research the property for all information required on the Field Work Order, often including, but not limited to, the following information:

- 1) Date and time of research
- 2) Type of property
- 3) Classification of water service
 - a. Domestic
 - b. Fire
 - c. Irrigation
 - d. Process
- 4) Approximate building square footage
- 5) Number of dwelling units
- 6) Current and historical occupancy information
- 7) Meter location, ID #, size, manufacturer and type
- 8) Current meter reading
- 9) Preliminary evaluation of meter's operating condition
- 10) Individual contacted
 - a. Name
 - b. Title
 - c. Telephone number
 - d. Hours of availability

Note: Additional fieldwork is frequently required subsequent to the initial contact. Follow-up research may be necessary to:

- Insure positive customer relations
- Confirm short period and off peak period use
- Gain access to specific locations previously denied

Step 8: *DECISION POINT: Potential Revenue Enhancement*

Once field account analysis and field work are complete, WCA selects specific accounts with the potential for revenue enhancement for submission to the City. Accounts not selected will be filed systematically for future reference.

TASK II – QUANTIFYING REVENUE ENHANCEMENT

Step 9: *Formal Work Order submission*

WCA will submit to the Utility a Formal Work Order on an account-by-account basis with complete documentation where additional revenue recovery is possible. This report provides complete and accurate documentation for use by the City to update and correct customer records. The document is a report produced by the WCA software, written specifically for Syracuse. Included in this standard document is the projection of incremental revenue increase. *This projection is essential to the utility, in that accurate projections must be in hand before decisions can be made as to the relative importance of problem correction and as to the cost effectiveness of the remedy.* This projection is supported by precise calculations that are based on the property analysis and the analysis of the meter or meters in question. In addition, when required and where conditions permit, WCA will provide electronic flow measurement utilizing a non-pipe intrusive Transit Time Flowmeter. Measurements from the flowmeter serve to verify and document unauthorized flow through unmetered fire lines, for example, and serve to confirm the accuracy of large meters. This capability enables more accurate projections, and therefore is a substantial benefit to the utility in TASK II. The Formal Work Order typically includes the following support documentation:

- 1) Historical and current account data
- 2) Property Selection Report
- 3) Field Research Report
- 4) Notes, sketches, test results, photographic evidence
- 5) Discovery notes and comments
- 6) Recommended corrective action

All problems noted in the system are mapped by address in the mapping software to determine the frequency and location of problems in the system.

Step 10: *DECISION POINT:*

The City will review the Formal Work Order and approve WCA's recommended changes. The City retains the ultimate unilateral right to

approve each Formal Work Order submitted. Any Formal Work Order not initially approved will be returned to WCA for additional work and resubmission, and/or filed for future reference.

TASK III – COORDINATING THE IMPLEMENTATION AND EXECUTION OF CORRECTIVE ACTION

Step 11: Corrective Action

Following Formal Work Order approval, the necessary changes will be made to the account. These changes fall into two broad categories; changes in billing and changes to the physical service. WCA will assist the utility by coordinating the necessary activities and/or procedures between the various disciplines by acting as liaison to resolve issues that might otherwise stalemate the remedy. Examples of this assistance: generating interdepartmental correspondence, preparing letters for City signature that notify customers, as well as the assimilation of signed hardcopy for archive purposes. Water Company of America takes great pride in its ability to work cooperatively with our utility partners to ensure follow-through with corrective action.

If the remedy requires field work, the City shall determine whether it will timely accomplish the task or assign the work to WCA. If assigned, WCA will prepare a detailed line item budget identifying resource requirements including labor, material, equipment, markup and a project schedule and specific procedures for correcting the situation. All field analysis and scheduling will follow City scheduling and operating procedures and be accompanied by City staff from the respective divisions affected.

Should the Department choose, WCA could accomplish the necessary physical changes in the field. Should this prove to be an option exercised by the Department, an effective method to utilize increase revenue generated by the project can be employed to accomplish meter repair or change-out, when that is required.

Step 12: Identified New Revenue on Accounts

Once the change to the account is complete, the Utility will identify (flag) the account in the Utility Billing Database as one to which WCA is eligible for participation in a share of increase revenue.

Step 13: Reports and Proposed Revenue Sharing Plan

WCA compiles and delivers a monthly report (Detailed Revenue Report) to the City that details the collected revenue for the period and calculates WCA compensation. This amount is based on actual account collection. The collection activity is monitored from the same monthly download of account data identified in Step 1. The revenue report is generated on an

account-by-account basis, for review and approval by the Department. This eliminates the need for the utility to expend the resources necessary to write a computer program to accomplish the task, while reserving to the utility the approval authority for the disbursement of increase revenue. The monthly report summarizes each month's activity and typically includes the following information:

- 1) Formal Work Order approval date
- 2) Account number
- 3) Formal Work Order Number
- 4) Service address
- 5) Billing period/counter
- 6) Increase revenue calculation
- 7) WCA Share of Increase Revenue

In addition and if desired by the City, WCA will prepare a Status Report, on a frequency determined by the City. This custom report details those specific pieces of information meaningful to the City related to the documentation of revenue findings. This report is not “canned” but is tailored to the needs and desires of the City. This approach to reporting, as well as to final reporting at the contract end is possible because the full picture of an account is available from one database source; history, findings, discovery notes, type of find, type property, corrective action, problem resolution, and records of Increase Revenue collections over time. This information is available for inclusion on any requested report, monthly or otherwise – on demand. This flexibility has been very well received by managers in past. This approach to the typical need for progress reporting is significantly more meaningful to the client than a “one size fits all” approach offered by others.

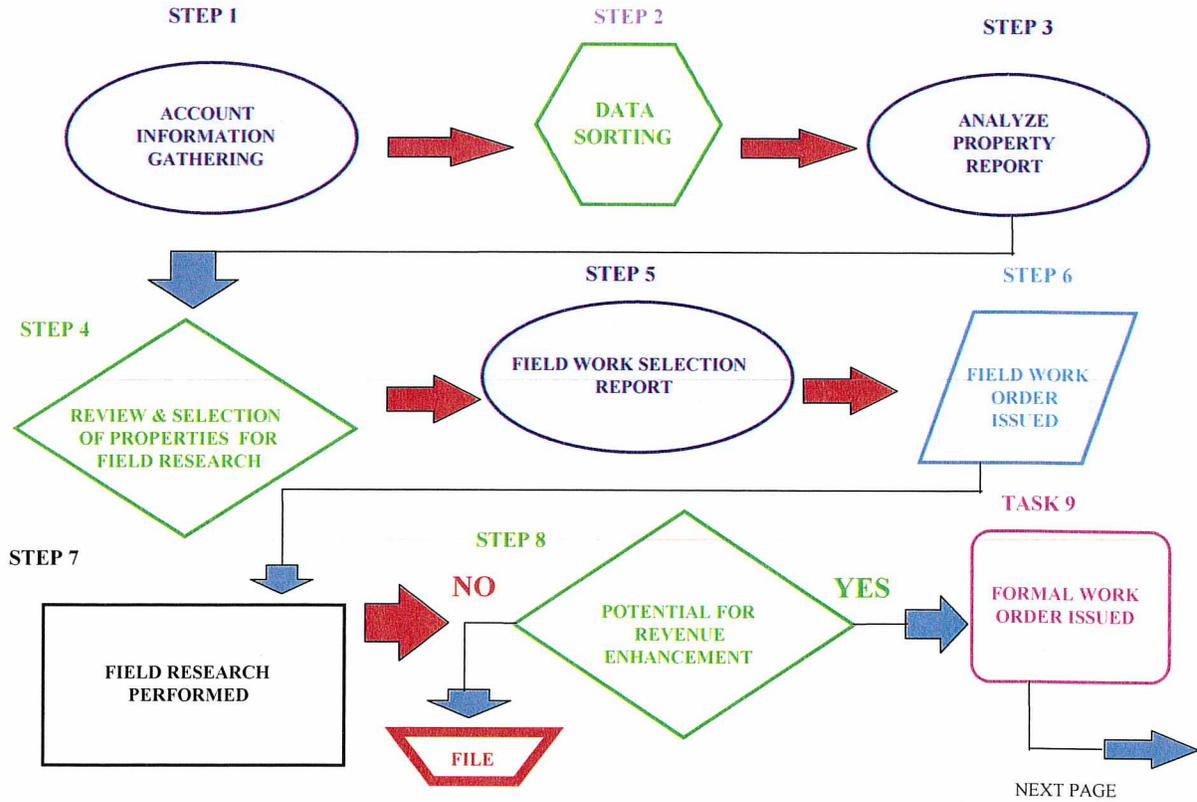
WCA will prepare a Final Report on the specific results of the project including an assessment of existing billing and metering practices and an estimate of annual recovery by area of deficiency.

Confidentiality Agreement (reference TASK I, Step 1 above)

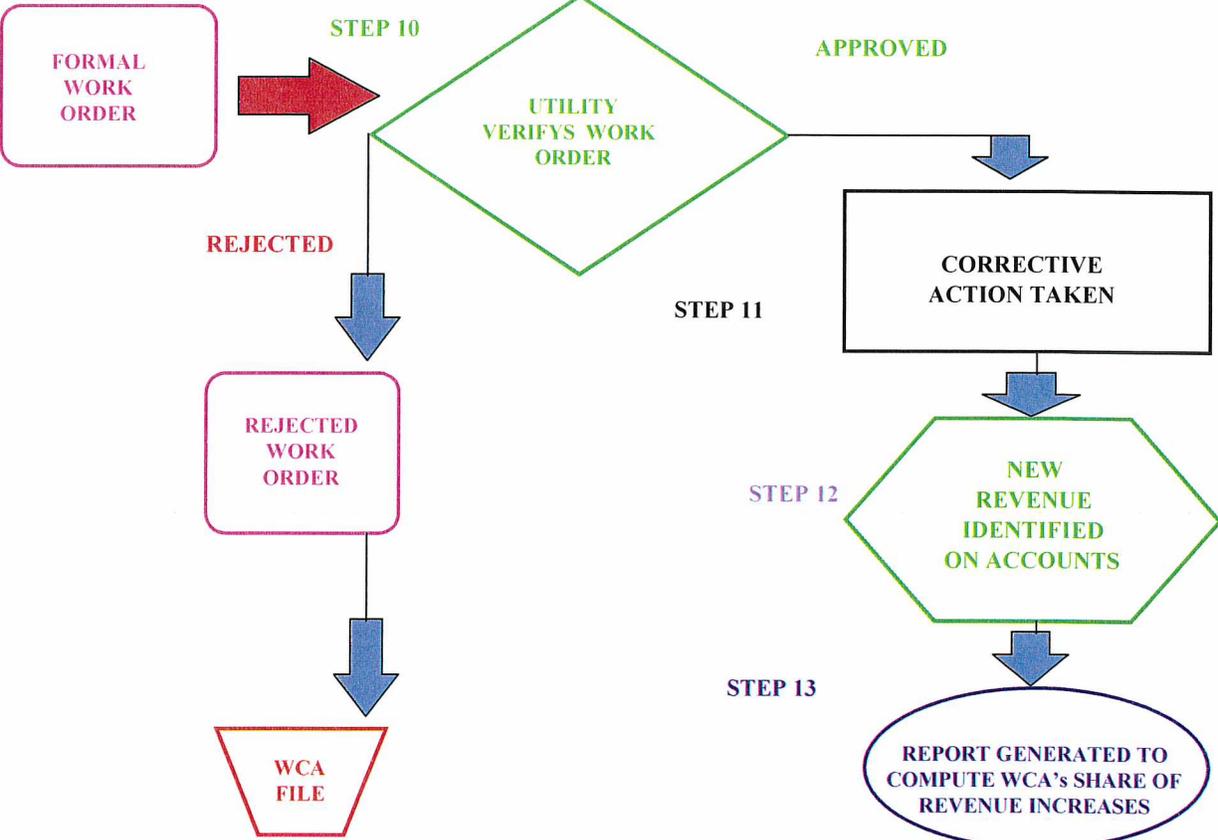
WCA agrees to comply with the requirements of laws concerning confidentiality of utility customer records, including without limitation applicable Syracuse Municipal Code or any other applicable ordinances of the City.

The above 13 tasks are illustrated in the following flow diagram charts on the following two pages:

PROGRAM TASK PROCESS - RESPONSIBILITIES OF WCA



PROGRAM TASK PROCESS - RESPONSIBILITIES OF THE UTILITY



The WCA program utilizes technical work methods conducted in an efficient manner and designed to optimize revenue impact without disruption to normal operating procedures of the Utility. All WCA field operations will be conducted in a manner consistent with requirements imposed by the Utility on its own personnel. Some of the basic WCA rules of operational conduct are listed below.

- WCA will advise the Utility of all fieldwork performed.
- WCA will conduct all operations to comply with applicable Department procedures.
- WCA employees will adhere to all applicable safety requirements of City and the WCA.
- WCA will insure that property conditions affected by field research activity will be returned to original or better than original condition.
- WCA vehicles will be clean and clearly marked with the Company Logo.
- WCA employees will be uniformed.
- WCA employees will display identification badges affixed to the employee's uniform.
- WCA employees will at all times maintain a neat and clean appearance that represents the professionalism of the Utility and WCA.
- WCA employees will exhibit a courteous and polite manner when dealing with any customer of the Utility.

Section 5. PRICE PROPOSAL

**REVIEW OF UNBILLED OR MISBILLED UTILITY SERVICES
FOR THE CITY OF SYRACUSE**

PRICE PROPOSAL

For any work performed by the proposer which results in increased revenue for the City of Syracuse in accordance with the provisions of the RFP, the proposer shall be paid sixty percent (60%) percent of all increased revenue for a term of thirty-six (36) months thereafter.

For the purpose of this RFP, increased revenue shall mean the difference between the amount of monthly income received by the City on an account, subsequent to and prior to corrective action being taken, based on the Proposer's recommendations on all unbilled or misbilled utility services provided by the City.

The proposer is responsible for all direct and indirect costs associated with the performance of the work necessitated under this RFP, except for service and meter installations, replacements, and repairs, which shall be performed by the City.

WITNESSETH:

(Signature)

(Signature)

(Print name)

(Print name)

ATTEST:

ISI Water Company
(Firm name)

[Handwritten Signature]
(Signature)

4-25-16
(Date)

Steve Hooper
(Print name)

NOTE: Proposer shall enclose this Price Proposal with the Proposer's RFP response.

**CONTRACT
FOR
SERVICES**

THE STATE OF: UTAH

COUNTY OF: DAVIS

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT FOR SERVICES ("Contract") is made on the date of countersignature, hereinafter specified, by and between the City of Syracuse ("City"), and ISI Water Company, a Texas corporation, with its principal office in Houston, Harris County, Texas (referred to herein as Water Company of America "WCA"). The initial addresses of the parties are as follows:

WCA
ISI Water Company
5215 Fidelity St
Houston, Texas 77029

City (or County)
Syracuse City
1979 W 1900 S
SYRACUSE, UT 84075

WITNESSETH:

WHEREAS, the City desires to secure the performance of services of the highest quality by trained, skilled personnel; and

WHEREAS, WCA desires to provide such services in exchange for the fees hereinafter specified; and

WHEREAS, WCA has submitted RFP response dated 4/25/16 describing the proposed service;

NOW, THEREFORE, for and in consideration of the premises and mutual covenants herein contained, it is agreed as follows:

ARTICLE I

Definitions

As used in this Contract, the following terms shall have meanings as set out below:

"Account" is defined as the Culinary Water Service of the City. This definition includes all unauthorized taps discovered by WCA that previously had not been given an Account number by the City.

"Base Revenue" Is defined as the average of the monthly Account billings during the period of time when the Account experienced the problem and which immediately precedes the completion of the Work, for up to a twelve month period. By way of example, and not limitation, if WCA discovers a meter which has been broken for a six-month period, resulting in consumption of zero usage during such six-month period, the Base Revenue is zero, and shall not include in the Base Revenue average the preceding six-month period during which time the meter operated properly.

"WCA Share" is defined as the fee to be paid by the City to WCA for performance of duties under this Contract, computed in accordance with Section 5.02 hereof.

"City" is defined in the preamble of this Contract and includes its successors and assigns.

"WCA" is defined in the preamble of this Contract and includes its successors and assigns.

"Customer Information System" (or "CIS") is defined as the system used by the City to bill and to account for customer activities.

"Contract Administrator" is defined as that person designated by the Director by notice to WCA, to administer this Contract on behalf of the City. This individual shall have a working knowledge of City protocol and operating procedures of the City, and shall have the authority and responsibility of administering all day-to-day aspects of this contract on behalf of the City.

"Director" is defined as the City's designated Utility manager who has ultimate authority and responsibility over this Contract.

"Documenting the Find" is defined as the notation by WCA on the Research report to the City or the approval of a submitted Formal Work Order.

"Find" is defined as the discovery by WCA of an Account condition, as the result of the Work, which causes a specific Culinary Water Service to be improperly or inaccurately billed.

"Force Majeure" as used herein, shall include but not be limited to, acts of God, acts of the public enemy, war, blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, tornadoes, hurricanes, arrests, and restraints of government and people, explosions, breakage or damage to machinery or equipment and any other abilities of either party, whether similar to those enumerated or otherwise, and not within the reasonable control of the party claiming such inability.

"Increased Revenue" is defined as the amount of monthly income received by the City on an Account, over and above the Base Revenue, including any rate increases, subsequent to corrective action being taken on that Account, including both income derived from ongoing usage, as well as retroactive billing.

"Notice to Proceed" is defined as the written notification by the City to WCA to initiate Work. This notification shall be issued upon the successful conversion of Account data from the CIS by WCA. The date of the Notice to Proceed shall mark the initiation of the Contract Term.

"Research Report" is defined as the reports delivered to the City by WCA pursuant to Section 2.01 (C) (1) hereof.

"Culinary Water Service" is defined as the physical location of a City consumer, both known and unknown to the City, which utilizes services provided by the City.

"Work" is defined as all of WCA's efforts towards determining needed changes and recommending the corrective actions necessary in order for the specific Culinary Water Service to be properly and accurately billed.

"Work Order" shall be defined to mean that certain standard document that defines relevant information about a City Account that WCA has evaluated and determined to be defective.

ARTICLE II

Scope of Service

2.01 - Basic Service

WCA shall provide the investigation, Work Orders, and field services necessary to maximize the billable revenue for the City's utility Service.

- A) Investigation and Field Work
- B) Upon receiving the Account information described in Section 3.01 (A) hereof WCA shall:
 - 1) Investigate each Account and determine if there is a loss of revenue to the City associated with that Account.
 - 2) Submit Work Orders with recommendation for changes in billing procedures and/or changes in physical service. This information will be provided for each Account.
- C) Reports
 - 1) WCA shall provide to the City on a periodic basis a complete list of all Accounts researched on which WCA has identified potential increased revenues to the City. This Research Report shall be submitted for the purpose of "Documenting the Find" and WCA shall be entitled to its portion of the Increased Revenues on said Accounts (the WCA Share), if the Work Order(s) included therein are subsequently approved by the Contract Administrator.
 - 2) On each Account for which WCA has Documented the Find and the City has collected Increased Revenue, WCA shall provide a detailed report that quantifies Increased Revenue prepared from the information received from the City in the monthly account data download. This report typically contains at least the following information:
 - a) Work Order number
 - b) Account Number

- c) Cycle counter (indicates progression through the revenue sharing period)
 - d) Amount of customer billing (from the download)
 - e) Base Revenue
 - f) Calculation of Increased Revenue
 - g) Calculation of WCA Share
- 3) WCA may provide the Contract Administrator a status report on a frequency agreed to by the parties. This report is to be inclusive of all Accounts that are deemed by WCA to justify action and on which a Work Order has been generated in the prior month.
 - 4) If WCA discovers cases of overbilling, it shall notify the City in writing of the discovery and the account or address of the issue. No additional work shall be required of WCA, and no fee is associated with such a notification.
- D) WCA warrants that all work shall be performed in a good and workmanlike manner meeting the standards of quality prevailing in the City ordinances for services of like kind. WCA further warrants that trained and skilled persons who have been previously approved by the City shall perform all Work.
- E) WCA shall ensure the security and privacy of all customer information which it receives. It agrees that it shall not use customer information for any purpose other than the fulfillment of this Agreement.

2.02 - Services in General

WCA shall coordinate all of its activities herein described with the City, the Director, WCA Administrator, or their designated representative(s).

2.03 – Finds Exempted

In certain rare cases, WCA may discover a Find on an account of which the City has prior knowledge and is attempting to remedy. Such a Find being remedied by the City is exempted from WCA Work. These cases fall into two categories and require that WCA shall: 1) for a period of 60 calendar days from the date of the inception of a new Account problem that originates during the term of this agreement, refrain from submitting a Work Order related to that Find, and 2) for a period of 60 calendar days beginning at the Notice to Proceed date, refrain from submitting a Work Order for any specific account problem known to the City and made known to WCA, that the City is in the process of remedying.

It is agreed by the parties hereto that the purpose of this Section 2.03 is to define and agree to the period of time for the City to remedy new problems that it discovers, and/or to remedy known situations. This will minimize duplication of effort, thus keeping project resources focused on providing maximum benefit to the City.

ARTICLE III

City Duties, Data Records, Work Products, Etc.

3.01 - Certain Duties of the City:

- A) In addition to its other duties under this Contract, the City shall, to the extent permitted by law for each Account, promptly provide access to all the data and records in the possession of the City and provide copies of any documents in the possession or control of the City or available to the City which are requested by WCA and are reasonably necessary for WCA to perform its duties under this Contract. CSIS data shall be in two forms. First, a monthly **download** (typically a utility backup or “.bak” file) of select fields of Account data generated by an automatic script or macro. Second, a VPN **live link** to

the CSIS for the viewing and extracting of "real time" information. At no time will WCA be able to input a change or modification to an Account by way of this link.

- B) Upon execution of this Contract by all parties, the City will coordinate a post-award meeting with WCA and all designated management personnel representing the City under this Contract in order to fully explain all the aspects of this Contract.
- C) The City shall review all Work Orders submitted by WCA under Section 2.01 (B) hereof and within ten (10) working days of the date of submittal, the City shall advise WCA of the disposition of the Work Order request (approved or denied).
- D) The City shall timely implement the recommended corrective action identified in the Work Order once approved and notify WCA of this action once complete and the date of completion. Changes to account data such as billing code changes shall be accomplished within thirty calendar days. Should this not occur within the time frame specified, the City shall issue to WCA written notification of a fifteen day extension. Work Orders that involve changes to physical service shall be expedited with all reasonable haste. Both parties recognize and agree that the purpose and intent of the project cannot be realized until approved changes have been implemented and accounts are fairly and accurately billed. If account changes are not completed by the City within the time frames described, the City shall approve and pay an estimate of the WCA Share (ref 5.02 C).
- E) The Contract Administrator shall assist WCA in its dealings with any City department.
- F) The City shall acknowledge that WCA has Documented the Find pursuant to Section 2.01 (C) (1), by promptly entering the appropriate information related to the Account within the "CIS" System, or by whatever other method the City chooses. Once documented, the City shall not deny approval of a Work Order due to any action taken by the City during the approval process.
- G) Matters not specifically covered by this Contract will have procedures established by mutual agreement of WCA and the Contract Administrator.
- H) At all times, the spirit of this Contract will be upheld by both the City and WCA. WCA is performing a service to the City by increasing revenue to the City. The City has given WCA authorization to perform the defined duties of this Contract and will not hinder, restrict, delay or compete with WCA's performance of these duties.

ARTICLE IV

Indemnification and Insurance

4.01 - Indemnification

WCA hereby agrees at all times to defend, indemnify and hold the City harmless from and against any and all liability, losses or costs arising from claims for damages, or suits for loss or damage, including without limitation out-of-pocket costs and reasonable attorneys fees, which arise as a result of WCAs negligence or failure to properly perform this Contract, whether such claims are asserted before or after the termination of this Contract.

4.02 - Insurance

Throughout the term of this Contract, WCA shall carry and maintain the following insurance coverage with a company or companies reasonably satisfactory to the Director, and policies of insurance that meet the requirements of the State. The City shall be named as an additional insured on all such policies for this Contract, and the policy shall provide that the Director will be given at least ten (10) days notice in case of cancellation. Such insurance coverage shall have the minimum limits of liability in not less than the following amounts:

- A) Comprehensive General Liability Insurance including Contractual Liability:

Bodily Injury & Property Damage

\$ 1,000,000 per occurrence

\$ 2,000,000 aggregate

- B) Worker's Compensation with Employees Liability including Broad Form All States
Endorsement: \$ 1,000,000

ARTICLE V

Payment

5.01 - Limitation of Funds

Any and all fees due to WCA under this Contract shall be payable solely from the funds collected pursuant to this Agreement. WCA acknowledges and agrees that the City's liability for any and all payments hereunder shall be limited by this provision. No other funds are available nor will they be appropriated for the purpose of this Contract.

5.02 - Payment for Services

- A) If any Work performed by WCA to an Account results in Increased Revenues to the City, WCA shall be entitled to a WCA Share for such Work equal to 50% of all Increased Revenues (as defined in Article I of this Contract) for a term of 43 months thereafter, referred to in 6.01 TERM as Phase Two. The 43 month term may be suspended in the event that the account problem persists which eliminates Increased Revenue and restarted following remedy.
- B) Documentation substantiating and calculating Increased Revenue shall be reviewed and approved by the City within thirty calendar days of submission and thereafter processed for payment within the time frame stipulated by Statute. Interest on all amounts remaining unapproved and/or unpaid beyond the time frame stipulated by Statute shall accrue at a rate of 10% per annum until paid.
- C) If all of the data necessary to compute the WCA Share is not available in time to make such payment when due, or if the condition described in 3.01 D) occurs, the City shall approve a good faith estimate of such Increased Revenue and compute the WCA Share accordingly. Adjustments to such WCA Share shall be made on succeeding monthly payments after actual Increased Revenues are determined.

ARTICLE VI

Term and Termination

6.01 - Term

The Contract term is initiated by the City upon the issuance of the Notice to Proceed. The term of the Contract is divided in two phases. Phase one is the operations period when WCA is performing the Work and shall continue for a primary term equal to twelve (12) months. At the end of the primary term of phase one, the phase one term may be renewed for successive periods of twelve (12) months, upon written agreement of both parties. Phase two is the period of time, on a Work Order by Work Order basis, during which the WCA Share is determined (reference 5.02 A). Therefore the Contract Term is the total time from the date of the Notice to Proceed, through phase one, including any renewal periods, and including phase two which is the 43 month revenue sharing period for each Find approved by the City.

6.02 - Termination

Either party may terminate phase one (the operations period) of this Contract by giving a thirty day written notice to the other party of the intent to terminate. The City agrees that for three (3) years after termination of this Agreement, however brought about, the City shall, during normal business hours, provide WCA with access to and the determination of fees and payments owed to WCA hereunder.

6.03 - Earned Fees

The duties and obligations of the City to pay WCA under the terms of Article V shall continue in full force and effect as outlined therein and shall survive the completion of phase one (the operations period) of this Contract.

ARTICLE VII

Miscellaneous Provisions

7.01 - Independent Contractor

The relationship between WCA and the City shall be that of an independent contractor.

7.02 - Business Structure and Assignments

Other than by operation of law, WCA shall not delegate or assign any portion of this Contract without the written consent of the Director, which shall not be unreasonably withheld. WCA however may assign any portion of its WCA Share under this Contract. Before an assignment of this sort can become effective, WCA shall furnish reasonable proof of the assignment by providing a notice to the Director containing the following information: a) the name, address and telephone number of WCA with clear reference to this Contract; b) the name, address and telephone number of assignee; and c) the identity of the fees to be assigned. If reasonable proof as described above is not provided to the Director, the City may continue to pay the assignor.

7.03 - Subcontractors

WCA may subcontract any part of its performance under this Contract with the approval of the Director or Contract Administrator. Any subcontractor shall be treated under the Contract as if they were employees of WCA, except in regard to fees.

7.04 - Parties in Interest

This Contract shall not bestow any rights upon any third party, but rather, shall bind and benefit the City and WCA only.

7.05 - Non-waiver

Failure of either party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on or to enforce by any appropriate remedy strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

7.06 - Applicable Laws

This Contract is subject to all laws of the State of domicile of the City, the City Charter and Ordinances of the City, the laws of the federal government of the United States of America and all rules and regulations of any regulatory body having jurisdiction.

7.07 - Notices

All notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United States Postal Services post office or receptacle with proper postage affixed (certified mail, return receipt requested) addressed to the other party at the address prescribed in the preamble hereof or at such other address as the receiving party may have therefore prescribed by notice to the sending party.

7.08 - Equal Employment Opportunity

WCA will comply with all laws, ordinances and policies set by the City in reference to Equal Employment Opportunities.

7.09 - Force Majeure

In the event either party is rendered unable, wholly or in part, by Force Majeure to perform under this Contract, it is agreed that, upon such party's giving notice specifying such Force Majeure in writing or by telefax to the other party as soon as possible after the occurrence of the Force Majeure, the obligations of the party giving such notice, to the extent it is affected by Force Majeure and to the extent that due diligence is being used to cure the Force Majeure and resume performance at the earliest practicable time, shall be suspended during the continuance of the Force Majeure, but for no longer extended by the period of time during which either party was unable to perform its obligations hereunder as a result of the occurrence of a Force Majeure.

7.10 - Approvals; Authority

An approval by the Director, or by any other instrumentality of the City, of any part of WCA's performance shall not be construed to waive compliance with this Contract or to establish a standard of performance other than required by this Contract or by law. No party is authorized to vary the terms of this Contract.

7.11 - Remedies Cumulative

The rights and remedies contained in this Contract shall not be exclusive but shall be cumulative of all other rights and remedies, now or hereafter existing, whether by statute, at law, or in equity; provided however, that none of the parties shall terminate this Contract except in accordance with the provision hereof.

7.12 - Representations

- A) WCA represents that it and its employees, agents and subcontractors are fully competent and qualified to perform all the service required to be performed under this Contract. WCA represents that it has experience in performing all of the services to be performed hereunder and these services shall be of the highest professional quality.
- B) The City represents that it is a duly authorized and empowered to enter into this Agreement and to carry out its obligations hereunder. By proper action of its members, the City has duly authorized the execution, delivery and performance by this Agreement.

7.13 - Captions

The captions at the beginning of the Articles of this Contract are guides and labels to assist in location and reading such Articles and, thereto, will be given no effect in construing this Agreement and shall not be restrictive of or be used to interpret the subject matter of any article, section or part of this Contract.

7.14 - Personnel of WCA

WCA shall replace any personnel assigned to provide services under this Contract which are deemed unsuitable by the Director or Contract Administrator.

7.15 - Entire Agreement

This Contract contains all the agreements of the parties relating to the subject matter hereof and is the full and final expression of the agreement between the parties.

7.16 - Amendment

This Contract may be modified or amended by written agreement signed by all parties hereto.

7.17 - Exclusive Contract

WCA shall have the sole and exclusive franchise, license and privilege to provide the services described in this Contract within the bounds of the Contract service area.

Witnesseth:

WCA

CITY

ISI WATER COMPANY

SYRACUSE CITY

By: _____
Steve Hooper

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

RESOLUTION R16-35

A RESOLUTION OF THE SYRACUSE CITY COUNCIL AWARDING A CONTRACT FOR THE REVIEW OF UNBILLED OR MISBILLED CULINARY WATER SERVICES.

WHEREAS, the City provides culinary water service for its residents; and

WHEREAS, the Water Company of America (“WCA”) provides a service by which it reviews city account information and identifies specific connections which are in need of attention; and

WHEREAS, the Agreement is a service-based contract, providing only for payment to the WCA in the event the City collects additional revenue as a result of work identified by WCA; and

WHEREAS, the City Council finds that such a review of the City’s culinary water billing system will be beneficial to all users of the system by identifying those accounts that are using culinary water without paying for its use, thereby reducing the need to adjust fees for all users to cover costs,

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

Section 1. Successful Proposer. The Council authorizes the Mayor to execute the Contract for Services between Syracuse City and the Water Company of America dba ISI Water Company, which is attached as Exhibit A.

Section 2. Effective Date. This Resolution shall become effective immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12th DAY OF JULY, 2016.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, CMC
City Recorder

By: _____
Terry Palmer
Mayor

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Anderson	_____	_____
Councilmember Bolduc	_____	_____
Councilmember Gailey	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Maughan	_____	_____

EXHIBIT A



SYRACUSE CITY

Syracuse City Redevelopment Agency Agenda
July 12, 2016 – immediately following the City Council Business Meeting, which begins at 6:00 p.m.
City Council Chambers
Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
Adopt agenda
2. Proposed Resolution RDA16-03 authorizing the Executive Director to execute an interlocal agreement with Davis County regarding the Syracuse Antelope Drive Community Development Area.
3. Adjourn.

~~~~~

In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### **CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 7<sup>th</sup> day of July, 2016 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examine on July 7, 2016.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# RDA AGENDA

July 12th, 2016

Agenda Item #2

## **CDA - RESOLUTION TO EXECUTE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY**

### **Background:**

For the last six months staff along with the mayor, and council has been working with Davis County on a Community Development Area Plan along antelope drive allowing the Redevelopment Agency the opportunity to leverage tax increment to increase the city's tax base an increase the daytime population of the in our trade area. Adding to a daytime population taking advantage of a local trained and skilled labor pool will provide a way to stabilize and diversify our local economy.

### **Attachments**

- Resolution authorizing execution of ILA

### **Executive summary:**

County contributes 60% of all new development taxes in CDA boundary for 20 years

City contributes 90% of all new development taxes in CDA Boundary for 20 years

City gets admin fee of 3% county gets admin fee of 2%

Tax increment is capped at over \$15 million dollars

## **RESOLUTION RDA16-03**

### **A RESOLUTION OF THE SYRACUSE CITY REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY REGARDING THE SYRACUSE ANTELOPE DRIVE COMMUNITY DEVELOPMENT AREA.**

**WHEREAS**, the Syracuse City Redevelopment Agency (the “Agency”) on March 8, 2016 authorized the creation of a draft plan for the Syracuse Antelope Drive Community Development Area (the “Project”); and

**WHEREAS**, the Agency and County are authorized, pursuant to Title, 11, Chapter 13 of the Utah Code, to enter into interlocal agreements for mutually beneficial purposes; and

**WHEREAS**, pursuant to Title 17C, Chapter 4, Section 201, Utah Code Annotated, the County may express its participation through an interlocal agreement; and

**WHEREAS**, Davis County, on July 5, 2016, expressed its consent by authorizing the execution of the Interlocal Agreement Between the Syracuse City Redevelopment Agency and Davis County (the “Agreement”), related to the Project; and

**WHEREAS**, the Agency finds that execution of the Agreement and the commencement of the Project will be in the best interests of the City and provide opportunities for growth and development, job creation, and economic prosperity,

**NOW, THEREFORE, BE IT RESOLVED BY THE SYRACUSE CITY REDEVELOPMENT AGENCY, SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Approval.** The Agreement, attached as Exhibit A, is approved by the Agency Board, and the Executive Director is authorized to execute the Agreement.

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

**Section 3. Effective Date.** This effective date of the Agreement shall be the soonest date after all applicable provisions of the Utah Interlocal Cooperation Act have been satisfied in order to trigger the effective date of the Interlocal Agreement.

**PASSED AND ADOPTED BY THE SYRACUSE CITY REDEVELOPMENT AGENCY, SYRACUSE CITY, STATE OF UTAH, THIS 12<sup>th</sup> DAY OF JULY, 2016.**

**SYRACUSE CITY REDEVELOPMENT AGENCY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, CMC  
Secretary

By: \_\_\_\_\_  
Terry Palmer  
Executive Director

Voting by the Agency:

|          | “AYE” | “NAY” |
|----------|-------|-------|
| Anderson | _____ | _____ |
| Bolduc   | _____ | _____ |
| Gailey   | _____ | _____ |
| Lisonbee | _____ | _____ |
| Maughan  | _____ | _____ |

**EXHIBIT “A”**

**INTERLOCAL AGREEMENT  
BETWEEN THE SYRACUSE CITY REDEVELOPMENT AGENCY  
AND DAVIS COUNTY**

**THIS INTERLOCAL AGREEMENT BETWEEN THE SYRACUSE CITY REDEVELOPMENT AGENCY AND DAVIS COUNTY** (this "Agreement") is entered into by and between the **SYRACUSE CITY REDEVELOPMENT AGENCY** (the "Agency") and **DAVIS COUNTY** (the "County") (collectively, the "Parties").

**RECITALS**

- A. The Agency was created pursuant to the provisions of the Limited Purpose Local Government Entities - Community Development and Renewal Agencies Act, Title 17C of the Utah Code (the "Act"), and is authorized thereunder to conduct community development activities within Syracuse City, Utah, as contemplated by the Act; and
- B. On March 8, 2016, the Agency authorized the preparation of the Syracuse Antelope Drive Community Development Project Area (the "Project Area"), and has prepared a draft community development project area plan for the Project Area, a copy of which is attached hereto as exhibit "A" and incorporated herein by this reference (referred to in this Agreement as the "Project Area Plan," which includes the legal description and a map of the Project Area), with goals to cultivate development in the Antelope Drive area between 1000 West and 2000 West (the "Project") in the Project Area; and
- C. The Agency and Syracuse City intend to establish the Project Area through adoption of the proposed Project Area Plan prior to September 1, 2016; and
- D. The County and the Agency have determined that it is in the best interests of the County to provide certain financial assistance through the use of Tax Increment (as defined below) in connection with the development of the Project as set forth in the Project Area Plan; and
- E. The Agency anticipates providing tax increment (as defined in Utah Code Ann. § 17C-1-102 (hereinafter "Tax Increment")), created by the Project, to assist in the development and completion of the Project as provided in the Project Area Plan; and
- F. Utah Code Ann. § 17C-4-201(1) authorizes the County to consent to the payment to the Agency of a portion of the County's share of Tax Increment generated from the Project Area for the purposes set forth herein; and
- G. Utah Code Ann. § 11-13-215 further authorizes the County to share its tax and other revenues with the Agency; and
- H. In order to facilitate development of the Project, the County desires to authorize the payment to the Agency of a portion of the County's share of Tax Increment generated by the Project Area in accordance with the terms of this Agreement; and
- I. The provisions of applicable Utah State law shall govern this Agreement, including the Act and the Interlocal Cooperation Act, Utah Code Ann. § 11-13-101 et seq. as amended (the "Cooperation Act").

**NOW THEREFORE**, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

**1. County's Consent.**

- a. Pursuant to Utah Code Ann. §§ 17C-4-201(2)(b) and 11-13-215, the County hereby agrees and

consents that the Agency shall be paid sixty percent (60%) of the County share of the Tax Increment from the Project Area (the "County Share") for t w e n t y (20) years, starting no later than January 1, 2021, with the base year being 2016. Based upon review of the County and Utah State Tax Commission records, the Parties believe that the 2016 base taxable value of the Project Area is approximately eleven million four-hundred fifty thousand six-hundred ten dollars (\$11,450,610), which base taxable value is subject to adjustment by law in accordance with the provisions of the Act. The County Share shall be used for the purposes set forth in Utah Code Ann. § 17C-4-201(1) as reflected herein and for the purpose of providing funds to the Agency to carry out the Project Area Plan and shall be disbursed as specified in the Project Area Plan. The calculation of the annual Tax Increment shall be made as required by Utah Code Ann. § 17C-4-201(4)(a), using the County's then current tax levy rate.

- b. The County shall pay directly to the Agency the County Share in accordance with Utah Code Ann. § 17C-4-203 for the 20-year period described in Section 1.a. above.
- c. Notwithstanding the foregoing, if the Agency receives less than the specified twenty (20) years Tax Increment from the Project Area sufficient to retire, pay, or otherwise satisfy all of the payment obligations of the Agency with regard to the Project, including, but not limited to, tenant attraction, debt service on any bonds issued to finance Project costs or the maximum amount the Agency has agreed to contribute to the cost of infrastructure, the Agency will either (i) cease collecting the County Share under this Agreement, or (ii) renegotiate this Agreement with the County to provide for the payment of the County Share for the remainder of all or a portion of the originally contemplated 20-year term of this Agreement. It is the intent of the Parties that the payment and use of Tax Increment from the Project Area for eligible Project costs will not extend over a period longer than twenty (20) years. In no case shall the total County Tax Increment collected by the Agency exceed Two-million one-hundred thousand dollars (\$2,100,000.00), and in no case shall the total County Library Tax Increment collected by the Agency exceed four-hundred thousand dollars (\$400,000.00).
- d. Notwithstanding anything to the contrary in this Agreement, in the Project Area Plan, in the Act, or in the Cooperation Act, none of the County Share shall be used for environmental cleanup or remediation of water or aquifers or for the purchase or development of municipal and/or industrial water, including, but not limited to, purchase, treatment, or storage other than infrastructure owned and used by Syracuse City in its delivery of water.

## **2. City's Contribution of Tax Increment Financing.**

The Agency agrees that the City's participation in the Project area shall require ninety percent (90%) of the City's share of the Tax Increment from the Project Area (the "City Share"). The City Share shall be paid to the Agency for twenty (20) years, with the base year being 2016. No caps shall apply to the City's share of the Tax Increment.

## **3. Amendments to Project Area Plan.**

In the event the Agency or the City makes any substantive changes to the Project Area Plan, then the Agency shall provide the County with a copy of such revised Project Area Plan. If the County approves such revised Project Area Plan, then the Parties shall amend this Agreement to jointly adopt and approve the revised Project Area Plan, and the revised Project Area Plan shall be the Project Area Plan.

## **4. Authorized Uses of Tax Increment.**

Except as otherwise provided in this Agreement, the Parties agree that the Agency may apply the County Share to the payment of any of the components of the Project as described herein and contemplated in the Project Area Plan, including, but not limited to tenant attraction, the cost and maintenance of public infrastructure and other improvements located within the Project Area, site preparation, and administrative costs, as authorized by the Act.

#### **5. County Administration Fee.**

The Agency agrees to remit to the County 2% of the total annual Tax Increment (the "County Administration Fee"), which is actually paid to the Agency during the Tax Increment collection period, which period is described in Section 1 of this Agreement. The purpose of the County Administration Fee is to further help the County to offset its costs related to administration and management of the Project Area. The County Administration Fee shall not be paid out of, or relate in any way to the 40% portion of the County's Tax Increment that is not paid to the Agency.

#### **6. Effective Date of This Agreement.**

This Agreement shall become effective as specified in Title 17C, Chapter 4, Section 202, Subsections (3)(a) or (3)(b), whichever subsection is applicable.

#### **7. No Third Party Beneficiary.**

Nothing in this Agreement shall create or be read or interpreted to create any rights in or obligations in favor of any person or entity not a party to this Agreement. Except for the Parties to this Agreement, no person or entity is an intended third party beneficiary under this Agreement.

#### **8. Due Diligence.**

Each of the Parties acknowledge for itself that it has performed its own review, investigation, and due diligence regarding the relevant facts concerning the Project Area and Plan and expected benefits to the community and to the Parties, and each of the parties rely on its own understanding of the relevant facts and information, after having completed its own due diligence and investigation.

#### **9. Interlocal Cooperation Act.**

In satisfaction of the requirements of the Cooperation Act in connection with this Agreement, the Parties agree as follows:

- a. This Agreement shall be authorized and adopted by resolution of the legislative body of each Party pursuant to and in accordance with the provisions of Utah Code Ann. §11-13-202.5;
- b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party pursuant to and in accordance with the Utah Code Ann. § 11-13-202.5(3);
- c. A duly executed original counterpart of this Agreement shall be filed immediately with the keeper of records of each Party pursuant to Utah Code Ann. §11-13-209;
- d. The Chair of the Agency is hereby designated the administrator for all purposes of the Cooperation Act, pursuant to Utah Code Ann. § 11-13-207;
- e. The term of this Agreement shall commence on the date of full execution of this Agreement by both Parties and its publication as provided in Utah Code Ann. § 17C-4-202(3), and shall continue through the date on which all of the County Share has been paid to and disbursed by the Agency as provide for herein or the Agency ceases to receive such

Tax Increment pursuant to Section 1.c. hereof, but in any event, unless amended, this Agreement shall terminate no later than December 31, 2040;

- f. Following the execution of this Agreement by both Parties, the Agency shall cause a notice regarding this Agreement to be published on behalf of both of the Parties in accordance with Utah Code Ann. § 11-13-219 and on behalf of the Area in accordance with § 17C-4-202;
- g. The Parties agree that they do not, by this Agreement, create an interlocal entity;
- h. There is no financial or joint or cooperative undertaking and no joint or cooperative budget shall be established or maintained;
- i. No real or personal property will be acquired, held or disposed of or used in conjunction with a joint or cooperative undertaking.

#### **10. Modification and Amendment.**

Any modification of or amendment to any provision contained herein shall be effective only if the modification or amendment is in writing and signed by both Parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.

#### **11. Further Assurance.**

Each of the Parties hereto agrees to cooperate in good faith with the other, to execute and deliver such further documents, to adopt any resolutions, to take any other official action, and to perform such other acts as may be reasonably necessary or appropriate to consummate and carry into effect the transactions contemplated under this Agreement.

#### **12. Governing Law.**

This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Utah.

#### **13. Severability.**

If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction or as a result of future legislative action, and if the rights or obligations of any Party hereto under this Agreement will not be materially and adversely affected thereby,

- a. such holding or action shall be strictly construed;
- b. such provision shall be fully severable;
- c. this Agreement shall be construed and enforced as if such provision had never comprised a part hereof;
- d. the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the invalid or unenforceable provision or by its severance from this Agreement; and
- e. in lieu of such illegal, invalid, or unenforceable provision, the Parties hereto shall use commercially reasonable efforts to negotiate in good faith a substitute, legal, valid and enforceable provision that most nearly effects the Parties' intent in entering into this Agreement.

#### **14. Incorporation of Recitals.**

The recitals set forth above are hereby incorporated by reference as part of this Agreement.

#### **15. Notices.**

Any notices that may or must be sent under this Agreement should be delivered, by hand

delivery or by United States mail, postage prepaid, as follows, or at an address subsequently amended and provided in writing to the other party:

|                               |                                                                                                                           |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <u>To the Agency:</u><br><br> | <u>To the County:</u><br><br>Davis County<br>Attn: Chair, Davis County Commission<br>P.O. Box 618<br>Farmington, UT 84025 |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------|

**16. Governmental Immunity.**

The Parties recognize and acknowledge that each Party is covered by the Governmental Immunity Act of Utah, codified at Section 63G-7-101, et seq., Utah Code Annotated, as amended, and nothing herein is intended to waive or modify any and all rights, defenses or provisions provided therein. Officers and employees performing services pursuant to this Agreement shall be deemed officers and employees of the Party employing their services, even if performing functions outside of the territorial limits of such party and shall be deemed officers and employees of such Party under the provisions of the Utah Governmental Immunity Act. Each Party shall be responsible and shall defend the action of its own employees, negligent or otherwise, performed pursuant to the provisions of this Agreement.

**17. Benefits.**

The Parties acknowledge, understand, and agree that the respective representatives, agents, contractors, officers, officials, members, employees, volunteers, and/or any person or persons under the supervision, direction, or control of a Party are not in any manner or degree employees of the other Party and shall have no right to and shall not be provided with any benefits from the other Party. County employees, while providing or performing services under or in connection with this Agreement, shall be deemed employees of the County for all purposes, including, but not limited to, workers compensation, withholding, salary, insurance, and benefits. City employees, while providing or performing services under or in connection with this Agreement, shall be deemed employees of the City for all purposes, including, but not limited to, workers compensation, withholding, salary, insurance, and benefits.

**18. Waivers or Modification.**

No waiver or failure to enforce one or more parts or provisions of this Agreement shall be construed as a continuing waiver of any part or provision of this Agreement, which shall preclude the Parties from receiving the full, bargained for benefit under the terms and provisions of this Agreement. A waiver or modification of any of the provisions of this Agreement or of any breach thereof shall not constitute a waiver or modification of any other provision or breach, whether or not similar, and any such waiver or modification shall not constitute a continuing waiver. The rights of and available to each of the Parties under this Agreement cannot be waived or released verbally, and may be waived or released only by an instrument in writing, signed by the Party whose rights will be diminished or adversely affected by the waiver.

**19. Binding Effect; Entire Agreement.**

This Agreement is binding upon the Parties and their officers, directors, employees, agents, representatives and to all persons or entities claiming by, through or under them. This Agreement, including all attachments, if any, constitutes and/or represents the entire agreement

and understanding between the Parties with respect to the subject matter herein. There are no other written or oral agreements, understandings, or promises between the Parties that are not set forth herein. Unless otherwise set forth herein, this Agreement supersedes and cancels all prior agreements, negotiations, and understandings between the Parties regarding the subject matter herein, whether written or oral, which are void, nullified and of no legal effect if they are not recited or addressed in this Agreement.

**20. Force Majeure.**

In the event that either Party shall be delayed or hindered in or prevented from the performance of any act required under this Agreement by reason of acts of God, acts of the United States Government, the State of Utah Government, fires, floods, strikes, lock-outs, labor troubles, inability to procure materials, failure of power, inclement weather, restrictive governmental laws, ordinances, rules, regulations or otherwise, delays in or refusals to issue necessary governmental permits or licenses, riots, insurrection, wars, or other reasons of a like nature not the fault of the Party delayed in performing work or doing acts required under the terms of this Agreement, then performance of such act(s) shall be excused for the period of the delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay, without any liability to the delayed Party.

**21. Assignment Restricted.**

The Parties agree that neither this Agreement nor the duties, obligations, responsibilities, or privileges herein may be assigned, transferred, or delegated, in whole or in part, without the prior written consent of both of the Parties.

**22. Counterparts.**

This Agreement may be executed in any number of counterparts, each of which when so executed and delivered, shall be deemed an original, and all such counterparts taken together shall constitute one and the same Agreement.

(remainder of page left intentionally blank)

**AGENCY**

Attest:

\_\_\_\_\_  
TERRY PALMER, CHAIR

\_\_\_\_\_  
Cassie Z. Brown, Secretary

**SYRACUSE ANTELOPE DRIVE COMMUNITY DEVELOPMENT PROJECT  
AREA AND THE SYRACUSE CITY REDEVELOPMENT AGENCY**

**Attorney Review for the Agency:**

The undersigned, as counsel for the Syracuse City Redevelopment Agency, has reviewed the foregoing Interlocal Agreement and finds it to be in proper form and in compliance with applicable state law.

**Attorney for Syracuse Antelope Drive Community Development Project  
And Syracuse City Redevelopment Agency**

\_\_\_\_\_  
Paul H. Roberts, Agency Attorney

**DAVIS COUNTY**

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John Petroff, Jr., Chair  
Board of Davis County Commissioners

**ATTEST:**

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Curtis Koch, Davis County Clerk/Auditor

**Attorney Review For the County**

The undersigned, an attorney for the \_\_\_\_\_, has reviewed the foregoing Interlocal Agreement and finds it to be in proper form and in compliance with applicable state law.

**Attorney for Davis County**

**Exhibit A**  
Project Area Plan