



Ogden City

City Council Meeting Agenda

January 19, 2016 at 6:00 p.m.

City Council Chambers

Municipal Building – Third Floor

2549 Washington Boulevard, Ogden, Utah 84401

1. Roll Call. Pursuant to Section 52-4-207 “Electronic Meetings” of the Open and Public Meetings Law, Chair White will participate in the meeting via teleconference and such electronic means will provide the public body the ability to communicate via the teleconference.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Recognitions:
 - a. **Ogden-Weber Applied Technology College.** Proposed Joint Resolution 2016-3 honoring the Ogden-Weber Tech College for its nationally recognized programs. (*Adopt joint resolution – voice vote*)
 - b. **Utah Hispanic Chamber of Commerce Ogden Chapter.** Proposed Joint Resolution 2016-4 recognizing the new Ogden Chapter of the Utah Hispanic Chamber of Commerce. (*Adopt joint resolution – voice vote*)
5. Approval of Minutes: (*Voice vote*)
 - a. Regular meeting of September 15 and work session of November 10, 2015 – *Council member Hyer*
 - b. Joint study session and regular meeting of November 17, 2015 – *Council member Stephens*
 - c. Work session of November 17 and joint study session of November 24, 2015 – *Council member Garner*
6. Common Consent: (*Voice vote*)
 - a. **Annexation Plan Amendments.** Proposed Ordinance 2016-3 amending the Ogden City General Plan by amending Subsection 8.F.4.E and Subsection 8.F.4.F. regarding amendments to the Annexation Plan. (*Set public hearing for February 16, 2016*)
7. Public Hearing:
 - a. **FY2016 Budget Amendment - Fire Station #3 Public Art Project.** Proposed Ordinance 2016-1 reappropriating \$18,428.00 for public art at the Fire Station #3 site. (*Adopt/not adopt ordinance – roll call vote*)
8. New Business:
 - a. **2016 Legislative Session Priorities.** Proposed Joint Resolution 2016-6 adopting Ogden City’s legislative priorities for the 2016 Utah General Legislative Session. (*Adopt/not adopt joint resolution – roll call vote*)
9. Public Comments: This is an opportunity to address the Council regarding your concerns or ideas. Please state your name and address clearly for the record, and limit your comments to three minutes.
10. Comments:
 - a. Mayor.
 - b. Council members.

11. **Closed Executive Session.** Consideration of adjourning into a Closed Executive Session pursuant to one or more of the provisions of Section 52-4-205(1) of the Open and Public Meetings Law:
- a. Discussion of the character, professional competence, or physical or mental health of an individual
 - b. Strategy session to discuss collective bargaining
 - c. Strategy session to discuss pending or reasonably imminent litigation
 - d. Strategy session to discuss the purchase, exchange, or lease of real property
 - e. Strategy session to discuss the sale of real property
 - f. Discussion regarding deployment of security personnel, devices, or systems
 - g. Investigative proceedings regarding allegations of criminal misconduct.
- (Adjourn/not adjourn into closed session – roll call vote)*

12. Adjournment.

- REMINDER:** A City Council work session will be held immediately following the Council meeting in the Council work room. The purpose of the work session includes presentations and discussions regarding:
- GOAL Foundation,
 - Linear Block/Private Club Amendments,
 - FY2017-2021 Capital Improvement Plan, and
 - Council business.

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In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the Management Services Department at 629-8701 (TDD # 629-8949) or by email: [ADACompliance@ci.ogden.ut.us](mailto:ADACompliance@ci.ogden.ut.us) 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/or agenda was posted in three public places within the Ogden City Limits on this 15th day of January, 2016. These public places being: 1) City Recorder's Office on the 2nd floor of the Municipal Building; 2) 2nd floor foyer of the Municipal Building; and 3) the Weber County Library. A copy was posted to the Utah State Public Notice Website and the Ogden City Website, as well as provided to the Standard-Examiner.

TRACY HANSEN, MMC  
OGDEN CITY RECORDER

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Ogden City Council Agenda Information Line – 801-629-8159



# City Council Meeting COUNCIL STAFF REVIEW

## JOINT RESOLUTION HONORING THE OGDEN-WEBER TECH COLLEGE FOR ITS NATIONALLY ACCLAIMED PROGRAMS

### COUNCIL STAFF REVIEW

**ACTION:**                **Adopt joint resolution**

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#### ***Request***

This joint resolution honors the Ogden-Weber Tech College (OWATC) for its nationally acclaimed programs. Students recently competed in the SkillsUSA National Championship and brought home five medals for excelling in their training fields.

Jim Taggart, OWATC Vice President for Instructional Services, and Jennifer Streker, OWATC Program Director, will be present to receive the joint resolution.

The following students will also be present for the recognition:

- Megan Dorrity, Job Skills Demonstration A, Post-secondary, 1<sup>st</sup> place;
- Staci Galvez, Cosmetology, Post-secondary, 1<sup>st</sup> place; and
- Deborah Becker, Customer Service, Post-secondary, 1<sup>st</sup> place.

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**Council Staff Contact: Amy Sue Mabey, (801)629-8629**

# ***JOINT RESOLUTION OF THE OGDEN CITY COUNCIL AND MAYOR***

**#2016-3**

## **HONORING THE OGDEN-WEBER TECH COLLEGE FOR ITS NATIONALLY ACCLAIMED PROGRAMS**

**WHEREAS,** For more than 40 years, Ogden-Weber Tech College has provided the Ogden community with quality educational opportunities, year-round course schedules, competency-based learning and training opportunities in high-demand technical fields. The college serves approximately 6,000 students each year, offering more than 40 technical skills programs. The tech college has recently gained national attention for students from several of its programs excelling at the SkillsUSA national competition in Louisville, Kentucky; and

**WHEREAS,** Ogden-Weber Tech College students spent an entire week competing against top students from across the country. The SkillsUSA competition is a multi-million-dollar event that occupies a space equivalent to 16 football fields, with more than 6,000 contestants in 100 separate events, ranging from architectural drafting to nail care; and

**WHEREAS,** Ogden-Weber Tech College students brought home a total of five medals from the national competition: two gold medals and three silver medals. Cosmetology students brought home the gold medal for the second year in a row, and the third time in the last five years. Students from the customer service and plumbing programs also placed; and

**WHEREAS,** The following Ogden-Weber Tech College students placed at the national competition: Staci Galvez received a gold medal in the Cosmetology Post-Secondary category; Jessica Shaw received a silver medal in the Cosmetology Post-Secondary category; Megan Dorrity received a gold medal in the Job Skills Demo Post-Secondary category; John Hill received a gold medal in the Plumbing Post-Secondary category; and Deborah Becker received a silver medal in the Customer Service Post-Secondary category; and

**WHEREAS,** Ogden-Weber Tech College has proven that it can successfully train and prepare a skilled workforce. The college has been consistently rated as the Best in State for Technical Education and the Best for Vets by Military Times. It has an outstanding 88% course completion rate, 90% job placement rate and 100% licensure rate. Students are able to select from the numerous career options available and to access the necessary resources to find success in their future careers.

**NOW, THEREFORE BE IT RESOLVED** that the Ogden City Council and Mayor Michael P. Caldwell proudly recognize the Ogden-Weber Tech College for its national achievements and congratulate students for their exceptional performance at the SkillsUSA competition. We appreciate the incredible efforts of administrators, instructors and staff who provide invaluable educational and training opportunities to thousands of residents within the Ogden community.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of January 2016.

\_\_\_\_\_  
Marcia White, Council Chair

\_\_\_\_\_  
Michael P. Caldwell, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Hansen, City Recorder



# City Council Meeting COUNCIL STAFF REVIEW

## JOINT RESOLUTION RECOGNIZING THE NEW OGDEN CHAPTER OF THE UTAH HISPANIC CHAMBER OF COMMERCE

### COUNCIL STAFF REVIEW

**ACTION:**                    **Adopt joint resolution**

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***Request***

This joint resolution recognizes the new Ogden Chapter of the Utah Hispanic Chamber of Commerce (UHCC). The Utah Hispanic Chamber of Commerce has been operative since 1991 and has now expanded to its new Ogden Chapter.

This joint resolution is being adopted in partnership with Weber State University, Ogden-Weber Applied Tech College, Weber County and Ogden-Weber Chamber of Commerce. It will be read and presented to Francisco Sotelo, President & CEO of UHCC. The opening ceremony of the UHCC-Ogden Chapter will be held on January 20th, 2016.

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**Council Staff Contact: Amy Sue Mabey, (801)629-8629**

***A JOINT RESOLUTION OF THE  
OGDEN CITY COUNCIL AND MAYOR***

**#2016-4**

**RECOGNIZING THE NEW OGDEN CHAPTER OF THE  
UTAH HISPANIC CHAMBER OF COMMERCE**

**WHEREAS,** The Utah Hispanic Chamber of Commerce (UHCC) will soon begin offering business and career development services to Ogden area residents. The local UHCC chapter will soon be opening. The former Ogden Chamber of Commerce is being dissolved and the members absorbed into the new chamber. UHCC is affiliated with the U.S. Chamber of Commerce and has a long history of being an invaluable resource to communities; and

**WHEREAS,** The mission of UHCC is to provide leadership, opportunities for economic growth, professional development and community involvement for its members. UHCC generates its members' ability to compete proficiently and successfully in the mainstream commerce environment, while also providing the next generation with the tools needed to succeed. The Chamber's purpose is to deliver professional development workshops, resource materials, a sturdy stream of leads, company brand visibility and networking opportunities that will assist them in their businesses growth; and

**WHEREAS,** UHCC has been in existence for 25 years. There are more than 10,000 Hispanic firms in the State of Utah, and 60% of UHCC members are Hispanic-owned firms. The Chamber has 73 corporate sponsors, with 7 key community partnerships: Goldman Sachs 10,000 Small Businesses, Zions Bank, Pete Suazo Business Center, Wells Fargo Bank, Salt Lake Community College Business Resource Center, Adelante Media and Utah Cultural Celebration Center.

**NOW THEREFORE BE IT RESOLVED** that Ogden City, Weber County, Weber State University, Ogden-Weber Tech College and Ogden-Weber Chamber of Commerce enthusiastically welcome the new Ogden Chapter of the Utah Hispanic Chamber of Commerce. We look forward to opportunities to work with UHCC and are confident that this organization will make a positive and lasting impact on our community.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of January 2016.

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Marcia White, Council Chair  
Ogden City

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Michael P. Caldwell, Mayor  
Ogden City

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Kerry Gibson, Commissioner  
Weber County

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Charles Wight, President  
Weber State University

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Collette Mercier, President  
Ogden-Weber Tech College

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Chuck Leonhardt, President & CEO  
Ogden-Weber Chamber of Commerce

Attest:

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Tracy Hansen, Recorder  
Ogden City



# City Council Meeting COUNCIL STAFF REVIEW

## AMENDMENTS TO AREAS 5 AND 6 OF THE CITY'S ANNEXATION PLAN

### COUNCIL DETERMINATION:

- Set/not set a public hearing for February 16, 2016

### PLANNING COMMISSION

RECOMMENDATION: Approval of the amendment (5-0)

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### *Executive Summary*

The current proposal involves changes to two areas of the City's annexation plan. Regarding the first, Ogden City has been working with South Ogden City to amend a portion of both city's annexation plan to reassign property from Ogden's plan to South Ogden's plan. The change was initiated when a review of the property showed that Ogden City could not properly provide services to the area even though it was included in Ogden's plan for future annexation. The property owner is pursuing annexation into South Ogden as that city is in a better position to provide services to the property. The second amendment to the City's annexation plan is specific to several properties on Glasmann Way in which the rear portion of the property is actually located in unincorporated Weber County with the main portion of the properties located in Ogden City. The amendment would add the rear portions of these properties to the City's annexation plan.

### *Background*

Before a property owner or a city annexes property into a city, that property must be shown on the annexation plan of the city into which the property would be annexed. The plan must show how that city could provide services along with information about the character of the site and the general land use category that would be assigned to the property upon annexation. No property may be in two different city's annexation plans.

In 2015, South Ogden City completed an update to their annexation plan. The study accompanying the update showed that there is a parcel of land included in Ogden City's annexation plan that would be better serviced by South Ogden City. The property is located along Harrison Boulevard at about 5500 South. South Ogden's annexation plan has been updated to show that area as being within that city's annexation area. To prevent the property from being shown in Ogden's annexation plan, an amendment to the City's plan must be completed.



# City Council Meeting COUNCIL STAFF REVIEW

Because changes were being made to the annexation plan relating to the South Ogden changes, a second section of the City's annexation plan is being proposed for amendment. The properties included in this amendment are along the western side of Glasmann Way at around 4800 South. These properties have a small portion of their rear yard located within unincorporated Weber County. This results in these property owners receiving two tax notices for their property; one for the main lot located in Ogden City and another for the small remnant piece located in Weber County. Including these properties in the City's annexation plan will allow these smaller, remnant parcels to be annexed into the City eliminating separate tax notices for the residents.

In 2014, Ogden City and South Ogden City worked together complete a city boundary adjustment just to the north of the Glasmann Way properties. Similar to this instance, properties were split between Ogden City and South Ogden City. In that case however, the city boundaries had to be amended to correct this issue because all of the land involved had been incorporated into one of the two cities. The current proposal to add the subject properties along Glasmann Way would simply allow the remnant parcels located in an unincorporated part of the County to be annexed into the City without the need for a boundary adjustment with an adjacent city.

*January 12, 2016*

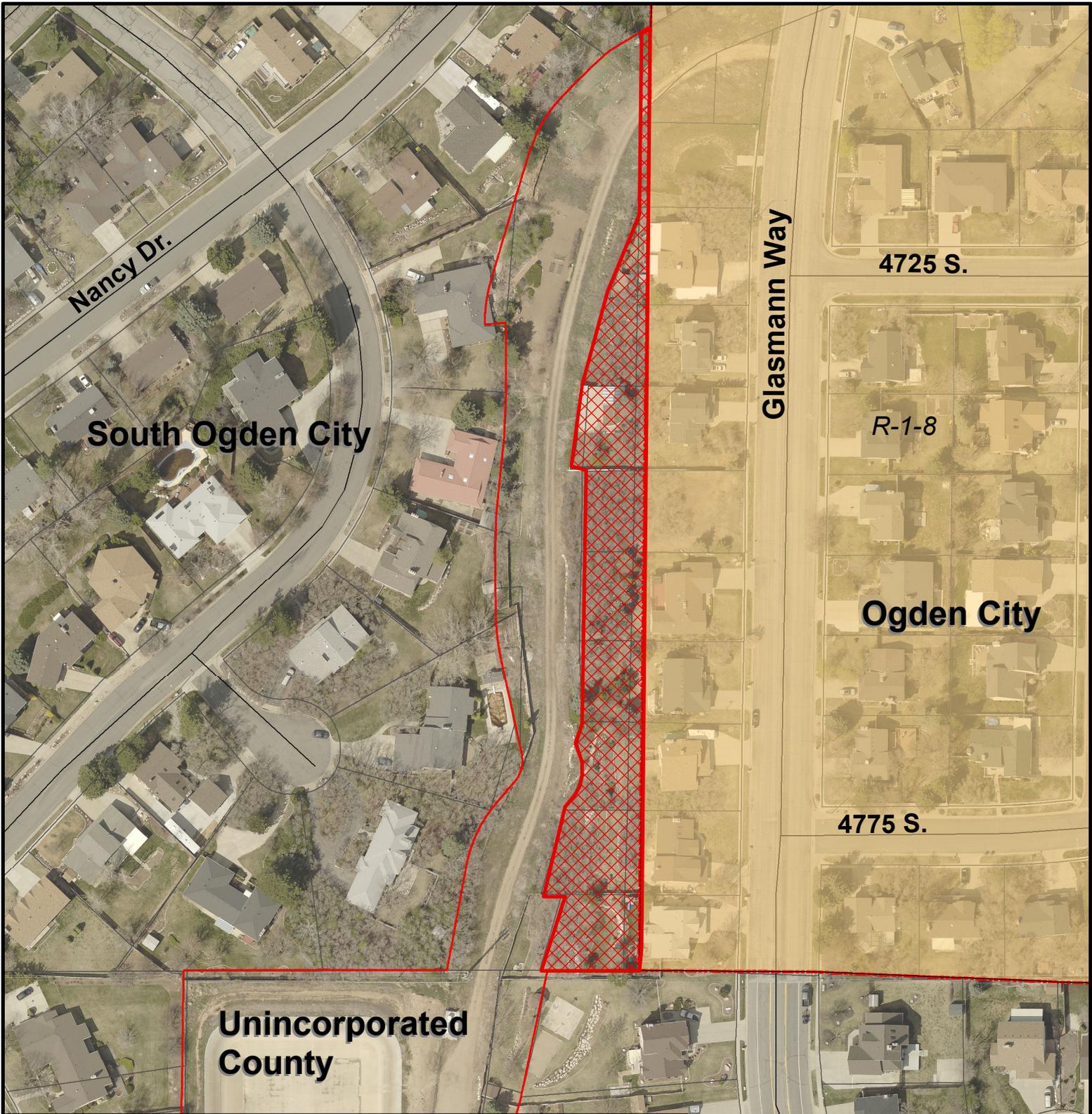
The proposed amendments were presented to the Council at its January 12, 2016 work session meeting. There were no changes to the proposal as a result of the work session discussion.

**Current Proposal** The current proposal is to amend Areas 5 and 6 of the City's annexation plan. Area 5 is being amended to add the rear portion of the properties along Glasmann Way. Area 5 of the existing annexation plan currently describes an area that has since been annexed into the city. Rather than adding a new section to the annexation plan, the old information is being supplanted with the new information for Area 5 included in this proposal. The amendment to Area 6 includes the removal of the southern-most portion of the properties identified for future annexation in an area along the southern stretch of Harrison Boulevard adjacent to South Ogden City. The area being removed is included in South Ogden's annexation plan. Maps are attached to the report to show the areas in more detail.

### **Planning Commission**

The Planning Commission reviewed the proposal at the October 7, 2015 meeting. At that meeting, the Commission voted to recommend approval of the amendments with a 5-0 vote. The recommendation was made with

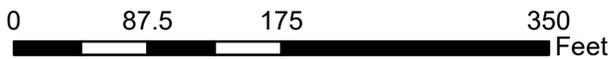
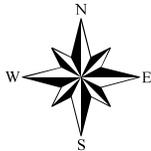




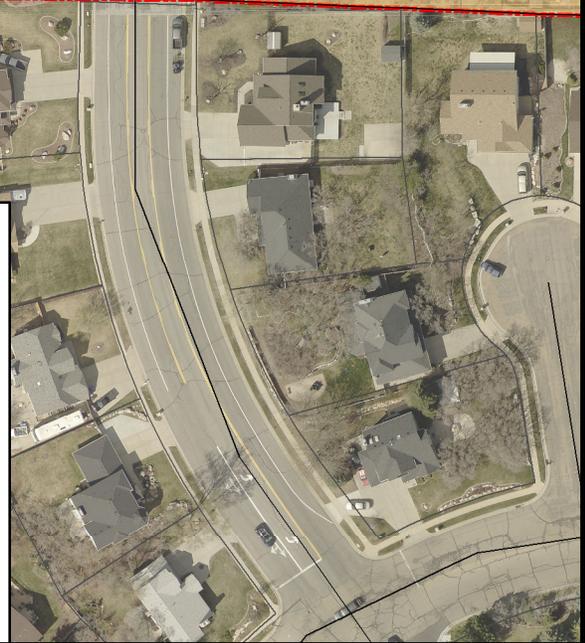
**Proposed Area 5 of the Ogden Annexation Plan**

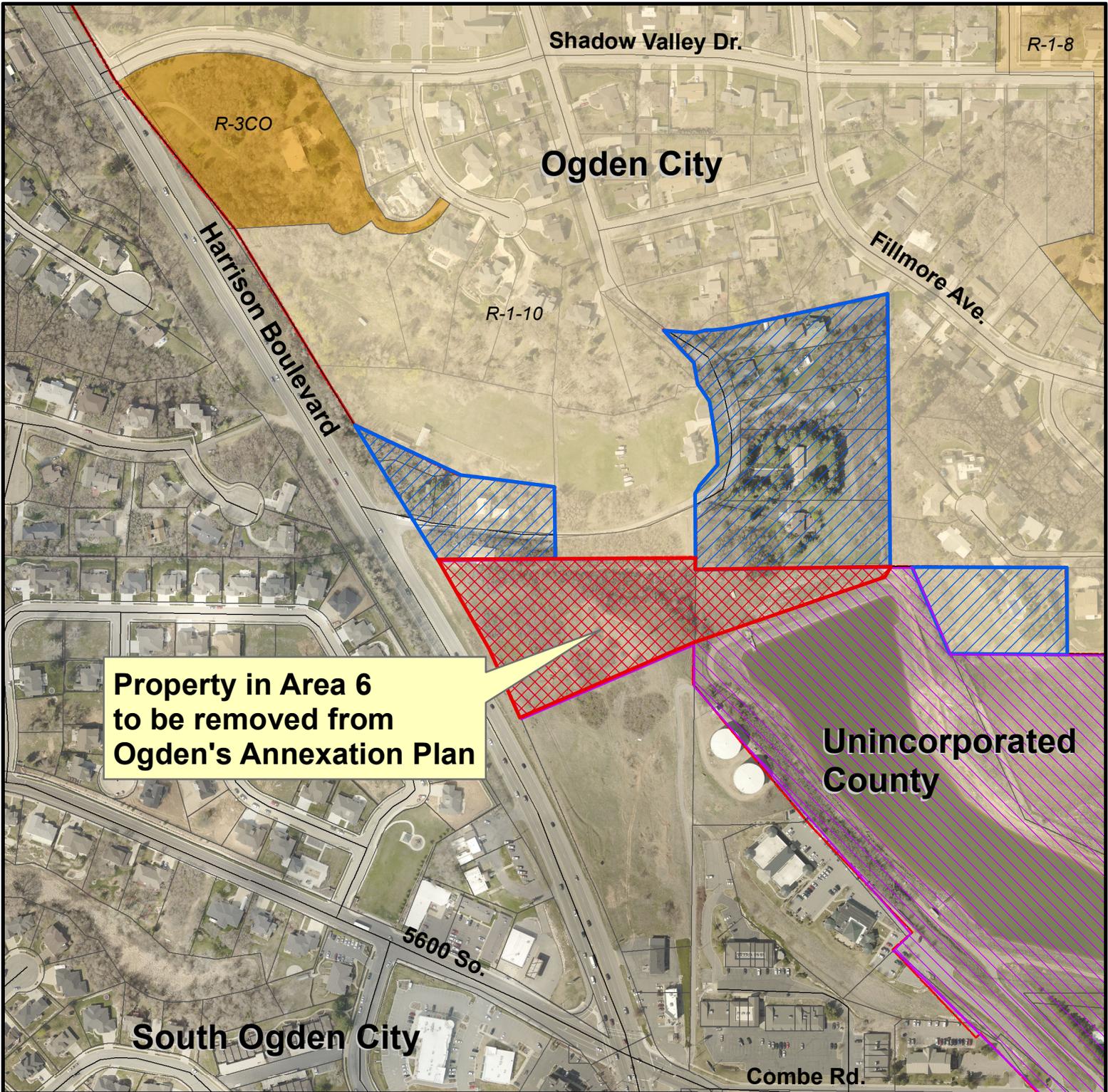
**Legend**

-  Roads
-  Parcels
-  City Boundaries
-  Area 5 of Annexation Plan as Proposed



Published: January 2016  
Sources: Ogden City GIS





Property in Area 6 to be removed from Ogden's Annexation Plan

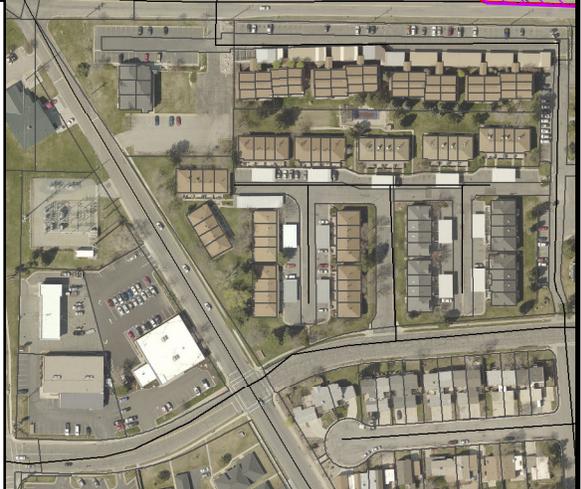
### Changes to Area 6 of the Ogden Annexation Plan

#### Legend

-  Roads
-  Parcels
-  City Boundaries
-  Properties in Area 6 of Annex. Plan
-  South Ogden City Annexation Area



Published: January 2016  
Sources: Ogden City GIS



**OGDEN CITY COUNCIL TRANSMITTAL**

**RECEIVED**

OCT 27 2015

OGDEN CITY  
COUNCIL OFFICE

**DATE:** October 9, 2015

**TO:** Ogden City Council

**THRU:** Mark Johnson, CAO

**FROM:** Tom Christopulos, CED Director

**RE:** Consideration to amend 8.F.4.E and 8.F.4.F. of the General Plan regarding annexation plans for areas in Southeast Ogden.

**STAFF CONTACT:** Greg Montgomery, Planning Manager

**REQUESTED TIMELINE:** November 18, 2015

**RECOMMENDATION:** Approval of the amendments to the annexation plan to the areas in Southeast Ogden.

**DOCUMENTS:** Ordinance, Planning Staff report.

**DISCUSSION:**

The Planning Staff explained that the city has been working with South Ogden City regarding land that is found in the city's annexation plan but can only be accessed from South Ogden. Staff explained that the present plan shows that the city would annex the land that is south of Old Post Road. The land is owned by a party that has a portion of property in South Ogden City and the contiguous parcel is in unincorporated county. South Ogden is amending their annexation plan to include this unincorporated land. In discussions with Ogden it was determined that Ogden cannot service this land nor provide access to it. To avoid a property being claimed to be serviceable from two entities, staff is recommending that the parcel be removed from the City's annexation plan.

Staff then explained that while the plan is being amended it would be good to make an amendment to another portion of the plan on property west of Glasmann Way. There is an unincorporated island of county land that can be serviced only by Ogden. It appears that while development of the homes took place in Ogden the rear yards were outside the City boundaries. The homeowners receive two tax notices because of that division. In order to clear this up and annex the entire property into the city an annexation plan needs to be developed and approved first. Staff explained that this amendment would remove properties from the plan that have been annexed into the city and replace the plan description with this new area that came to light by a question from a property owner.

**PLANNING COMMISSION ACTION**

The Planning Commission reviewed this item on October 7, 2015. A motion was made based on the findings the proposed amendments are consistent with the ability of the city to service the lands, the plan amendment eliminates unincorporated islands and is consistent with

State law to recommend approval of amending the portion of the general plan dealing with annexations in Southeast Ogden area as described by staff.

| PLANNING COMMISSIONERS VOTE | <u>Yes</u> | <u>No</u> |
|-----------------------------|------------|-----------|
| Blaisdell.....              | X          |           |
| Holman.....                 | X          |           |
| Herman.....                 | X          |           |
| Orton.....                  | X          |           |
| Schade.....                 | X          |           |

**CONCERNS OF CITIZENS:**

Harold Amalfitano questioned if annexation would provide sidewalks that are missing in the area. Staff explained that the installation of sidewalks is a matter at the time of subdivision and that annexation would not trigger that requirement. Only development of the land would trigger the installation of sidewalk.

Ralph Mitchel questioned what this would do to taxes and wondered if this would free up access to the road which is behind the property owned by the Bureau of Reclamation. Staff explained that the taxes may raise five or ten dollars because the value of the land is minimal since the homes are in Ogden City but the yards in unincorporated County.

Ed Sarver questioned the difference in taxes and how that is calculated. Staff explained the different tax rate structures and that the tax rate is applied to the assessed value of the land. Using the two tax rates one could then calculate the difference in total taxes between unincorporated county and the city.

**ORDINANCE NO. 2016-3**

**AN ORDINANCE OF OGDEN CITY, UTAH AMENDING THE OGDEN CITY GENERAL PLAN BY AMENDING SUBSECTION 8.F.4.E AND SUBSECTION 8.F.4.F OF THE GENERAL PLAN; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.**

**WHEREAS**, the Ogden City Planning Commission, after notice and public hearing as required by law, has recommended to the City Council that the Ogden City General Plan, also known as the Involve Ogden General Plan, be amended to address annexation areas in Subsection 8.F.4.E and Subsection 8.F.4.F; and

**WHEREAS**, the City Council has determined that the proposed amendment to the Involve Ogden General Plan will effectively address the present and future needs of the City and will provide needed direction for the growth and development of the Southeast Ogden community planning area.

**NOW, THEREFORE, the Council of Ogden City hereby ordains:**

**SECTION 1. General Plan Amended.** The Council of Ogden City hereby amends the Ogden City General Plan by amending Subsection 8.F.4.E and Subsection 8.F.4.F, which amendment is attached hereto as Exhibit A and incorporated herein by this reference; and

**SECTION 2. Effective date.** This ordinance shall become effective immediately upon posting after final passage.

**PASSED, ADOPTED AND ORDERED POSTED** this \_\_\_\_\_ day of

\_\_\_\_\_, 2015.

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

TRANSMITTED TO THE MAYOR ON: \_\_\_\_\_

MAYOR'S ACTION:  Approved  Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

POSTING DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

APPROVED AS TO FORM: \_\_\_\_\_

*MWT*  
Legal

*10/20/13*  
Date

## EXHIBIT A

## E. Area 5

### 1. Area considered for Annexation

The area that is being considered in this segment of the Policy Plan are the western portions of lots 6-15 in the Rolling Oaks Subdivision No.1 and additional land purchased from the Bureau of Reclamation which have been added to eight of the lots and west of the subdivision line two unincorporated islands south of 4600 S. Street, north of Navajo Drive, east of Old Post Road and west of Ridgedale Drive, as shown on the map (see Figure 8.24).

### 2. Character of Area and Adjacent Community

This area contains approximately 1.3 ±5 acres of ground and is completely surrounded by residential development. It functions as the rear yards of homes developed in Ogden, in various stages of completion in Ogden City. The Ogden City Southeast Ogden Community Plan denotes the area for low-density residential development at aggregate densities in the vicinity of five dwelling units per acres. At present, this land is undeveloped rolling hills used for pasture and grazing of livestock. Current zoning of property in Weber County is unknown. The property is not shown on the County zoning maps.

### 3. Need for Municipal Services in Unincorporated Area

Annexation will provide unity in services to the property owners so their properties are not in two jurisdictions. accessibility to the full range of municipal services not available to the surrounding properties.

Only Ogden City can provide culinary water and sanitary sewer of sufficient capacity to service the area. Whereas this area is an island and the Bureau of Reclamation canal isolates any utility connects from South



Figure 8.24 – Annexation Area 5

Ogden, Ogden City is the only logical provider of services that cannot be provided by the County.

### 4. Plans and Time Frame for Extension of Municipal Services

Trunk lines for water and sewer are already in existence on the periphery of the properties. Laterals to service individual properties will be extended at the time of development. Police and fire protection, as well as other municipal services such as garbage collection and street maintenance, will be available on demand as soon as annexation takes place.

Utility services are already provided to the homes on these parcels. The annexation removes confusion on general services for the rear portions of the properties that have buildings located within Ogden City limits. Complete services will be available upon annexation

### 5. Financing of Services

Developers of the property will construct culinary water lines, public streets, sanitary

~~sewer lines and storm water lines at the time of development and will be turned over to Ogden City for future maintenance. The current now collected by Ogden City will cover the costs of extension of municipal services currently being provided neighboring properties.~~

Services to the homes are presently covered by property taxes paid to Ogden City and would be extended to all the property upon annexation. No additional utility extensions would be required

### 6. Estimate of Tax Consequences

Annexation will increase the tax burden of property owners due to the addition of Ogden City taxes and the Ogden School District taxes. The difference in tax rate in 2015 from unincorporated county to Ogden City was an increase of .004515. The total rate will be minimal due to the size of property being added to each lot within Ogden City However, this property will be annexed for the purpose of development at a greater density than now provided for in the County. Increased taxes will be offset by increased property values and development densities.

### 7. Interests of Other Effected Entities

Weber County now has the responsibility for servicing Area #5 properties. The practicality of providing reasonable services is limited. The area is an island surrounded by Ogden City and South Ogden City properties. Upon annexation, Weber County will continue to collect revenue from property tax on the properties. ~~However, the increased property values resulting from development in Ogden City will generate more revenue for Weber County than is now collected.~~

Other entities affected by the annexation of this area are:

1. Weber School District
2. Ogden School District
3. Weber Basin Water-Ogden
4. Weber Fire GO Bond
5. Weber Fire Department

The Weber School District and the Weber Fire Department would lose their tax from the properties. Ogden School District would gain a tax from the properties. The Weber Fire GO Bond would continue to be paid by the owners of the property. Weber Basin Water Ogden would gain a tax to cover service.

## F. Area 6

### 1. Area considered for Annexation

The area that is being considered in this segment of the Policy Plan is that area lying south of the Ogden City limits Combe Road, as shown on the map (see Figure 8.25).

### 2. Character of Area and Adjacent

Area #6 contains approximately 12 6.34 acres of ground and involves properties that front along Old Post Road and Cherokee Circle other properties where the drainage is to the north. The area is currently zoned RE-20 in Weber County, or a 20,000 square foot minimum lot size.

### 3. Need for Municipal Services in Unincorporated Area

Ogden City is the only jurisdiction that can provide municipal services to the property due to the drainage patterns and road configurations. The pressure for either subdivision of the land or need for municipal services will be the impetus for annexation to obtain services.

### 4. Plans and Time Frame for Extension of Municipal Services

The developers of the property will provide culinary water, sanitary sewer and access to public streets. Fire and police protection will be provided as an extension of existing services now provided to Shadow Valley

### 5. Financing of Services

The property owner or developer will pay all costs for extension of public utilities to the areas being annexed. development. Police and fire protection, as well as other the services of the City offices, will be available

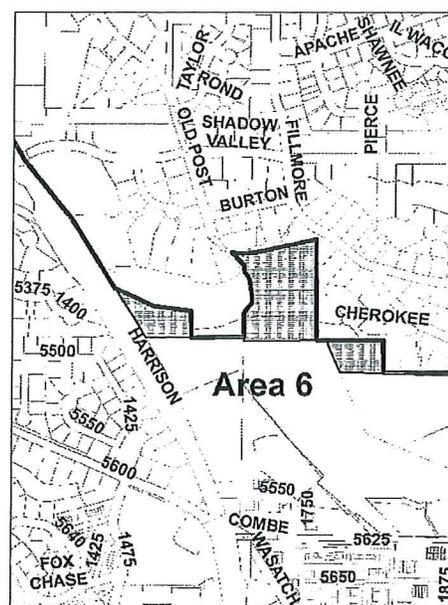


Figure 8.25 – Annexation Area 6

at the time of annexation and will be paid for from property tax revenues.

### 6. Estimate of Tax Consequences

Undeveloped pProperty will experience an increase due to the addition of Ogden City taxes to cover increased city services and the inclusion into the Ogden School District. The difference in tax rate in 2015 from unincorporated county to Ogden City was an increase of .004515. Annexation and development of the property will increase the market value of the ground and increase tax revenues to Weber County, as well as Ogden City. The properties in Ogden City that border the area are zoned R-1-10 (10,000 square foot minimum lot size), or twice the density of the current zoning.

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**7. Interests of Other Effected Entities**

Weber County School District, Weber Fire District and Weber County Unincorporated Service Fund will see a loss in tax revenue with the annexation of land in this area.  
Ogden City, Ogden City School District and Weber Basin Water- Ogden will see increase in tax revenue. ~~is the primary affected entity.~~ Any residential development in Area #6 would add to the County tax.



Report by Greg Montgomery

**Agenda Name: Public Hearing to Consider Amendment to 8.F.4.E and F of the General Plan Regarding Annexation Plan for areas in Southeast Ogden.**

**Petitioner/ Developer:** Ogden City Planning  
2549 Washington Blvd.  
Ogden, Utah 84401

**Petitioner/ Developer's requested action:** Approval of amending annexation plan 8.F.4.E and F. in the General Plan as proposed.

Planning Staff's Recommended Action

Approval of amending annexation plan 8.F.4.E and F. in the General Plan as proposed.

Planning Commission's determination for action

1. Amending the language is / *is not* consistent with the ability of the City to serve these properties.
2. Amending the language to exclude a portion of land in South Ogden's proposed declaration is / *is not* consistent with the ability of which jurisdiction can provide the urban services.
3. Revising the plan is / *is not* consistent with the general policy of annexations being a means to eliminate unincorporated islands of county jurisdiction.
4. The proposed plan does / *does not* comply with Utah State Code

Past History

2002-- General Plan Annexation Policy Adopted.

July 2004- Consideration of annexation of property on Cherokee Circle

### Description of request

From time to time changes take place which require amendments to the general plan. In this case South Ogden proposed an update to their annexation plan. One of the amendments included adding property that is contained in the City's present annexation plan area 6 (8.F.4.F). The owner has property partially in South Ogden City and then a section in unincorporated county. Access to the property could only come from South Ogden. After discussion with South Ogden they have proceeded to amend their annexation declaration to include the property. This requires Ogden to amend their plan to exclude the land so that there are not competing interests.

There is also another clean up item to an area west of Glasmann Way between 4775 South and 4725 South. These are backs of lots of homes which are in Ogden City. Their rear yards, however are in unincorporated county. Last year we worked with South Ogden to do a boundary adjustment for properties next to McKay Dee. These properties however are in unincorporated county so there is no boundary adjustment. Annexation is the only tool to bring the properties into the City. Before any annexation can take place the area needs to be identified in the plan as a potential area of annexation (Utah Code 10-2-401.5.1). Since area 5 (8.F.4..E.) of the plan as it presently exists has all been annexed, this update for this new area seemed appropriate to be amended into the area five section of the plan and remove the areas that are now in the city.

### What Planning Commission reviews

The Commission reviews any proposed plan amendment to the General Plan. The Commission is also required by State law to review any annexation plan to find that it meets certain requirements and to give opportunity for affected entities to express any concerns regarding the plan. Once the plan has been reviewed and any concerns expressed by affected entities the Commission needs to consider if any amendments should be made to the plan based on the input.

Once a final decision is made on the plan amendment then the Commission's recommendation is forwarded to the City Council for final action.

### Factors for consideration of action

#### **1. Does the proposed plan meet the requirements of state law for annexations?**

The general requirements of any annexation plan are that there is a map showing the areas to be annexed and that the plan contain the following elements; the character of the community, the need for municipal services in developed or undeveloped areas, the plan for expansion of the services, how the services will be financed, an estimate of the taxing consequences and the

interests of affected entities. The plan also needs to make sure that there are no gaps or overlaps with adjoin communities, that the cost of infrastructure is taken into account and the needs of the community for future growth and development. Staff feels that the format of State law has been followed and that adequate information is provided to address these required parts of the plan.

**2. Have appropriate entities been notified and concerns addressed.**

The law requires that affected entities be given a 14 day notice of the meeting so that appropriate comments can be made if needed. Notices were sent to the affected entities on September 16 which gives a 21 day notice of the meeting. At the writing of this memo no comments have been received.

**3. Do the areas added and deleted from the existing plan make sense in terms of ability to service, eliminate county islands and avoid overlaps with other communities?**

The discussion begins with area 5 which is west of Glasmann Way. When the subdivision was recorded there were no comments about the subdivision not following the City limit lines. Much like the McKay Dee subdivision we have found out later that the property lines did not match the city boundary lines so these gaps or overlaps have occurred in this area. The property owners receive two tax notices because part of the property they own is in Ogden City and part in unincorporated county. Amending the declaration to include this area so annexation can happen in the future makes sense and since the homes are in Ogden and the canal divides the back yards from South Ogden City, this natural barrier makes sense to be the city boundary.

The property in area 6 which is now being added to South Ogden has no physical connection to any road system existing or planned to be in the city. The steepness of the hill on the south side of Old Post Road to this property would prevent physical access. Utilities would need to cross other properties to get to the land proposed to be removed and the more natural development pattern would come from the south which is South Ogden. The City sent a letter to South Ogden regarding conditions that would make it acceptable to add this property into South Ogden annexation plan and their Planning Commission has added these statements into their annexation plan.

## Attachments

1. Letter to South Ogden regarding annexation plan of property found in Ogden's annexation plan.
2. Proposed amendment to annexation plan.



**OGDEN CITY PLANNING**  
**2549 WASHINGTON BLVD SUITE 140**  
**OGDEN, UT 84401**  
**(801) 629-8930**

August 11, 2015

South Ogden City  
3950 Adams Avenue Ste 1  
South Ogden, Utah 84403

Re; Amendment to South Ogden City Annexation Policy Plan

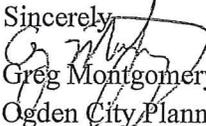
To whom it may concern:

Ogden City appreciates the noticing of the proposed amendment to the South Ogden Annexation Policy Plan. Ogden City's concern deals with Area 7 of the plan amendment. Parcel #07-004-0014 is already identified in Ogden City's annexation plan. (See 8.F.4.F of Ogden City's General Plan) as property Ogden City should annex in the future. Section 10.2.401.5(4) of the Utah State Code notes that communities should avoid overlaps with expansion areas of other communities.

A portion of the property slopes north to Ogden City and Birch Creek. In defining this area for potential annexation to Ogden, Ogden City stated the main reason is the drainage patterns of the land north into Ogden City. It is Ogden City's understanding that this parcel and the parcel to the south, which is in South Ogden City, is owned by the same person. Access to the property would be difficult from Ogden City. If the intent is to develop the entire property owned by the same individual, being in two cities would be difficult.

In order to avoid overlap Ogden City would consider amending its present annexation plan area 6 to remove this parcel provided that the South Ogden declaration be revised to make it clear that storm water drainage created by development be contained within the development of South Ogden' area 7 and not drain north to unincorporated lands or Ogden City. It should also state that development of this parcel (07-004-0014) needs to be in conjunction with the development of the property already in South Ogden City which is owned by the same entity. If this does not occur the overall utility service and drainage could not be adequately addressed for this individual property. By Ogden City removing this parcel from its annexation plan it should be understood that Ogden City will not provide any service or access to this land for development.

I would appreciate any comments you have regarding this proposal so that I may begin the necessary process of removal of this land from Ogden City's annexation plan if these conditions are agreeable.

Sincerely,  
  
Greg Montgomery  
Ogden City Planning Manager

SW 1/4 OF  
SECTION 15, T.5N., R.1W., S.L.B. & M.

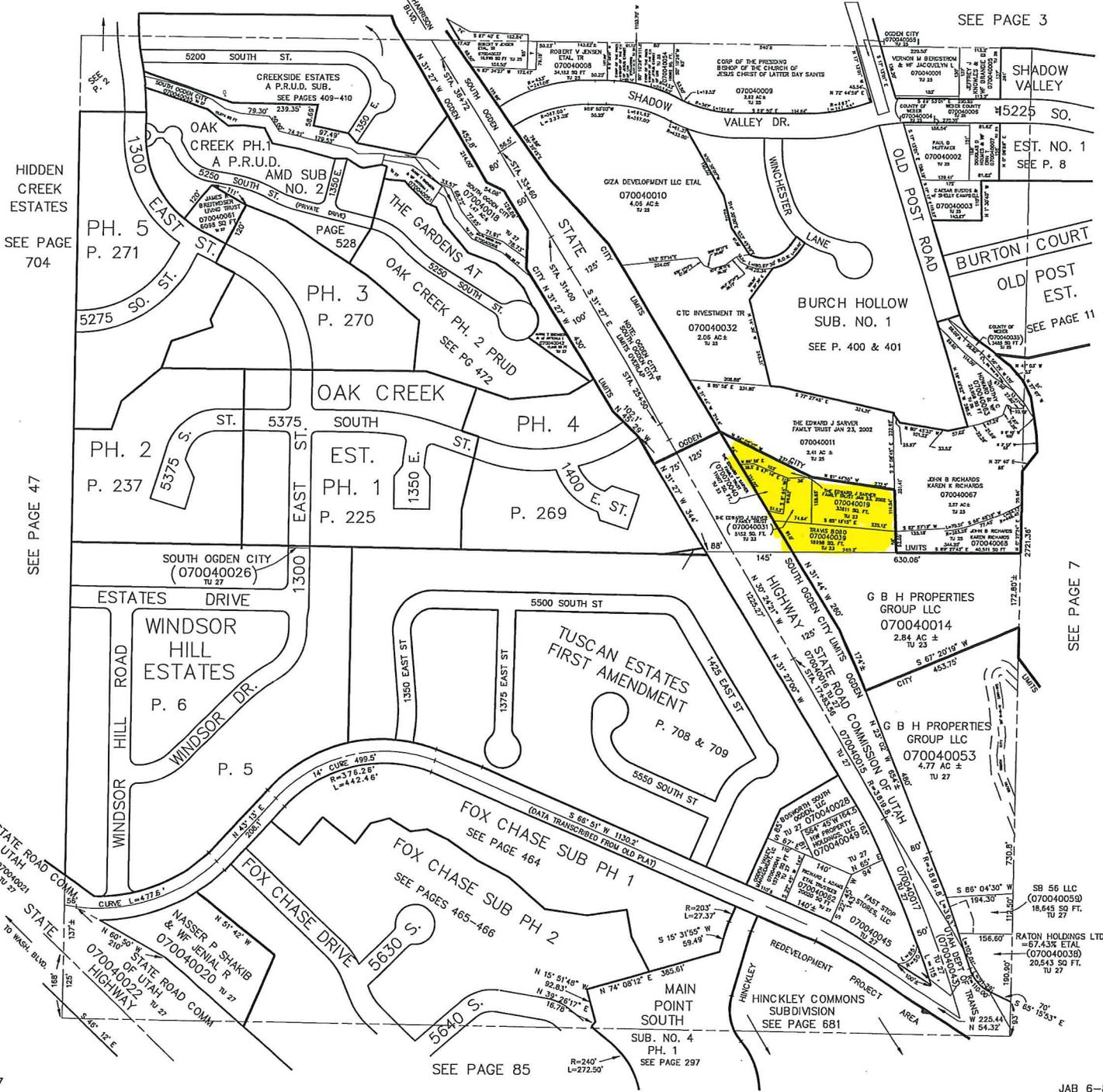
IN OGDEN CITY, SOUTH OGDEN CITY & UINTAH DISTRICT

SCALE 1" = 200'

TAXING UNIT: 23,25,27,381

SEE PAGE 2

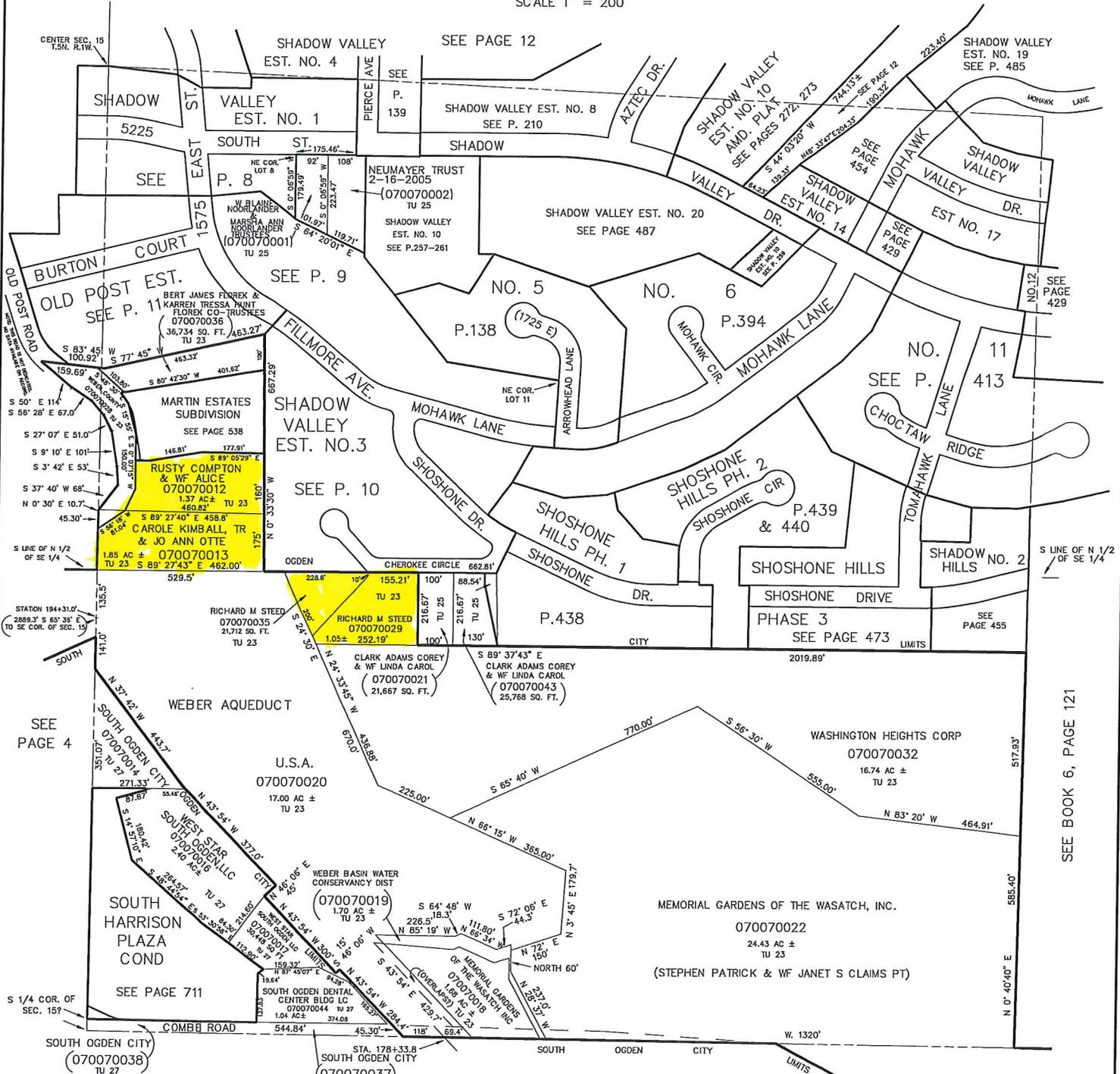
SEE PAGE 3



S.E. 1/4  
SECTION 15, T.5N., R.1W., S.L.B. & M.

TAXING UNIT: 23, 25, 27

UINTAH DISTRICT & OGDEN CITY  
SCALE 1" = 200'



SEE BOOK 6, PAGE 121

SEE PAGE 4

SEE PAGE 82

NOTE: NO DATA FOR 1/4 SEC. LINES AVAILABLE AS OF FEB 1967. THIS 1/4 SECTION IF NOT BASED ON A STANDARD.

SECTION 9, T.5N., R.1W., S.L.B. & M.  
IN OGDEN CITY, SOUTH OGDEN CITY & WEBER COUNTY

SCALE 1" = 400'

TAXING UNITS: 27

SEE BOOK 5, PAGE 31



SEE PAGE 19

SEE PAGE 102

SEE PAGE 97





# City Council Meeting COUNCIL STAFF REVIEW

## **FY2016 BUDGET AMENDMENT (\$18,428)**

- *Transfer of Pooled Art Funds to the New Fire Station #3 Public Art Project*

### **DETERMINATION:**

**Adopt or Not Adopt Ordinance**

---

### *Executive*

#### *Summary*

The Council will consider Ordinance 2016-1 which proposes to amend the FY2016 Budget in the amount of \$18,428 by reappropriating pooled art funds in the Capital Improvement Project Fund to the art project for the new Fire Station #3.

#### *Background*

##### **June 19, 2012**

The Council authorized \$400,000 for property purchase for a new Station #3 as part of the FY2013 Budget.

##### **June 17, 2014**

The Council authorized \$2,636,100 for construction of a new Station #3 as part of the FY2015 Budget.

##### **September 1, 2015**

The Council adopted Ordinance 2015-38 authorizing an additional \$740,002 for construction of the new Fire Station #3. The projected total cost for the new station, including furnishings, etc., is \$3.65 million.

##### **December 22, 2015**

The Council Office received an Administrative Transmittal requesting additional funding in the amount of \$18,428.00 for public art at the new Fire Station #3. This increase would provide a budget of \$50,000 for the art project.

##### **Percent for Arts**

Title 4, Article C of the Ogden City Municipal Code outlines the City's policy regarding City art projects. Pertinent parts of the code read as follows:



# City Council Meeting

## COUNCIL STAFF REVIEW

### **4-1C-1: PURPOSE:**

. . . . [It is the] policy of the city that a portion of the city's appropriations for capital improvements be set aside for the integration of art into the basic design of public facilities and the acquisition of art. This article is enacted and intended for the purpose of establishing general policies and procedures related to public art funded by the city. It is intended that this policy:

- A. Provide opportunities for the citizens of Ogden to experience public art . . . ;
- B. Promote economic benefits from increased tourism and increased retail activity through the enhancement of public spaces;  
. . .
- D. Foster within the city an environment where the arts can thrive and become an integral part of the city's infrastructure; and
- E. Support and lend expertise to the efforts of the mayor, city council and planning commission to enhance the urban design quality of the city.

### **4-1C-3: FUNDS FOR ART:**

- A. Percentage: The city shall expend, as a nondeductible item from any monies appropriated for construction projects, an amount equal to one percent (1%) of such appropriations for the integration, acquisition, and installation of art. . . . Such funds shall be expended by the city upon recommendations of the advisory committee.
- B. Maintenance: In addition to the costs of art, such appropriation may be used to provide expenses for the anticipated maintenance costs for the work of art. The maintenance costs shall not exceed ten percent (10%) of each such appropriation for art. . . .
- C. Use Of Funding For Other Projects: If the mayor, upon recommendation of Ogden City arts, determines that inclusion of



# City Council Meeting COUNCIL STAFF REVIEW

art in the design of the construction project providing the source of the funding would not serve the purposes of this article, the appropriated funds may be pooled in the percent for arts account to be reappropriated for other works of art which would better meet the purposes of this article.

The City currently has approximately \$750,000 of pooled art funds derived from projects that did not meet the criteria for having art included in the project (water and sewer pipes, etc.).

## *Proposal*

The Administration is proposing to amend the FY2016 budget to increase the budget for the art project at the new station #3 by adding an additional \$18,489 from the pooled art funds. The new station construction project meets the criteria for incorporating art into the project, but generates only \$36,511 of arts money itself. The arts maintenance fund requirement is ten percent (10%) or \$3,651, leaving \$32,860 for the new station #3 art project.

The Administration is recommending that money from the pooled funds be used to increase the budget to \$50,000. The larger budget would allow for a more significant art project at the site.

## *Question*

Please review the proposed FY2016 budget amendment.

---

**Council Staff Contact: Janene Eller-Smith, (801) 629-8165**

**RECEIVED**

DEC 22 2015

OGDEN CITY  
COUNCIL OFFICE

**Ogden City Council Transmittal**

Date: December 16, 2015  
To: Ogden City Council  
From: Tom Christopoulos, Director, Community & Economic Development  
RE: Arts Grants / Public Hearing

Staff Contact: Christy McBride  
Requested Timeline: January 2016  
Recommendation: Approve funding increase for Fire Station #3 public art project  
Documents: Call for Proposal, Resolution

**Executive Summary**

Ogden City Arts staff along with a subcommittee of the Ogden City Arts Advisory Committee has created a Call for Proposals for public art at the site of Fire Station #3 (405 E. North Street.) The subcommittee was formed in compliance with the Arts Committee Ordinance and included a representative from the City Council Staff and one from City Planning staff along with Fire Chief Mathieu. After a meeting with the Design Subcommittee and the architects on the project it was determined that it would be prudent to create the potential for funding a wider variety of project proposals. The consideration and allowance of a potentially greater budget might increase the quality and variety of potential art projects submitted.

The Administration recommends that the City Council approve the funding increase based on the Design subcommittee's recommendations.

**Background**

As a Capital Improvement Project, the Fire Station generates a total of \$36,511.00 for the public art portion of the facility. 10% of that amount (\$3651.00) needs to be put into a maintenance account leaving a total of \$32,860.00 for the new art work. After a meeting with the design subcommittee and the architects a recommendation was made to consider expanding the budget to support wider set of potential options for art on the site. The increase would come from pooled funds and would expand the potential budget to \$50,000 for the art project. Should an acceptable submission be submitted that is less than the allowable amount the balance would be returned to pooled fund account.

**Proposal**

The Administration would support increased expenditures if there is a significant art project presented during the RFP period.

**Fiscal Impact**

Additional funding not to exceed \$18,489 from the Percent for Art pooled fund account.

| <b>Fire Station No.3 Public Art</b>          |           |                  |
|----------------------------------------------|-----------|------------------|
| Original CIP Budget for project              | \$        | 2,636,100        |
| Land purchase                                | \$        | 404,040          |
| Increase to original budget                  | \$        | 617,127          |
| <b>Total CIP</b>                             | <b>\$</b> | <b>3,657,267</b> |
| Percent for Art                              | \$        | 36,511           |
| Maintenance fund - 10%                       | \$        | (3,651)          |
| <b>Total for Art Project</b>                 | <b>\$</b> | <b>32,860</b>    |
| Proposed increase from Pooled funds          | \$        | 18,489           |
| Existing fund                                | \$        | 36,511           |
| <b>Proposed total with increase</b>          | <b>\$</b> | <b>55,000</b>    |
| Adjusted Maintenance fund - 10%              | \$        | 5,000            |
| <b>Proposed Total Budget for Art Project</b> | <b>\$</b> | <b>50,000</b>    |

# **OGDEN CITY PUBLIC ART PROGRAM REQUEST FOR PROPOSALS**

**DEADLINE: February 29, 2016**

Ogden City Arts' Design Subcommittee is inviting artists to submit proposals for a 'Percent For Art' commission to be situated at the new Fire Station No. 3, 450 E. North Street, Ogden, Utah. A panel including Ogden Arts Advisory Committee members and others as outlined in city ordinance (3-16-6) will review artists' materials submitted by the posted deadline and then narrow the field to up to 3 semi-finalists. Recommendations will be made to the Mayor.

The Selection Committee has identified the exterior South West and South facing walls and/or the plaza area in front of the South West exterior wall as possible sites for this public art commission but are also open to sites and interpretations offered by the artist(s) The selected artwork will live outside the station and so should be made of appropriate materials.

Submissions must include specific information related to construction requirements necessary to mount or install submitted artwork such as concrete platforms, electrical requirements to operate or light artwork, or mounting needs necessary for installation. Weight and dimensional information must be included for evaluation consideration. A budget to create and install the art must be attached.

Artists will work with architects and contractors to schedule work

Submissions should reflect the identity of the fire station as a fire station or specifically as Fire Station No. 3.

A site visit will be available on February 10th, 2016 at 11am. This will be an opportunity to meet the architects and gather any other information you might want.

Submissions should consider elements of the project that create ties to fire fighting and could include design elements traditional to Firefighters.

- History of the Maltese Cross
- Example: Maltese Cross

When a courageous band of crusaders known as the Knights of St. John, fought the Saracens for possession of the holy land, they encountered a new weapon unknown to European warriors. It was a simple, but a horrible device of war, it wrought excruciating pain and agonizing death upon the brave fighters for the cross. The Saracen's weapon was fire.

Fire Station No. 3 RFP

As the crusaders advanced on the walls of the city, they were struck by glass bombs containing naphtha. When they became saturated with the highly flammable liquid, the Saracens hurled a flaming torch into their midst. Hundreds of the knights were burned alive; others risked their lives to save their brothers-in-arms from dying painful, fiery deaths.

Thus, these men became our first firefighters. Since the Knights of St. John lived for close to four centuries on a little island in the Mediterranean Sea named Malta, the cross came to be known as the Maltese Cross.

The Maltese Cross is your symbol of protection. It means that the firefighter who wears this cross is willing to lay down his life for you just as the crusaders sacrificed their lives for their fellow man so many years ago.



### BUDGET

Budget for the project is not to exceed \$50,000 for all related expenses of this Public Art commission(s) including (but not limited to) artist fees, fabrication, insurance, shipping, travel, installation, documentation, etc.

### ELIGIBILITY

American or legal resident artists / artist teams are encouraged to apply. Art Selection Committee members, Ogden City Arts staff and Ogden City Arts Advisory Committee are not eligible to apply for this commission. All Art Selection Committee members will declare any conflict of interest and recuse themselves from the vote when reviewing artist applications.

### SUBMISSION OPTIONS, INSTRUCTIONS AND REQUIRED MATERIALS

Interested artists may submit applications EITHER by email, compact disc/DVD or hard copy by 4pm February 29<sup>th</sup> 2016 The deadline is the same for all methods and **is not a postmark deadline**. Please do not include supplemental materials beyond the requirements listed below:

Application for Proposal submission may be found online at [ogdencityarts.org](http://ogdencityarts.org). Download the application to your desktop as a word file, fill it out and submit it to: [arts@ogdencity.com](mailto:arts@ogdencity.com) along with all supplemental materials. (See application on [ogdencityarts.org](http://ogdencityarts.org) under the "Resources" menu and the "Call for Artists" tab)

Submission materials will not be returned unless the artist makes arrangements and covers costs for doing so.

### SELECTION PROCESS & SCHEDULE

Proposals will be reviewed by the Ogden City Arts Design Selection Subcommittee. A short list of up to three semi-finalists will be selected and offered an honorarium of \$300 to submit a full proposal to be presented on-site to the Ogden City Arts Design Selection Subcommittee. Full proposal will require a rendering and/or model, with construction, fabrication and installation budget for committee review. Artists who submit material for the RFP process will be notified by email of the selection panel's decision. **Only selected semi-finalists will be contacted by telephone.**

Semi-Finalists will be selected by March 8th, 2016

Final Selection will be by March 26<sup>th</sup> 2016

The schedule follows:

|         |                                                                              |
|---------|------------------------------------------------------------------------------|
| 2/10/16 | Site visit opportunity 11am at 450 E. North Street, Ogden                    |
| 2/29/16 | Deadline for Proposal materials and application to be submitted              |
| 3/8/16  | First Round selection of semi-finalists                                      |
| 3/10/16 | Notification of selection and request for full proposals from semi-finalists |
| 3/23/16 | Full Proposals due from semi-finalists                                       |
| 3/26/16 | Presentation of Proposals to Mayor for final selection                       |
| 3/26/16 | Final selection of artwork                                                   |

### DEADLINE and CONTACT INFORMATION

**RFP materials must be received by 4:00pm February 29, 2016.** All supporting material must be included. Incomplete or late proposals will not be accepted. Faxed proposals will be disqualified. Ogden City Arts is not liable for lost or damaged materials.

**Please deliver RFP proposal materials to:**

Ogden City Arts  
Fire Station No 3 RFP  
2549 Washington Blvd.  
Ogden, UT 84401

**Please contact our office with any questions or concerns:**

Diane Stern 801-629-8719 or Robin McCaul 801-629-8718 or email: [arts@ogdencity.com](mailto:arts@ogdencity.com)

### ARTIST SELECTION PANEL

|                    |                                      |
|--------------------|--------------------------------------|
| Chief Mike Mathieu | Ogden City Fire Department           |
| Brandi Bosworth    | Ogden City Arts Advisory Committee   |
| Brandon Long       | Ogden City Arts Advisory Committee   |
| Scott Patria       | Ogden City Arts Advisory Committee   |
| Debra Muller       | Ogden City Arts Advisory Committee   |
| Janene Eller-Smith | Ogden City Council Staff, Ex Officio |
| Greg Montgomery    | Ogden City Planning, Ex Officio      |
| Diane Stern        | Ogden City Arts administrator        |
| Robin McCaul       | Ogden City Arts administrator        |

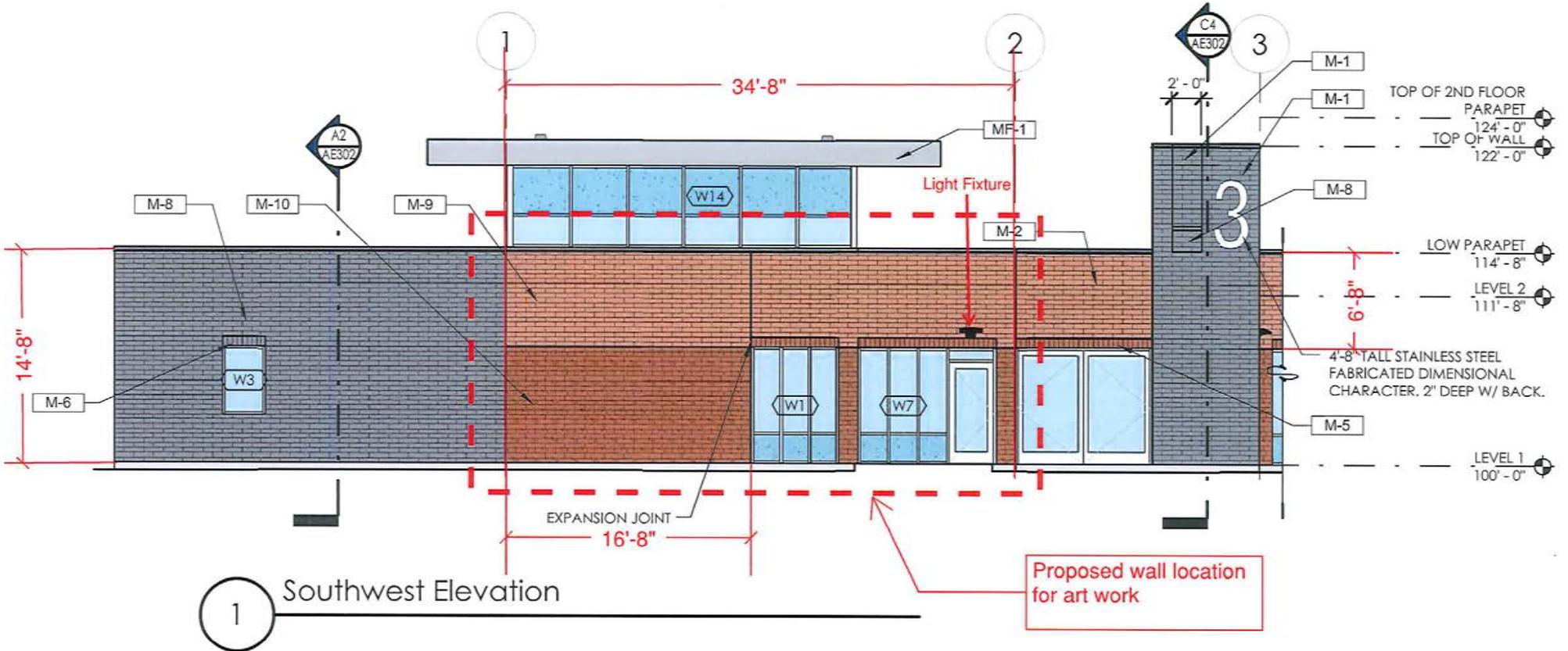
### GENERAL CONDITIONS

- 1) Ogden City may accept or reject any or all proposals, under any circumstances, for any reason, without explanation.
- 2) This RFP shall not obligate Ogden City in any manner and shall not impose any liability upon Ogden City. Ogden City shall at no time be liable to artist, or any other party, for costs incurred by artist.
- 3) Vendor must read and be thoroughly familiar with the terms, conditions and specifications of this RFP. Failure to do so shall not relieve artist from any of its obligations.
- 4) Ogden City may postpone the date and time announced for submission of proposals at any time prior to the submission date by giving written notice to potential artists.
- 5) Ogden City reserves the right to award a contract to the artist(s) it determines will provide the best long-term value for Ogden City.
- 6) Insurance requirements. Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by Contractor, its agents, representatives, employees or subcontractors. The cost of such insurance shall be included in Contractor's bid. The amount of insurance shall not be less than:
  - a. Commercial General Liability: Minimum of \$2,000,000 commercial general liability coverage with \$1,000,000 for each occurrence. Policy to include coverage for operations, contractual liability, personal injury liability, products/completed operations liability, broad-form property damage (if applicable) and independent contractor's liability (if applicable) written on an occurrence form.
  - b. Business Automobile Liability: \$1,000,000 combined single limit per occurrence for bodily injury and property damage for owned, non-owned and hired autos.
  - c. Workers' Compensation and Employer's Liability: Worker's Compensation limits as required by the Labor Code of the State of Utah and employer's liability with limits of \$1,000,000 per accident.
  - d. Insurance is to be placed with insurers acceptable to and approved by the City. Contractor's insurer must be authorized to do business in Utah at the time the contract is executed (and throughout the time period the contract is maintained), unless otherwise agreed in writing by the City. Failure to maintain or renew coverage or to provide evidence of renewal will be treated by City as a material breach of contract.
  - e. Limits of liability amounts must meet contract requirements before contract is initiated.
  - f. The City, and its elected officials, officers, employees, agents and volunteers are to be named as additional insureds with primary coverage and not contributing.
  - g. The City shall be furnished with original certificates of insurance and endorsements effecting coverage required within, signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received by the City Recorder's Office before work commences.
  - h. The City reserves the right to require complete, certified copies of all required insurance policies at any time.
  - i. Each policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty days prior written notice by certified mail, return receipt requested, has been given to the City.
  - j. Contractor's insurance shall be primary insurance and any insurance or self-insurance maintained by the City, its officers, officials, employees, and volunteers shall be excess of Contractor's insurance and shall not contribute with it.
  - k. Contractor shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

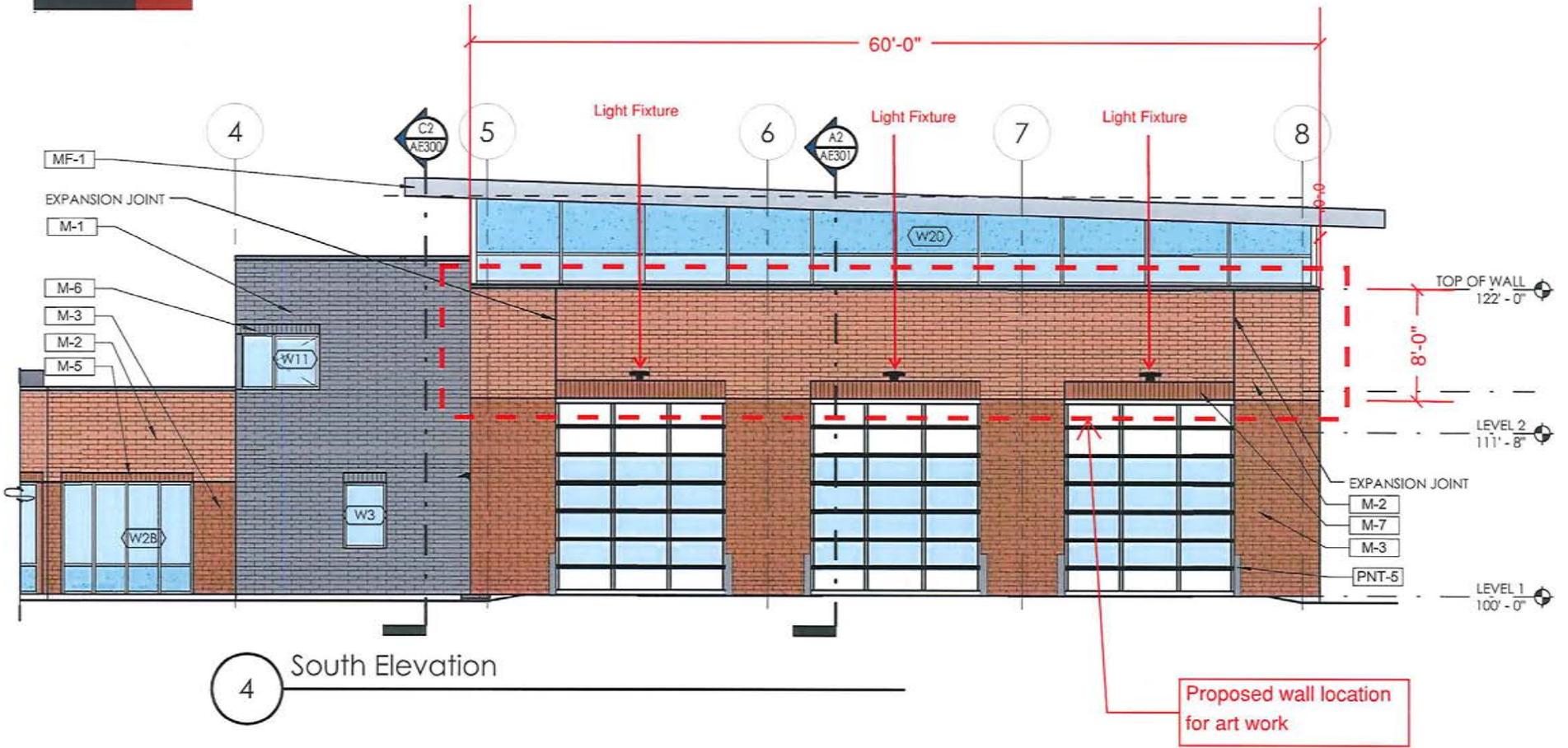
- I. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its elected officials, officers, employees, agents and volunteers; or Contractor shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations claim administration and defense expenses.
- 7) Interest in Contract. No officer, employee or agent of the City who exercises any functions or responsibilities in connection with the review, approval or administration of this contract shall have any personal interest, direct or indirect, in this contract.
- 8) Right to Reject Proposals and Negotiate Contract Terms. The City reserves the right to reject any and all proposals or accept any proposal deemed to be in the best interest of the City







Ogden City Fire Station #3



**ORDINANCE NO. 2016-1**

**AN ORDINANCE OF OGDEN CITY REAPPROPRIATING \$18,428.00 FOR PUBLIC ART AT THE SITE OF FIRE DISTRICT #3 AS DETAILED IN THE BODY OF THIS ORDINANCE; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.**

**WHEREAS**, the Ogden City Council has authorized the allocation of one percent of all capital improvement projects for use in public art projects.

**WHEREAS**, public art projects are integrated into capital improvement projects and are also intended to be located in other public areas of the city.

**WHEREAS**, Ogden City Arts has proposed that a portion of the available public art funds be reappropriated to increase the amount available for public art at the site of Fire Station #3 (450 E. North Street).

**WHEREAS**, there is sufficient revenue available in the percent for arts account (4100-1-01-200100-33000) that has been pooled for reappropriation by the Council of Ogden City to fund the proposed public art project.

**WHEREAS**, the Council of Ogden City finds that the acquisition and placement of public art as proposed by Ogden City Arts at this location will serve the public interest by allowing for a more substantial piece of art at the site of Fire Station #3 than would otherwise be available under the original one percent allocation.

**NOW THEREFORE**, the Council of Ogden City hereby ordains as follows:

**SECTION 1. Reappropriation of funds within the percent for arts account.**

There is hereby reappropriated \$18,428.00 from pooled funds in the percent for art account (4100-1-01-200100-33000) to establish and maintain public art at Fire Station #3 (405 E. North Street).





# City Council Meeting COUNCIL STAFF REVIEW

## 2016 LEGISLATIVE PRIORITIES

### DETERMINATION:

Adopt or Not Adopt Resolution

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#### *Executive*

#### *Summary*

The Council will consider a Joint Resolution outlining the City's legislative priorities for the 2016 General Legislative Session.

#### *Background*

Each year the City prepares for the upcoming Utah State Legislative Session by identifying the City's top legislative priorities. The City has a clear interest in the challenges facing the Nation, State, and other local governments and wants to ensure that the City's concerns and positions on the issues made known and that the City's interests are protected.

The City partners with various legislative delegations on the national, state and local levels in order to achieve the City's goals. When appropriate, the City supports the legislative positions of the Utah League of Cities and Towns and the Ogden-Weber Chamber of Commerce.

The City's legislative priorities are consolidated into a joint resolution which communicates that both the Council and Mayor are in agreement regarding these priorities. The list of legislative priorities is provided to the state legislators representing Ogden City and Weber County. The Administrative staff also work closely with the City's representatives during the session, providing advice and direction where appropriate.

#### *Proposal*

Council and Administrative staff recommend the approval of the legislative priorities outlined in the attached Resolution.

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**Council Staff Contact: Janene Eller-Smith, (801)629-8165**

**JOINT RESOLUTION NO. 2016-6**

**A JOINT RESOLUTION OF THE OGDEN CITY MAYOR AND THE OGDEN CITY COUNCIL ADOPTING OGDEN CITY'S LEGISLATIVE PRIORITIES FOR THE 2016 UTAH GENERAL LEGISLATIVE SESSION, AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AND FINAL PASSAGE.**

**WHEREAS**, the City Council and Mayor are looking forward to the general session of the Utah State Legislature that begins on January 25, 2016; and

**WHEREAS**, the City Council and Mayor are mindful of the policy challenges facing our Nation, our State, our City, and other local governments; and

**WHEREAS**, the City appreciates the partnerships that has been developed over the years with the Weber County legislative delegation, other members of the State Legislature and the State Executive Branch, the Utah League of Cities and Towns, and the Ogden Weber Chamber of Commerce; and

**WHEREAS**, the City Council and the Mayor have determined that it is desirable to jointly adopt the City's legislative priorities to ensure that a consistent position is communicated to the State Legislature, the Governor, lobbyists, and our citizens; and

**WHEREAS**, the City desires to support, when possible, the legislative positions officially adopted by the Ogden Weber Chamber of Commerce through their legislative committee.

**NOW THEREFORE**, The Ogden City Council and Mayor hereby resolve:

**Section 1: 2015 Legislative Position Statements.** The following position statements are jointly adopted:

- 1. Water Development and Conservation.** Ogden City supports water-related projects to support future population growth as follows:
  - a. New water importation project planning and development.
  - b. Creating and implementing water conservation initiatives.
  - c. Local public water agency funding protection.
  - d. Large water importation projects funding plan.
- 2. Air Quality.** Ogden City continues to support efforts to improve air quality and is partnering with the Weber County Health Department to promote and support clean air initiatives.
- 3. Transit.** Ogden City supports continued investment in public transit as outlined in Utah's Unified Transportation Plan and supports the continued efforts on the Ogden Transit System Project.

4. **Transportation Projects.** Ogden City supports the following transportation projects in the Ogden area:
  - a. 24<sup>th</sup> Street interchange and viaduct improvements.
  - b. Ogden Canyon Transportation Use Study.
  - c. Ogden Airport development of regional jet and standard twin jet service.
5. **Education.** Ogden City supports the following education-related initiatives:
  - a. STEM education enhancements to increase the number of trained graduates.
  - b. Early childhood education funding.
  - c. Weighted Pupil Unit (WPU) funding increase for enrollment growth and WPU value.
6. **Capital Funding.** Ogden City supports funding for the following capital projects in Weber County:
  - a. Ogden Weber Applied Technology College Composites Training Facility.
  - b. Weber State University Social Science Building.
  - c. Hill Air Force Base Software Building.
7. **Economic Development.** Ogden City supports the State's efforts to increase economic development through the following initiatives:
  - a. Redevelopment agency code simplification.
  - b. Liquor license expansion.
  - c. Utah Advanced Materials and Manufacturing Initiative (UAMMI): composites growth.
  - d. State and business procurement services program expansion.
8. **Healthcare.** Ogden City supports e-cigarette legislation enhancements.
9. **Law Enforcement.** Ogden City supports legislation that provides local law enforcement with the greatest local control over choice and use of equipment.

**Section 2: Effective Date.** This joint resolution shall become effective immediately after posting and final passage.

**PASSED AND ADOPTED** by the Ogden City Council and Mayor Caldwell this 19th day of January, 2016.

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Marcia White  
Council Chair

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Michael P. Caldwell  
Mayor

**ATTEST:**

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Tracy Hansen, City Recorder

APPROVED AS TO FORM

*Jpw*  
LEGAL

*1/12/16*  
DATE