

**BOUNTIFUL CITY COUNCIL MEETING**  
**TUESDAY, DECEMBER 9, 2014**  
**Work Session – 6:00 p.m.**  
**Regular Meeting - 7:00 p.m.**

NOTICE IS HEREBY GIVEN that the City Council of Bountiful, Utah will hold its regular Council meeting at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited to both the Work Session and Regular Meeting. Deliberations will occur in both meetings. Persons who are disabled as defined by the Americans With Disabilities Act may request an accommodation by contacting the Bountiful City Manager at 801.298.6140. Notification at least 24 hours prior to the meeting would be appreciated.

If you are not on the agenda, the Council will not be able to discuss your item of business until another meeting. For most items it is desirable for the Council to be informed of background information prior to consideration at a Council meeting. If you wish to have an item placed on the agenda, contact the Bountiful City Manager at 801.298.6140.

AGENDA

6:00 p.m. – Work Session

1. Tennis Court Use policy discussion – Mr. Russell Mahan & Mr. Brock Hill p 3

7:00 p.m. – Regular Meeting (Council Chambers)

1. Welcome, Pledge of Allegiance, and Thought/Prayer
2. Approve minutes of previous meetings – November 25, 2014 p 9
3. Council Reports
4. Youth Council Report
5. Consider approval of weekly expenditures > \$1,000 paid November 20 & 27, 2014 p 17
6. Consider approval of RAP tax extension Ordinance 2014-24 – Mr. Russell Mahan p 21
7. Consider approval of the purchase of a Water Department Service Truck and utility bed in the not-to-exceed amount of \$72,000 – Mr. Mark Slagowski p 27
8. ULCT Transportation Initiative – Mr. Gary Hill p 29
9. Discussion of open space and re-subdivision policy – Mr. Russell Mahan p 33
10. Adjourn to a closed session to discuss the acquisition or sale of real property, pending litigation and/or to discuss the character and/or competency of an individual(s) (Utah Code §52-4-205).

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Deputy City Recorder



# City Council Staff Report



**Subject: Tennis Court Policies**  
**Author: City Attorney Russell Mahan**  
**Date: 9 December 2014**

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## **Background**

The subject of City assertion of ownership and regulation of City sports facilities (tennis courts, baseball fields, soccer fields, etc) was discussed by the City Council on August 26, 2014, in a work session. The Council adopted a Field Reservation Policy in 2012, but further regulation appears to be needed. Some general principles were considered and staff was asked to come back with a proposal.

The City Manager met with the Parks Director, City Attorney and City Engineer to discuss sports facilities issues. It was decided that the single subject of tennis courts should be addressed first, and that further policy guidance from the City Council is needed.

## **Analysis**

It is interesting how many issues arise over the seemingly simple issue of regulating tennis courts. The first issue the Council needs to consider is this: Should private people or organizations be allowed to use City courts to teach private tennis lessons for pay, excluding the public from those courts for hours at a time?

- If commercial use of City tennis courts is not allowed, this requires fairly little staff time. People teaching these lessons will need to be informed and the rule enforced.

- However, if commercial use of City tennis courts is allowed, further decisions need to be made:

1. In such a situation, as City Attorney I recommend at a minimum that those people be required to have a Bountiful City business license, that they have commercial insurance to protect their students and the City, and that they register with the City to get permission to use City courts.

2. Other issues need to be decided.

(a) Should the City charge a fee from these for-profit tennis teachers for use of the City Courts as their place of doing business? The City does not allow anyone else to use City property for a private business.

(b) Should the number of courts available for commercial use be limited to specifically identified courts?

(c) Should the time of day the courts are available for commercial use be limited?

(d) Should tournaments be allowed?

(e) Should other regulations be imposed?

Each of these options has impacts on city resources, tennis businesses, and residents. A matrix of likely impacts is attached to this report.

Bear in mind that if the City adopts sports facilities policies that require a hands-on approach of reservation, regulation and policing, it must necessarily follow that this will become a budget item for additional staff.

### **Department Review**

This staff report was written by the City Attorney and reviewed by the City Manager.

### **Significant Impacts**

None.

### **Recommendation**

Policy guidance is sought at this time. No specific proposals are ready for adoption.

### **Attachments**

2012 Field Reservation Policy.

Impacts of Alternative Tennis Court Regulations.

## Impacts of Alternative Tennis Court Regulations

	<u>No Businesses Allowed</u>	<u>Business w/Time Limits</u>	<u>Business w/Reservations</u>
<b>Impact on Staff</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>
<b>Impact on Residents</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>
<b>Business License Required</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Insurance by Businesses</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Permission from City</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Fee for Businesses</b>	<b>No</b>	<b>Possibly</b>	<b>Yes</b>
<b>Limited # of Courts</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>First Come, First Served</b>	<b>N/A</b>	<b>Yes</b>	<b>No</b>
<b>Tournaments Allowed</b>	<b>No</b>	<b>No</b>	<b>Possibly</b>

# Bountiful City

## Field Reservation Policy

### Recreation Facility, Park & Sport Field Use & Fee Policy

It is the policy of the Bountiful City Council to make available the use of City recreation facilities, parks and sport fields, to protect these resources, and to allow usage to individuals, groups and organizations based on availability and priority. Use shall be consistent with City Policies and Ordinances and the guidelines established herein, and promote wellness, recreation, and positive participation and sportsmanship. The City desires to be supportive of such use and will schedule and help facilitate their use in accordance with the requirements of this policy.

### Purpose

This policy is intended to enhance the recreational opportunities and events available to the citizens of Bountiful City; to facilitate City and non-City use by scheduling of recreational venues; and to offer safe, wholesome recreation programming for participants and spectators.

### User Groups

The City recognizes the following categories of users:

- City Recreation Programs
- South Davis Recreation Center Programs
- Davis County School District Programs
- Community-based (organizations organized in and operated from Bountiful City), volunteer-operated recreation organizations
- Organizations providing competitive, accelerated or super league programming
- Adult recreation leagues or programs
- Corporate, commercial, business, church or family or other groups

### Prioritization of Users

Bountiful City reserves the right to schedule activities and events on City facilities, parks and sports fields. When venues are available, the following priority applies to all scheduling for use of facilities:

1. Bountiful City Recreation programs
2. South Davis Recreation programs
3. Davis School District sport teams
4. Community-based recreation organizations
5. Non-profit competitive, accelerated or super league youth programs
6. Non-profit adult recreation leagues or programs
7. All others

## Guidelines

1. The Bountiful City Parks Department reserves the right to schedule activities and events at City facilities and parks on the basis of priority and availability. Game scheduling must be done a minimum of 10 days in advance. Bountiful City reserves the right in its sole discretion to cancel any scheduled activity due to conditions or circumstances that are determined to be detrimental, unsafe or in conflict with City Ordinances and policies.
2. Users conducting their activities for commercial or individual financial gain are not endorsed by the City. Conducting business or sale of merchandise for profit is prohibited, without prior approval by the City. (See Bountiful City Business License ordinance).
3. Cancellation of an event due to weather, facility or field conditions, or city-declared emergency will be rescheduled, if possible. Playability of fields will be determined by the City Parks Superintendent or his designee.
4. Events may be canceled by the City due to the user failing to comply with this policy or the City Code or policies, or due to acts or activities deemed to be offensive or harmful. The City reserves the right to suspend a current game or event and to prohibit the user from future use of or scheduling of the facilities.
5. No alcoholic beverages, fireworks, or other dangerous devices are permitted in park or facility areas. Amplified sound equipment must be approved through the City's special policy.
6. Users shall make every reasonable and prudent effort to keep the area in which user's activities are held, clean and free from trash or other debris. User will clean up any trash and debris generated by user's activities and place it in trash containers provided by the City. The User is responsible for any maintenance or cleanup cost incurred through the negligence of the User of any area or facility.
7. Scheduling must be requested annually. No automatic or protected right to use because of previous use shall be granted. The City reserves the right to deny use of City facilities to any user that, in the City's opinion, has had public relations problems, has abused City facilities or property, or has administered its programs in such a way to cause discredit to the City.
8. The City assumes no financial responsibility for the user's group, programs or any of their attendees.
9. All games and programs must end by 11:00 p.m., unless approved by the City. All lights must be turned off by 11:15 p.m.
10. Field sizes are set and are not negotiable. No painting or altering of fields is allowed. Moving of goals, bases, pitching rubbers, bleachers, tables or other equipment owned, maintained or managed by the City is not allowed.
10. Community-based volunteer-operated recreation organizations are permitted to operate concessions during their program in the spectator area of their programs. Concessions must be operated in compliance with all applicable health codes. All funds generated from concessions must be used to facilitate the organizations' recreation program.





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**Minutes of the  
BOUNTIFUL CITY COUNCIL  
November 25, 2014 – 6:00 p.m.**

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Present: Mayor: Randy C. Lewis  
Council Members: Kendalyn Harris, Richard Higginson  
Beth Holbrook, John Marc Knight, John Pitt  
City Manager: Gary Hill  
Assist. City Manager: Galen Rasmussen  
City Attorney: Russell Mahan  
City Engineer: Paul Rowland  
City Planner: Chad Wilkinson  
City Recorder: Kim Coleman  
Department Director's & Personnel  
Brock Hill, Parks  
Allen Johnson, Power  
Tom Ross, Police  
Gary Blowers, Streets  
Paul Flanery, Cemetery  
Kent McComb, Golf Course  
Recording Secretary: Nikki Dandurand

Official Notice of the Work Session and Regular Meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.

**Work Session – 6:05 p.m. – 6:48 p.m.**  
**Planning Commission Room**

Mayor Lewis called the meeting to order, and welcomed those in attendance.

**GOLF COURSE FEES AND FOOD CONCESSION DISCUSSION – MR. KENT MCCOMB**

Mr. McComb stated that the golf course is in excellent condition. Within the state of Utah, it is one of the few courses that still earns revenue and has a savings estimated at \$2 million dollars. A new Point of Sale system will allow online reservations starting next year. No tax dollars are used to fund the course, only user fees, which have been affordable and allows for the bills to be paid and to build a financial reserve. However, after some review, the staff has recommended an increase to add \$1 per 9 holes of golf starting January 1, 2015. The junior fees will stay the same. Councilman Higginson asked if any improvements will be done this upcoming year. Mr. McComb replied that the cart paths, the front of the club house and the spill way on hole #15 will all be redone. Mayor Lewis commented that he loves playing the course which is always affordable.

Mr. McComb continued with a proposal for a renewal of a food service contract with Western Food Service. Three bids were received, with Western Foods being the most reliable and able to meet the expectations of a large golf course. Councilwoman Harris asked if they would also cater to private events. Mr. McComb replied yes, some private events would be catered. This contract renewal will be for 2 years, with an additional 3 consecutive, one year options for renewal.

1 **CITY LANDFILL GOVERNMENT RATE FEE DISCUSSION – MR. KIM COLEMAN**

2 Mr. Coleman stated that the landfill is for Bountiful residents to use, and occasionally it is  
3 open for the use of other entities. With the audit finished for 2014, the auditors suggested charging  
4 city departments for loads delivered. The City is allowed to pass different rates, classes, etc. and  
5 track loads going into the landfill. It is proposed to establish a \$3/load (government rate) for other  
6 cities using our landfill. It is reasonable to apply the \$3/load rate to ourselves and similar  
7 governmental agencies. The impact at charging internal City departments would be significant from  
8 \$196,000 in expenses recorded in 2014, to less than \$5,000 estimated for 2015. Councilman  
9 Higginson asked what other agencies would be impacted within our city. Various entities were  
10 mentioned but the Irrigation District would be impacted the most financially.

11  
12 **COUNCIL POLICY PRIORITIES UPDATE – MR. GALEN RASMUSSEN**

13 Mayor Lewis stated that this is just an update to the previous report a couple months ago. He  
14 asked that the Council review the report again and ask questions as needed. Councilwoman Harris  
15 inquired when we expect to meet with the taxing entities about RDA loans (*Community-Compatible*  
16 *Economic Development, Tier 1*). Mr. Gary Hill responded within the next 2-3 weeks and Mr.  
17 Wilkinson is pulling numbers, benefits, etc. Mayor Lewis commented that Bountiful is an  
18 exceptional city to work for. Mr. Hill stated that tonight, Council could adopt the CAFR report,  
19 which gives Bountiful 34+ years of receiving the GFOA Award of Excellence in Financial Reporting  
20 (*Financial Balance & Accountability, Tier 1*). Mr. Mahan stated the senior housing study will be  
21 ready in a few weeks and possibly to Council in February 2015 (*Sustainable Bountiful, Tier 2*). Mr.  
22 Gary Hill commented that deer trapping has already started, with the main focus in Bountiful. The  
23 DWR is expecting 20-25 traps to be set. Sixteen residents have requested traps below Bountiful  
24 Boulevard. DWR pays for all relocating, fees, traps, etc. DWR will also be conducting a phone  
25 survey to random phone numbers in the City now and another follow up survey in the future. Mr.  
26 Hill commented that the City went live with Tyler Systems last week. There have been few  
27 problems, with good response from the residents. Councilwoman Harris inquired about Employee ID  
28 cards. Mr. Hill stated that all City employees (and Council) will be given ID cards to help identify  
29 employees and provide security measures, especially in a disaster situation. Mr. Rowland was asked  
30 to give an update on the BDAC project (*Preserve Community Identity & Vitality, Tier 2*). The  
31 contractor has been on site for about one month and is estimated to complete the work mid-January.  
32 Mayor Lewis asked if Councilwoman Harris and Councilman Pitt would serve on the City Branding  
33 Committee. Councilwoman Harris asked if there was a date set for FEMA training. Mr. Hill  
34 responded it will be held within the first quarter of next year (*Public Safety & Emergency*  
35 *Preparedness, Tier 3*). Councilman Higginson noted that anyone reading the tiers should not infer  
36 that particular areas are lower priority than others, but simply that some areas require maintenance  
37 only and were operating well otherwise. He also thanked the voters for re-authorizing the RAP tax  
38 (*Quality & Varied Recreational Opportunities, Tier 3*).

39  
40 The Work Session adjourned at 6:48 p.m. to move into Regular Meeting.

41  
42 **Regular Meeting – 7:06 p.m.**  
43 **City Council Chambers**

44  
45 Mayor Lewis called the meeting to order at 7:02 p.m. and welcomed those in attendance.  
46 Payton Williams, Boy Scout Troop 218, led the Pledge of Allegiance to the flag. Councilman

1 Higginson led us in prayer.  
2

3 **APPROVAL OF MINUTES**

4 Minutes of the October 28 & November 18, 2014 City Council Meetings were presented.  
5 Councilman Higginson made a motion to approve and Councilman Pitt seconded the motion. Voting  
6 was unanimous with Councilpersons Harris, Higginson, Knight and Pitt voting “aye”.  
7

8 **COUNCIL REPORTS**

9 None  
10

11 **YOUTH COUNCIL REPORT**

12 None  
13

14 **CONSIDER APPROVAL OF OCTOBER 2014 BUDGET SUMMARY, WEEKLY**  
15 **EXPENDITURES > \$1,000 PAID OCTOBER 23, 30 AND NOVEMBER 6 & 13, 2014**

16 Mayor Lewis presented the October 2014 Budget Summary and weekly summaries paid on  
17 October 23, 2014 for \$129,590.48, October 30, 2014 for \$999,078.25, November 6, 2014 for  
18 \$149,119.30 and November 13, 2014 for \$445,641.66. Councilwoman Harris inquired about the  
19 camera charge (pg.63, City Council packet). Mr. Rowland responded that they are security cameras  
20 located on the trail head. She also asked whether the 4<sup>th</sup> North benches are installed? Mr. Rowland  
21 responded, yes. Councilman Knight motioned to approve all the reports, as presented, and  
22 Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris,  
23 Higginson, Knight and Pitt voting “aye”.  
24

25 **CITIZEN SERVICE RECOGNITION – CHIEF TOM ROSS**

26 Chief Ross presented Rob Stratton with a Citizen Service plaque recognizing his help saving a  
27 resident in an emergency situation. Various Council members thanked Mr. Stratton for his bravery  
28 and service to his community.  
29

30 **PRESENTATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND**  
31 **AUDITOR’S REPORT – MR. KIM COLEMAN & MR. TYSON BECK**

32 Mr. Coleman stated that per state law, cities are audited each year. Mr. Tyson Beck then  
33 reported that the City of Bountiful received a great audit report. The Supplemental Report, regarding  
34 internal controls and state compliance laws was reviewed. No opinions are expressed by the  
35 individual auditor, on internal controls. No findings were expressed at this time. Within the CAFR,  
36 auditors express their opinions relative to test of transactions, balances, ledger accounts, etc.  
37 Reasonable assurance was expressed on the City’s financial results. The audit overall was very good  
38 and interaction with management was favorable. Councilman Knight stated that there is an  
39 advantage to having a good relationship with our auditors. Councilman Higginson motioned to  
40 approve all reports, as presented, and Councilman Knight seconded the motion. Voting was  
41 unanimous with Councilpersons Harris, Higginson, Knight and Pitt voting “aye”.  
42

43 **MOSQUITO ABATEMENT UPDATE – MR. GARY HATCH & MR. DUANE GARDNER**

44 Mr. Gardner reported that the most calls in the year were received last month. Mr. Gardner  
45 presented various reporting numbers and statistics for the county mosquito control. Councilman  
46 Higginson asked is there is a request online, is there feedback with the customer. Mr. Gardner said

1 all calls are logged and online requests are emailed back. Since 2007, the overall rates of spraying  
2 have decreased, so the spraying is working and effective. Mayor Lewis thanked Mr. Hatch and his  
3 team for being so engaged.

4  
5 **APPOINTMENT OF MR. REED HARDING TO MOSQUITO ABATEMENT BOARD –**  
6 **MAYOR RANDY LEWIS**

7 Mayor Lewis presented Mr. Reed Harding’s name to be on the Mosquito Abatement Board.  
8 Councilman Pitt made a motion to approve Mr. Harding, and Councilman Higginson seconded the  
9 motion. Voting was unanimous with Councilpersons Harris, Higginson, Knight and Pitt voting  
10 “aye”.

11  
12 **CONSIDER PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR 95 WEST 300**  
13 **SOUTH, BRIAN KNOWLTON, APPLICANT – MR. CHAD WILKINSON**

14 Mr. Wilkinson stated that the Planning Commission recommends approval for the site plans,  
15 with two conditions being met. Councilwoman Harris asked what is there currently. Mr. Wilkinson  
16 answered the American Legion. The lot is any permitted use. Councilman Higginson made a  
17 motion to approve the site plan with conditions, and Councilman Knight seconded the motion.  
18 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.

19  
20 **PUBLIC HEARING – CONSIDER APPROVAL OF ORDINANCE 2014-23 AMENDING THE**  
21 **BOUNTIFUL CITY LAND USE ORDINANCE RELATED TO SIGN STANDARDS FOR**  
22 **INSTITUTIONAL USE SIGNAGE – MR. CHAD WILKINSON**

23 Mr. Wilkinson stated that two notable changes are being proposed. First, the proposed  
24 ordinance would allow for up to 40 square feet in place of the original 32 square feet. Second, the  
25 original ordinance allowed up to 6 feet in height, while the new ordinance would allow up to 8 feet in  
26 height. However, the Planning Commission still recommends the 6 foot limit for the new ordinance.  
27 Councilwoman Holbrook asked if the updates would still allow original signs to be allowed as  
28 conforming use. Mr. Wilkinson responded that signs in place would be allowed as a conforming use.

29  
30 *Public Hearing open: 7:47 p.m.*

31 *Closed: 7:47 p.m.*

32 *No comments were made.*

33  
34 Councilman Knight made a motion to approve the ordinance, and Councilman Higginson seconded  
35 the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and  
36 Pitt voting “aye”.

37  
38 **CONSIDER RENEWAL OF CONCESSION LEASE WITH WESTERN FOODS FOR GOLF**  
39 **COURSE – MR. KENT MCCOMB**

40 Mr. McComb presented the renewal contract with Western Foods for the golf course. Two  
41 additional bids were received, but Western Foods has been the best choice, as stated in the proposal.  
42 Councilman Pitt made a motion to approve the renewal, and Councilman Higginson seconded the  
43 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt  
44 voting “aye”.

45  
46 **CONSIDER APPROVAL OF RESOLUTION 2014-13 INCREASING GOLF COURSE FEES**

1 **AND SETTING A GOVERNMENTAL LANDFILL FEE – MR. KENT MCCOMB & MR. KIM**  
2 **COLEMAN**

3 Mr. McComb stated that the golf course fees need to be adjusted, with an increase of \$1/per 9  
4 holes. The golf cart rate would stay the same, the junior fees would slightly increase. Councilman  
5 Higginson inquired if the High School team’s fees would remain. Mr. McComb recounted the fees  
6 charged for school teams. Mr. Mahan commented that this Resolution also includes the landfill fees  
7 at the government rate. Councilman Pitt made a motion to approve Resolution 2014-12 and  
8 Councilman Higginson seconded the motion, modifying the Resolution to 2014-13. Voting was  
9 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

10  
11 **CONSIDER APPROVAL OF THE PROPOSED CONTRACT EXTENSION FROM JRCA**  
12 **ARCHITECTS IN THE AMOUNT OF \$91,882 – MR. ALLEN JOHNSON**

13 Mr. Johnson presented the contract extension from JRCA Architects for \$91,882 to continue  
14 the design work and bidding process. Councilwoman Holbrook made a motion to approve the  
15 extension, Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons  
16 Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

17  
18 **CONSIDER APPROVAL OF A PROPOSAL FROM SOLAR TURBINES FOR AN ENGINE**  
19 **EXCHANGE FOR THE TAURUS TURBINE/GENERATOR IN THE AMOUNT OF**  
20 **\$1,153,215 – MR. ALLEN JOHNSON**

21 Mr. Johnson stated that the inspection of the turbine revealed the combustion chamber has  
22 cracks. It has not failed yet, but the manufacturer will warranty it. There is a three day install and it  
23 could be done in January 2015. This was not a budgeted item, but money has been identified to cover  
24 the cost. The turbine is offline now. Councilman Higginson asked if there is anyone to look at it and  
25 diagnose it. The manufacturer will examine the turbine when they take it down. One of the  
26 concerns was that the injectors were changed recently and they were not compatible with the turbine.  
27 Councilman Knight asked if the replacement will have correct injectors. Mr. Johnson responded that  
28 the new turbine will have an all new design and manufactured parts. Mr. Gary Hill commented that  
29 this will likely have a budget impact, but it is covered right now. Councilwoman Holbrook made a  
30 motion to approve the engine exchange, Councilman Higginson seconded the motion. Voting was  
31 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

32  
33 **CONSIDER APPROVAL OF A BID FROM FOUR SEASONS, INC. FOR DIRECTIONAL**  
34 **BORING ON 500 WEST FOR \$16,870 – MR. ALLEN JOHNSON**

35 Mr. Johnson stated that the boring is part of the I-15 corridor project and was allowed for in  
36 the 2014-15 budget. Councilwoman Holbrook made a motion to approve the bid, Councilwoman  
37 Harris seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,  
38 Holbrook, Knight and Pitt voting “aye”.

39  
40 **CONSIDER APPROVAL OF CONTRACT WITH VIP ROOFING IN THE AMOUNT OF**  
41 **\$68,850 TO REPLACE THE ROOF ON THE PUBLIC SAFETY BUILDING – CHIEF TOM**  
42 **ROSS**

43 Chief Ross presented the bid for a roof replacement, approved in the 2014-15 budget. The  
44 roof needs to be replaced as soon as possible and VIP offered a 20 year warranty, immediate  
45 installation and the lowest bid. Councilman Knight made a motion to approve the bid, Councilman  
46 Pitt seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,

1 Knight and Pitt voting “aye”.

2  
3 **CONSIDER APPROVAL OF PURCHASE OF PLAYGROUND EQUIPMENT FOR 400**  
4 **NORTH PARK FROM BERLINER COMPANY IN THE AMOUNT OF \$172,800 – MR.**  
5 **BROCK HILL**

6 Mr. Hill reported that the additional benches requested by City Council have been installed.  
7 Phase 2 of the equipment installation is set to begin. The new proposal meets all the elements  
8 Council requested, ie. within budget, design, etc. This is the final phase of the playground and will  
9 complete the project. Councilman Higginson thanked the Parks department for the benches and  
10 plants and is excited for the new rope structure. Councilwoman Harris inquired if the installation  
11 goes over budget, can it be covered in next year’s budget. Mr. Hill responded that it will all be  
12 handled within the budget. The actual installation will be spring 2015. Tonight is for Council to  
13 agree to the purchase. Councilman Pitt also suggested a ribbon cutting ceremony when it is all  
14 completed. Councilman Pitt made a motion to approve the playground purchase, Councilwoman  
15 Holbrook seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,  
16 Holbrook, Knight and Pitt voting “aye”.

17  
18 **CONSIDER APPROVAL OF THE PURCHASE OF A UTILITY TRUCK FROM TIGER**  
19 **TRUCK INDUSTRIES IN THE AMOUNT OF \$14,525 – MR. BROCK HILL**

20 Mr. Hill stated the cemetery is requesting a new utility truck, specifically a Tiger Truck. It is  
21 specific to cemetery operations, with a smaller, narrow base and will allow better room to move  
22 around headstones, graves, etc. Tiger Truck is a sole source provider; no other bids are provided and  
23 this is a budgeted item. Councilman Higginson made a motion to approve the truck purchase,  
24 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,  
25 Higginson, Holbrook, Knight and Pitt voting “aye”.

26  
27 **CONSIDER APPROVAL OF THE PURCHASE OF A GRASSHOPPER MOWER FROM**  
28 **RMT EQUIPMENT IN THE AMOUNT OF \$15,259 – MR. BROCK HILL**

29 Mr. Hill states that the cemetery is requesting a new mower due to the tight spaces needed to  
30 maneuver and the mowers in use are no longer safe to use or reliable. RMT is recommended through  
31 the State of Utah Contract and is a good bid. Councilman Knight asked where the old mower will be  
32 moved to. Mr. Hill said it will most likely be serviced then auctioned and/or put on the government  
33 surplus website through the State of Utah. Councilwoman Harris made a motion to approve the  
34 mower purchase, Councilman Higginson seconded the motion. Voting was unanimous with  
35 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

36  
37 **CONSIDER APPROVAL OF A 1-YEAR EXTENSION OF AUDIT CONTRACT WITH**  
38 **KEDDINGTON & CHRISTENSEN LLC FOR \$46,350 – MR. KIM COLEMAN**

39 Mr. Coleman proposed the extension of the audit contract for one more year at the same rate  
40 as 2014, then go for an audit bid the following year. It is advantageous to stay with our current  
41 company as they are familiar with the City’s procedures and transactions. The City has re-bid over  
42 the last 12 years, but the current firm was competitive and was the bid. Councilman Higginson  
43 asked if we were to re-bid this year, would there be any lower costs. Mr. Coleman said probably not.  
44 Councilman Knight made a motion to approve the extension, Councilman Higginson seconded the  
45 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt  
46 voting “aye”.

1 **CONSIDER GRANTING FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AT**  
2 **BOUNTIFUL HOLLOW SUBDIVISION AND KENSINGTON COURT SUBDIVISION AND**  
3 **APPROVE THE RELEASE OF THE REMAINDER OF THE BONDS – MR. PAUL**  
4 **ROWLAND**

5 Mr. Rowland stated that Brighton Homes was anxious to build on this property years ago. In  
6 2012 the improvements were completed and last year they completed the warranty improvements.  
7 They are requesting final acceptance, so the bonds may be released and Bountiful City can take  
8 responsibility for the continued upkeep. Councilman Higginson made a motion to approve the final  
9 acceptance, Councilwoman Holbrook seconded the motion. Voting was unanimous with  
10 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

11  
12 **CONSIDER APPROVAL OF THE PROPOSAL FROM RETAIN-IT PLUS IN THE**  
13 **AMOUNT OF \$65,980 FOR THE CONSTRUCTION OF THE RETAINING WALLS AT 2546**  
14 **MAPLE HILLS DRIVE – MR. PAUL ROWLAND**

15 Mr. Rowland stated that this project has turned into a bigger and longer project than  
16 anticipated. The original design to repair the wall was \$243,000 and a 10 week process. Currently  
17 with the weather at hand and costs going higher, the current option is to build a retaining wall from  
18 Retain-It Plus. They did work at the golf course years ago. The work on Maple Hills Drive needs to  
19 be done immediately to secure it and Retain-It Plus can do this within a two to three week period.  
20 Mr. Wheeler, owner of the house, was concerned about the encroachment of his driveway, but with  
21 this system is will be stable and secure. Mr. Wheeler also mentioned that the City did originally  
22 approve this wall. Mayor Lewis apologized that it has come to all of this, but the cost is less than  
23 expected and the City is trying to fair to both parties. Councilman Knight commented that with the  
24 actions taken, in no way are these costs placed as punitive. This was the correct action to stabilize the  
25 mountain. Councilwoman Holbrook made a motion to approve the proposal, Councilman Pitt  
26 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
27 Knight and Pitt voting “aye”.

28  
29 The regular meeting was adjourned at 8:59 p.m. Councilman Higginson requested that the closed  
30 session be adjourned to a further date for personal reasons. Councilwoman Holbrook and Pitt voted  
31 “nay”, Councilpersons Harris, Knight and Higginson voted “aye.” Gary Hill stated that the appointee  
32 to IPA can be terminated at any time and the representative can be changed at the Council’s vote,  
33 thus the closed session can be postponed. Council moved to postpone the closed session to a further  
34 date by majority vote on a motion made by Councilman Higginson and seconded by Councilman  
35 Knight.





# City Council Staff Report



**Subject:** Expenditures for invoices > \$1,000 paid November 20 & 27, 2014

**Author:** Heidi Voordeckers, Assistant Finance Director

**Department:** Finance

**Date:** December 1, 2014

---

## **Background**

This report is prepared following the weekly accounts payable run. It includes payments for all expense invoices equaling or exceeding \$1,000.00. Payments affecting only revenue or balance sheet accounts are not included. Such payments include those to acquire additions to inventories, the remittance of payroll withholdings and taxes, and performance bond refunds. Expenses for salaries and wages and utility deposit and credit balance refunds are not included.

## **Analysis**

Unless otherwise noted and approved in advance, all expenditures are included in the current budget. Answers to questions or further research can be provided upon request.

## **Department Review**

This report was prepared and reviewed by the Finance Department.

## **Recommendation**

Council should review and approve the attached expenditures.

## **Significant Impacts**

None

## **Attachments**

Weekly report of expenses/expenditures for invoices equaling or exceeding \$1,000.00 paid November 20 & 27, 2014.

# Expenditure Report for Invoices > \$1,000.00

Paid November 20, 2014

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>DEPARTMENT</u>	<u>ACCOUNT</u>		<u>AMOUNT</u>	<u>CHECK NO</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
4764	MCNEILUS TRUCK & MAN	Streets	10.425000	Equip Supplies & Maint	\$ 1,073.82	179963	2670274	HYD CONTROL VALVE #2454
1212	ASPLUNDH TREE EXPERT	Liability Insurance	63.451150	Liability Claims/Deductible	2,280.00	179882	78Q08314	TREFT/LAMAR TREE REMOVAL
5500	BOWEN COLLINS & ASSOC	Engineering	10.431000	Profess & Tech Services	1,537.00	179888	11822	10/14 FEMA FIS REVIEW/DAVIS COUNTY
1510	BUSHNELL OUTDOOR PRO	Golf Course	55.448240	Items Purchased - Resale	1,600.04	179889	657513	ACCESSORIES
1602	CDW GOVERNMENT, INC.	Enhanced 911	10.428000	Telephone Expense	1,185.94	179895	QK33322	CAD FUSION
1602	CDW GOVERNMENT, INC.	Enhanced 911	10.428000	Telephone Expense	2,516.76	179895	QL64769	CAD FUSION
1602	CDW GOVERNMENT, INC.	Enhanced 911	10.428000	Telephone Expense	2,916.06	179895	QM15982	CAD FUSION
1602	CDW GOVERNMENT, INC.	Enhanced 911	10.428000	Telephone Expense	4,612.12	179895	QL04116	CAD FUSION
1969	DIVERSIFIED INSPECTION	Light & Power	53.448635	Vehicles	2,390.00	179908	243213	VEHICLE TESTING
2126	FAIRBANKS SCALES	Landfill	57.426000	Bldg & Grnd Suppl & Maint	1,569.69	179914	1188578	SCALE REPAIRS
2164	FERGUSON ENTERPRISES	Water	51.448400	Dist Systm Repair & Maint	1,519.01	179915	942373	SYST MTRLS-MILLSTREAM WAY EASEMENT
2254	GAMETIME	Parks	10.426000	Bldg & Grnd Suppl & Maint	4,526.55	179918	838505	BIGFOOT SLIDE
5458	HANSEN, ALLEN & LUCE	Landfill	57.431300	Environmental Monitoring	4,576.18	179926	33133	GROUNDWATER SAMPLING
2523	HONNEN EQUIPMENT COM	Streets	10.425000	Equip Supplies & Maint	1,629.73	179929	615303	CYL RPR/BACKHOE #1114
2564	I-D ELECTRIC INC	Water	51.448400	Dist Systm Repair & Maint	13,536.35	179932	93983	LEVEL TRANSDUCERS
5645	I4 SOLUTIONS, INC.	Information Systems	10.431000	Profess & Tech Services	3,750.00	179933	68234	WEBSITE & BRANDING PROJECT
2614	INTERMOUNTAIN GEOENV	Legislative	45.472100	Buildings	2,371.25	179940	536-002-01	09/14 SVC-PAUL WHEELER WALL FAILURE
2614	INTERMOUNTAIN GEOENV	Legislative	45.472100	Buildings	2,812.50	179940	536-002-02	10/14 SVC-PAUL WHEELER WALL FAILURE
2765	JP ELECTRICAL, LC	Police	10.426000	Bldg & Grnd Suppl & Maint	1,779.00	179946	11156	INSTALLED OUTLETS/CHRISTMAS LIGHTING
2780	KAPP CONSTRUCTION	Water	51.473110	Water Mains	120,895.95	179947	1400608	2014 WATERLINE PROJECTS
2799	KELLERSTRASS ENTERPRISE	Streets	10.425000	Equip Supplies & Maint	26,464.90	179948	231285-2	FUEL PURCHASE
2799	KELLERSTRASS ENTERPRISE	Streets	10.425000	Equip Supplies & Maint	29,848.90	179948	231285	FUEL PURCHASE
2886	LAKEVIEW ROCK PRODUC	Water	51.461300	Street Opening Expense	1,149.67	179953	323325	ROAD BASE
4844	LEGACY EQUIPMENT	Streets	10.425000	Equip Supplies & Maint	3,292.99	179956	66364	#2451 BODY CNTRL MODULE
3103	METRO GRAPHICS, LLC	Legislative	10.422000	Public Notices	1,800.00	179965	2857	18,000 11/14 QTRLY NEWSLETTERS
3195	MOUNTAIN STATES SUPP	Water	51.448400	Dist Systm Repair & Maint	1,720.55	179968	\$101197337.001	SYST MTRLS
3572	PROFESSIONAL CLEANING	Police	10.426000	Bldg & Grnd Suppl & Maint	2,400.00	179978	902A	11/14 JANITORIAL SERVICES
3607	QUESTAR GAS	Police	10.427000	Utilities	2,072.28	179983	11032014G	AC#3401140000
3607	QUESTAR GAS	Light & Power	53.448611	Natural Gas	9,463.22	179983	11062014	AC#6056810000
3691	RENNER SPORTS SURFACE	Parks	10.426000	Bldg & Grnd Suppl & Maint	20,296.00	179985	1	VIEWMONT COURT RESURFACING
3777	ROTATIONAL MOLDING	Sanitation	58.448010	Garbage Containers	4,050.00	179989	30148	GARBAGE CANS
3924	SIMPLEXGRINNELL LP	Police	10.426000	Bldg & Grnd Suppl & Maint	1,942.00	179993	77363238	ANNUAL CONTRACT/ALARM SYST MONITORING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	1,417.24	180000	3668912	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	1,835.68	180000	3658883	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	2,200.44	180000	3665802	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	2,605.68	180000	3665845	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	3,089.68	180000	3661615	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	3,098.04	180000	3663008	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	4,316.84	180000	3662485	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	4,946.48	180000	3656081	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	7,414.00	180000	3666713	PATCHING
4025	STAKER & PARSON COMP	Streets	10.441200	Road Matl Patch/ Class C	7,556.56	180000	3667712	PATCHING
4064	STEVE REGAN CO	Parks	10.426000	Bldg & Grnd Suppl & Maint	3,820.48	180002	563788	SOIL AND GREENHOUSE SUPPLIES
5358	STOTZ EQUIPMENT	Landfill	57.425000	Equip Supplies & Maint	2,440.01	180003	W06298	REPAIRS TO ALJON COMPACTOR
4171	THATCHER COMPANY	Water	51.448000	Operating Supplies	2,288.76	180007	1348945	CHLORINE
4229	TOM RANDALL DIST. CO	Streets	10.425000	Equip Supplies & Maint	2,213.75	180011	222538	ENG & HYD OIL/FLEET
4229	TOM RANDALL DIST. CO	Golf Course	55.425000	Equip Supplies & Maint	3,309.31	180011	222050	FUEL
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	1,275.00	180014	45-118917	TRAINING
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	1,912.50	180014	45-119361	TRAINING U/B
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	2,550.00	180014	45-119248	CUSTOM DESIGN BUILDING PERMIT
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	3,000.00	180014	45-119249	PERMITS FORMS LIBRARY
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	5,112.99	180014	45-119894	TRAINING
4285	TYLER TECHNOLOGIES,	Information Systems	45.474500	Machinery & Equipment	10,500.00	180014	45-119110	PERMITS & INSP DATA CONVERSION
4307	UNITED SERVICE & SAL	Parks	45.474500	Machinery & Equipment	4,999.00	180016	S27227	POWER TURBINE BLOWER
4450	VERIZON WIRELESS	Light & Power	53.448641	Communication Equipment	1,981.96	180022	9734635552	AC#371517689-00001
4536	WEBER-BOX ELDER	Light & Power	53.448628	Pineview Hydro	10,262.94	180024	11072014	3Q14 GENERATION
4567	WESTERN REFUSE & REC	Streets	10.425000	Equip Supplies & Maint	4,774.00	180026	136907	CYLINDER FOR GRBG TRK
<b>TOTAL</b>					<b>\$ 382,499.80</b>			

## Weekly Expenditure Report for Invoices > \$1,000.00

Paid November 27, 2014

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>DEPARTMENT</u>	<u>ACCOUNT</u>		<u>AMOUNT</u>	<u>CHECK NO</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
1271	BAR-J-WRANGLERS	Legislative	10.492080	Contr-Bntfl Comm Serv Council	\$ 7,500.00	180032	11242014	CONCERT 12/6/14 WOODS CROSS HIGH SCHOOL
1428	BOUNTIFUL IRRIGATION	Light & Power	53.424002	Office & Warehouse	1,077.23	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Light & Power	53.448639	Substation	1,183.71	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Streets	10.427000	Utilities	2,218.06	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Light & Power	53.448613	Plant	2,918.89	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Water	51.426000	Bldg & Grnd Suppl & Maint	3,761.51	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Cemetery	59.426000	Bldg & Grnd Suppl & Maint	12,700.87	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Golf Course	55.426000	Bldg & Grnd Suppl & Maint	20,468.33	180034	3-1820	2014 IRRIG WATER ASSESSMENT
1428	BOUNTIFUL IRRIGATION	Parks	10.461400	Purchase Of Water	33,667.84	180034	3-1820	2014 IRRIG WATER ASSESSMENT
5659	PRECISION CONSTRUCTI	Redevelopment Agency	73.426100	Special Projects	78,795.00	180066	11022014	BDAC REMODEL
5653	WELDON, GEORGE T.	Parks	10.425000	Equip Supplies & Maint	1,250.00	180077	744	RODANATOR
5653	WELDON, GEORGE T.	Cemetery	59.425000	Equip Supplies & Maint	1,250.00	180077	744	RODANATOR
<b>TOTAL</b>					<u>\$ 166,791.44</u>			



# City Council Staff Report



**Subject: RAP Tax Ordinance**  
**Author: City Attorney Russell Mahan**  
**Date: 9 December 2014**

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## **Background**

In 2007 the citizens approved a RAP tax to be in effect for a period of eight years (April 1, 2008, to March 31, 2016). On July 22, 2014, the Bountiful City Council adopted a resolution putting before the residents of Bountiful a ballot proposition of whether to continue in effect the RAP tax for another ten years. At the election held on November 4<sup>th</sup> the voters approved reauthorization of the RAP tax by a vote of 7,379 to 3,450.

## **Analysis**

It is now necessary for the City Council to adopt an ordinance continuing the imposition of the RAP tax for a period of ten years commencing April 1, 2016. The ordinance proposed now fulfills that purpose.

## **Department Review**

This staff report was prepared by the City Attorney and reviewed by the City Manager.

## **Significant Impacts**

The RAP tax is significant in that it will provide approximately \$4,000,000 to fund parks and other recreational and arts programs and facilities in the next ten years.

## **Recommendation**

It is recommended that the Bountiful City Council approved this Ordinance.

## **Attachments**

Ordinance No. 2014-24.



# BOUNTIFUL

City of Beautiful Homes and Gardens

MAYOR  
Randy C. Lewis  
CITY COUNCIL  
Kendalyn Harris  
Richard Higginson  
Beth Holbrook  
John Marc Knight  
John S. Pitt

CITY MANAGER  
Gary R. Hill

## BOUNTIFUL CITY ORDINANCE NO. 2014-24

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**An Ordinance imposing and continuing in effect a one-tenth of one percent (0.10%) local sales and use tax (RAP tax) for a ten year period commencing April 1, 2016, on taxable transactions within Bountiful City to fund parks improvements and other recreational and cultural facilities and organizations, and adopting provisions for the imposition, collection and distribution of this tax.**

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### IT IS THE FINDING OF THE BOUNTIFUL CITY COUNCIL THAT:

1. The City is authorized, in accordance with Utah Code Ann. § 59-12-1402 to impose and renew a local sales and use tax, designated as a “RAP tax,” of one-tenth of one percent (0.10%) on qualifying transactions within the City to fund parks, recreational and cultural facilities and organizations in the City or within a geographic area outside the City pursuant to an interlocal agreement; and
2. The City has fulfilled the requirement of Utah Code Ann. § 59-12-1402 to approve a resolution submitting the question of the imposition of the proposed RAP (Recreation, Arts & Parks) Tax to the voters of the City; and
3. At the municipal general election held on November 4, 2014, a majority of the City’s registered voters voting on the opinion question voted in favor of imposing the RAP tax; and
4. The City Council now desires to impose the RAP tax approved by the voters.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF BOUNTIFUL, UTAH, AS FOLLOWS:**

**SECTION 1. IMPOSITION OF RAP TAX.** Pursuant to and in accordance with Utah Code Ann. §59-12-1402, the City Council hereby votes by majority vote of all of its members to impose a RAP Tax. The RAP Tax shall be imposed, collected and distributed in accordance with applicable provisions of State law and the provisions of Chapter 4, Title 12 of the Bountiful City Municipal Code as more particularly set forth herein.

**SECTION 2.** **RAP TAX PROVISIONS.** The Bountiful City Code is hereby amended as follows:

**Title 12. Revenue and Taxation.**  
**Chapter 4. RAP (Recreation Arts & Parks)Tax.**

**12-4-101. Purpose.**  
**12-4-102. Compliance.**  
**12-4-103. Recreational, Arts and Parks (RAP) Tax.**  
**12-4-104. Collection.**  
**12-4-105. Use of Funds.**  
**12-4-106. Distribution of Funds.**  
**12-4-107. Effective Date.**

**12-4-101. Purpose.**

**(a)** Bountiful City submitted an opinion question to the residents of the City at the municipal general election held on November 6, 2007, providing each voter an opportunity to express an opinion on the imposition of a local sales and use tax of one-tenth of one percent (0.10%) on certain qualifying transactions within the City to fund a performing arts center and other recreational and cultural facilities and organizations within the community. A majority of the City's registered voters voting on the opinion question voted in favor of imposing the RAP Tax. The purpose of this Chapter is to impose the RAP Tax as approved by Bountiful voters and to provide for the collection and distribution of the revenues generated by the RAP Tax.

**(b) Bountiful City submitted an opinion question to the residents of the City at the general election held on November 4, 2014, providing each voter an opportunity to express an opinion on whether to continue the imposition of a local sales and use tax on one-tenth of one percent (0.10%) on certain qualifying transactions within the City to fund parks improvements and other recreational and cultural facilities and organizations. A majority of the City's registered voters voting on the ballot proposition voted in favor of continuing the imposition of the RAP Tax. The purpose of this Ordinance is to impose and continue the RAP Tax as approved by Bountiful voters and to provide for the collection and distribution of the revenues generated by the RAP Tax.**

**12-4-102. Compliance.**

It is the intent of the City to comply will all applicable provisions and restrictions set forth in Utah Code Ann. §§ 59-12-1401, et seq., **and other relevant provisions as amended**, regarding local option sales and use tax to fund recreational and zoological facilities and botanical, cultural and zoological organizations.

**12-4-103. Recreation, Arts and Parks (RAP) Tax.**

(a) There is hereby levied a local option sales and use tax on qualifying taxable transactions within Bountiful City at the rate of one-tenth of one percent (0.10%). This tax shall be known as the Recreation, Arts and Parks (RAP) Tax. The RAP Tax may be levied for a period of eight (8) years and may be reauthorized at the end of the eight-year period in accordance with applicable provisions of Utah Code Ann. § 59-12-1402, **as amended**.

**(b) There is hereby levied a local option sales and use tax on qualifying taxable transactions within Bountiful City at the rate of one-tenth of one percent (0.10%). This tax shall be known as the Recreation, Arts and Parks (RAP) Tax. The RAP Tax shall be levied for a period of ten (10) years commencing April 1, 2016, and may be reauthorized at the end of the ten-year period in accordance with applicable provisions of Utah Code Ann. § 59-12-1402.**

**12-4-104. Collection.**

The RAP Tax shall be administered, collected and enforced in accordance with the procedures set forth in Title 59, Chapter 12, Parts 1 and 2, of the Utah Code Annotated, as amended, regarding Tax Collection and Local Sales and Use Tax Act (excluding Subsections 59-12-205(2) through (7)), and Title 59, Chapter 1, of the same, as amended, regarding General Taxation Policies.

**12-4-105. Use of Funds.**

The monies generated from the RAP Tax shall be used for financing **parks**, recreational and cultural facilities within the City or within the geographic area of entities that are parties to an interlocal agreement with the City providing for recreational or cultural facilities; for operating expenses of cultural organizations within the City or within the geographic area of entities that are parties to an interlocal agreement with the City providing for the support of cultural organizations; and for any other eligible facilities or organizations provided by law.

**12-4-106. Distribution of Funds.**

The City may enter into an interlocal agreement with other qualifying entities and distribute the revenues generated by the RAP Tax to participant in the interlocal agreement as provided by law. Any funds generated by the RAP Tax and not distributed by interlocal agreement may be used for qualifying facilities and organizations approved by the City Council.



**12-4-107. Effective Date.**

**(a)** Except as otherwise provided by law for billing cycle transactions and catalogue sales, the enactment and imposition of the RAP Tax shall take effect on the first day of the calendar quarter following a ninety (90) day waiting period beginning on the date the Utah State Tax Commission receives notice from the City regarding its creation of the RAP Tax in accordance with Utah Code Ann. § 59-12-1402(5)(b), as amended. Pursuant to such provisions, the Bountiful City RAP Tax shall take effect on April 1, 2008.

**(b) The enactment and imposition of the RAP Tax approved in this Ordinance and by the voters of Bountiful City on November 4, 2014, shall take effect on April 1, 2016, and be in effect for a period of ten years.**

**SECTION 3. IMPLEMENTATION.** Bountiful City staff is authorized and directed to take the actions necessary to implement the imposition and continuation of this RAP tax.

**SECTION 4. SEVERABILITY.** If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect immediately upon first publication.

**Adopted this 9th day of December, 2014.**

BOUNTIFUL CITY:

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Randy C. Lewis, Mayor

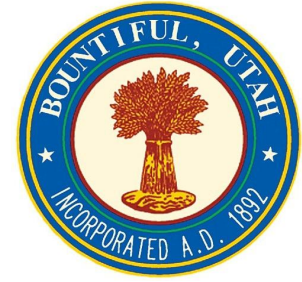
Attest:

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Heidi Voordeckers, Deputy City Recorder



# City Council Staff Report



**Subject:** Service Truck Purchase  
**Author:** Mark Slagowski  
**Department:** Water Department  
**Date:** December 9, 2014

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## **Background**

We included in our 2014 – 2015 budget funds to purchase a utility truck to replace one of our service trucks.

## **Analysis**

We have received State contract pricing for a Dodge Ram 5500 truck chassis at \$50,034. The utility bed on the state contract will be approximately \$12,000. The Compressor and generator is \$4,000 and the lights for traffic control will be \$3,061. There are some incidentals that we will need, such as building a rear bumper, plumbing air from the compressor and wiring for the bin lighting so this is the reason I can only give you an approximate price for the utility bed.

## **Department Review**

I have reviewed the purchase of this truck with appropriate staff and with the City Manager.

## **Recommendation**

Staff recommends Council approve a not-to-exceed amount of \$72,000 price for this service truck and related equipment.

## **Significant Impacts**

Because there is not another city council meeting until January 13, authorizing purchase of the truck at this time will help with the lead time necessary to order and equip the vehicle.

## **Attachments**

None



# City Council Staff Report



**Subject:** ULCT Transportation Funding Initiative  
**Author:** Gary Hill  
**Department:** Executive  
**Date:** December 9, 2014

## **Background**

At this year's Utah League of Cities and Towns Annual Convention, the ULCT membership passed a resolution that identified the need for transportation funding and recommended a legislative solution. The recommendation is to have the Legislature enact a .25% local option sales tax that can be used to address local transportation needs: roads, transit, trails, bike lanes, etc.

Representatives from the ULCT will be at the City Council meeting on December 9<sup>th</sup> to review the proposal and answer questions.

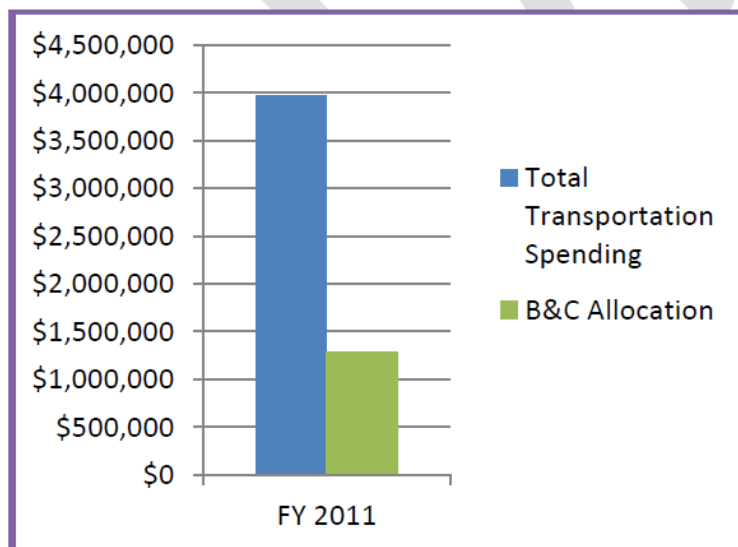
## **Analysis**

It is no secret that Utah's transportation needs are increasing, particularly at the local level. Road condition is commonly identified as a number one area of concern for Bountiful residents. In addition, residents are looking for means to increase other forms of transportation including public transit, bike paths, and trails.

The current method for funding Utah's roads, the gas tax, has not been increased since 1995. The revenue from that tax is wholly inadequate to meet the demands to maintain local roads. The chart below shows Bountiful's road expenditures vs. revenue received from the gas tax:

Note that Bountiful currently subsidizes road needs from the general fund by about 3 million dollars. This condition is not unique to Bountiful, as most cities are in a very similar, if not worse, position.

While an increase to the gas tax has been discussed (but not acted upon) for some time, a



coalition of cities, counties, and the Salt Lake Chamber believe now is the time to address the problem in a more significant way. The local option tax has not been increased since 1983. It would generate substantially more revenue for transportation needs than a gas tax (see attachment for more information):

- \$0.05 Gas Tax increase: \$250,000/year
- \$0.0025 Local Option Sales Tax Increase = \$1.5 million/year

Staff believes now is the time to work with and encourage our local legislative officials to increase the local option tax so Bountiful and the rest of Utah's local governments can meet our local road and transportation needs.

### **Department Review**

This report has been reviewed by the City Manager

### **Significant Impacts**

Passage of this kind of measure would significantly help Bountiful's ability to address local road and transportation needs.

### **Recommendation**

This item is for information only, but staff would like the Mayor and City Council to discuss and provide any additional direction.

### **Attachments**

Transportation Initiative Fact Sheet (prepared by ULCT)  
Coalition letter



# Bountiful

**Population:\*** 43,023  
**Legislators:** Senate: Todd Weiler  
House of Representatives: Raymond Ward, Rebecca P. Edwards  
**County:** Davis

## Municipal Sales Tax for Bountiful:\*\*

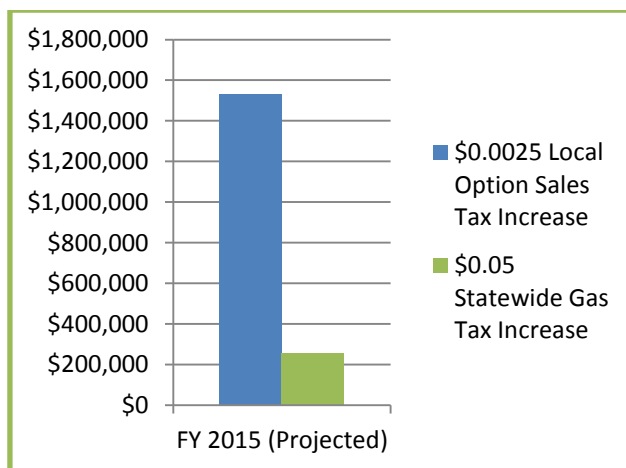
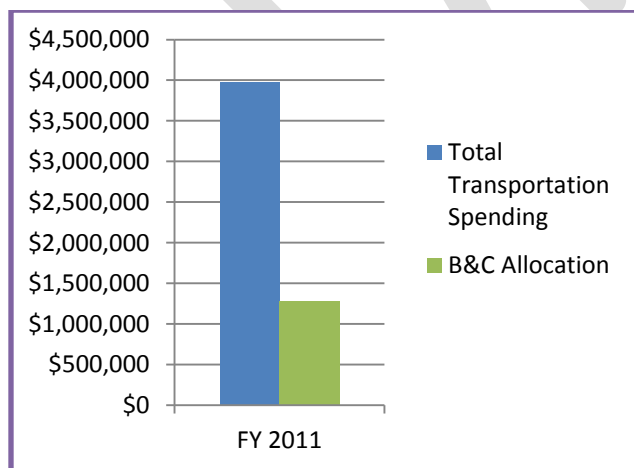
**Bountiful's 1% Local Option Revenue (FY 2011):** \$5,455,595

## Transportation Funding/Spending for Bountiful:\*\*

**Bountiful's Total Transportation Spending (FY 2011):** \$3,974,958  
**Bountiful's B & C Road Funding (FY 2011):** \$1,284,637  
**Bountiful's General Fund Subsidy for Transportation:** \$2,690,321  
**Per Capita:** \$62.53

## What different funding mechanisms could mean for Bountiful:\*\*\*

<b>\$0.0025 Local Option Sales Tax Increase:</b>	<b>\$0.05 Statewide Gas Tax Increase:</b>
2015 Projection: \$1,530,232	2015 Projection: \$254,560
2019 Projection: \$1,750,342	2019 Projection: \$254,824
2024 Projection: \$2,006,780	2024 Projection: \$255,005
2015-2024 Total: \$17,461,874	2015-2024 Total: \$2,548,150



\* Source: U.S. Census Bureau – 2013 Population Estimates  
 \*\* Source: Office of the Utah State Auditor  
 \*\*\* Projections by ULCT Economist Doug Macdonald (former Utah State Tax Commission Economist)  
 Sources: Utah State Tax Commission & Utah Department of Transportation

October 27, 2014

Mayor Randy Lewis, Bountiful  
790 S. 100 E.  
Bountiful, UT 84010

Dear Mayor Lewis,

Whether you drive on roads, bike on paths, cruise on ATVs, hop on the bus, or walk on the sidewalk, transportation is a part of your daily life. Which roads do you avoid? Where does your sidewalk end? How often do your kids stay inside because of the inversion? You hear from residents how they expect not only well-maintained roads but also transit, ATV, and active transportation options. You have to do more with less and the traditional resources are diminishing. We live in a new era of transportation—we must have a new vision for funding it.

At this year's Utah League of Cities and Towns Annual Convention, the ULCT membership passed a resolution that identified the need for transportation funding and recommended a legislative solution. **We must expand funding for local transportation NOW.**

We recognize the power in numbers. The Utah League of Cities and Towns, Utah Association of Counties, and the Salt Lake Chamber have formed the Utah Transportation Coalition. The Coalition's goal is to build support for major investment in Utah's transportation system per Utah's Unified Transportation Plan, preserve Utah's quality of life, bolster economic growth, improve personal health and air quality, and provide maximum value to all Utahns.

The Coalition will roll out a communications campaign to generate public and political support for comprehensive transportation solutions and to fund the Unified Transportation Plan across the state. We have provided a sample service agreement for your city/town to review, prepare, and enact to join the Coalition. The Coalition will provide a communication toolkit that you can use as is (without additional staff work) or personalize the materials for your community, including newsletter messages, utility fee inserts, social media messages and a city council resolution.

We need Bountiful's financial support of \$2,000 to join together with all other Utah cities, towns, counties, and chambers. The private sector has pledged the majority of the needed amount and they are asking for local government to stand shoulder to shoulder in the effort—a public-private partnership that will make a difference. Please adopt a service agreement (based on the enclosed sample) and support the Coalition. For more information, contact Abby Albrecht at the Utah Transportation Coalition at (801) 831-6116 or at [abby.albrecht@gcinc.com](mailto:abby.albrecht@gcinc.com).

Thank you for your partnership and your support.



Lane Beattie  
President/CEO of Salt Lake Chamber



Ken Bullock  
Executive Director, Utah League of Cities & Towns



# City Council Staff Report



**Subject: Open Space Preservation and Re-Subdividing Policy**  
**Author: City Attorney Russell Mahan**  
**Date: 16 December 2014**

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## **Background**

In 2002 the owner of a large lot in a subdivision applied to re-subdivide into five smaller lots, each with a house. Over some neighborhood opposition, this was approved by the City Council and resulted in the development of the cul de sac across the street from the entrance to the golf course. Afterward, however, it was decided that allowing lots within existing subdivisions to re-subdivide into smaller lots may not be a good idea. The Council then approved Resolution 2002-09 establishing a policy, though not a firm prohibition, against re-subdivision. It is attached. This policy is about land in existing subdivisions, and is not about land that has never had an approved subdivision on it. It has particular importance where lots are larger than what is allowed by zoning (for example, a half acre lot where quarter acre lots are legal).

With most of the land in Bountiful already developed, there is pressure on large lots everywhere in the City to be re-subdivided into smaller parcels. This is true in Val Verda, east of Bountiful Boulevard, and anywhere there is a large lot. Staff would like the City Council to confirm what it's position is on preserving open space, and whether to continue or strengthen this policy. **This agenda item is for discussion only, and no action is to be taken at taken at this time.**

## **Analysis**

There are many ways to approach the question of open space, all of which have good points. One is that people have property rights and they should be able to develop their property as they wish. Another is that the matter should be decided by the free market. A third is that open space should be preserved by governments buying land, rather than forcing preservation upon private individuals. A fourth is that zoning is a legitimate and legal method of having an orderly society and promoting the public good, and we all hold land subject to the zoning laws, which can and do change.

Specifically, there are different approaches the City could take, which include these:

1. A policy of simply allowing landowners and the free market to decide what should and can be done with land, subject to the zoning in force at the time. Allow re-subdividing to whatever is allowed by the underlying zone.
2. A policy of not allowing re-subdividing. Put the policy adopted by resolution into the Land Use Ordinance.
3. A policy of not allowing land to be re-zoned to greater density than currently designated, as from R-1 (one home per acre) to R-4 (four homes per acre), or from RM-13 (multi-family residential at 13 units per acre) to RM-19.
4. A policy of re-zoning existing properties to conform with their current size. For example, some areas have lots of one acre in size in an R-4 zone. They could be re-zoned to R-1 (one acre) whether the owners agreed to it or not. Then the Council would thereafter refuse to re-zone to greater density.

They are other approaches that could be taken. These are stated to introduce the subject.

What Bountiful is to be like, and look like, in the future is to a considerable extent dependent upon the land use philosophy adopted by the City Council. It therefore ought to be a well thought out and intentional policy.

#### **Department Review**

This staff report was prepared by the City Attorney and reviewed by the City Manager.

#### **Significant Impacts**

It is important for the City to establish a position on open space for staff, citizens and developers to know about.

#### **Recommendation**

This is a discussion item only.

#### **Attachments**

Resolution No. 2002-09.

## **Bountiful City Council Resolution No. 2002-09**

### **A Resolution establishing the policy of the Bountiful City Council on the subject of vacating lots from subdivisions for the purpose of further subdivision into smaller lots.**

It is the finding of this City Council that the division of an existing individual subdivision lot into further subdivisions of lots is, as a general proposition, an undesirable form of development, for the following reasons:

1. The subdivision in which the original lot is located is generally a planned, coherent development as to lot layout, and to subdivide any one lot further generally runs counter to the original coherency.
2. Citizens who buy into a subdivision generally do so in the expectation that the original plan of lots will continue into the future, and expend large sums of money based on that expectation.
3. The placement of multiple homes where only one was previously permitted in a subdivision, is generally unfair to neighboring lot owners who bought or built homes expecting there would be but one home on the adjacent lot.
4. The breakdown of larger lots into several smaller ones, and the resulting increased density of population and the disappearance of open space, is contrary to the general well being of the citizens of Bountiful.
5. The statewide Envision Utah planning research recently conducted by the State found that the residents of Bountiful value and want to continue into the future the existence of larger residential lots.
6. Bountiful City well exceeds the quota of “affordable housing” established by Utah law. It is not necessary for more smaller lots to be created in order to meet this requirement.
7. In the hillside areas of town the square footage required per lot is determined by the average slope, with steeper ground requiring larger lots. After designing a subdivision, a later vacation of more a level lot into several lots will evade the original lot size requirement. In other words, it would permit a developer to do in two steps what he cannot do in one step.

It is the finding of the City Council that the vacation of subdivision lots for the purpose of further subdivision generally does in fact materially injure the public at large and the individual persons who reside in the vicinity of that lot.

Nevertheless, each application for the vacation of a subdivision lot will be individually considered to determine whether individual circumstances demonstrate that such material injuries do not in fact exist.

Adopted this 8th day of October, 2002.

BOUNTIFUL CITY:

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Joe L. Johnson, Mayor

Attest:

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Kim J. Coleman, City Recorder