



SYRACUSE CITY

Joint Syracuse City Council/Planning Commission Work Session Notice

January 26, 2016 - 6:00 p.m.

Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will participate in a joint work session with the Planning Commission on Tuesday, January 26, 2016, at 6:00 p.m. in the large conference room of the Municipal Building, 1979 W. 1900 S., Syracuse City, Davis County, Utah. The purpose of the work session is to discuss/review the following items:

- a. Prayer or thought.
- b. Public Comments.
- c. Training (45 min.):
 - i. Open and Public Meetings Act
 - ii. Due Process
 - iii. Ethics Act
 - iv. Rules of Order and Procedure.
- d. Discussion regarding potential changes to Planning Commission bylaws. (20 min.)
- e. Discussion regarding CVS Subdivision plat. (5 min.)
- f. General policy direction from City Council to Planning Commission. (10 min.)
- g. Discussion regarding City Council appointments/assignments. (20 min.)
- h. Continued review of Mission Statement, Vision Statement, and Fiscal Year (FY) 2017 Budgetary Goals. (15 min.)
- i. Wage compression discussion. (20 min.)
- j. Budget opening discussion. (10 min.)
- k. Continued discussion regarding Proposed Ordinance 15-27 amending various sections of Title 10 of the Syracuse City Municipal Code pertaining to Industrial Architecture Standards. (10 min.)
- l. Continued discussion regarding Proposed Ordinance 16-03 amending Title Nine of the Syracuse City Code pertaining to penalties for violations. (10 min.)
- m. Council business.

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

#### **CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 21<sup>st</sup> day of January, 2016 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on January 21, 2016.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

January 26, 2016

Agenda Item “c”

Joint City Council/Planning Commission  
training

***Factual Summation***

- City staff will provide the City Council, Planning Commission, and members of other City committees with training on the Open and Public Meetings Act, Due Process, Ethics Act, and the City Council’s Rules of Order and Procedure.
- Any questions regarding this item may be directed at City Recorder Brown or City Attorney Roberts.

## Chapter 4 Open and Public Meetings Act

### Part 1 General Provisions

#### **52-4-101 Title.**

This chapter is known as the "Open and Public Meetings Act."

Enacted by Chapter 14, 2006 General Session

#### **52-4-102 Declaration of public policy.**

- (1) The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business.
- (2) It is the intent of the Legislature that the state, its agencies, and its political subdivisions:
  - (a) take their actions openly; and
  - (b) conduct their deliberations openly.

Renumbered and Amended by Chapter 14, 2006 General Session

#### **52-4-103 Definitions.**

As used in this chapter:

- (1) "Anchor location" means the physical location from which:
  - (a) an electronic meeting originates; or
  - (b) the participants are connected.
- (2) "Capitol hill complex" means the grounds and buildings within the area bounded by 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake City.
- (3) "Convening" means the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.
- (4) "Electronic meeting" means a public meeting convened or conducted by means of a conference using electronic communications.
- (5) "Electronic message" means a communication transmitted electronically, including:
  - (a) electronic mail;
  - (b) instant messaging;
  - (c) electronic chat;
  - (d) text messaging as defined in Section 76-4-401; or
  - (e) any other method that conveys a message or facilitates communication electronically.
- (6)
  - (a) "Meeting" means the convening of a public body or a specified body, with a quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body or specific body has jurisdiction or advisory power.
  - (b) "Meeting" does not mean:
    - (i) a chance gathering or social gathering; or

- (ii) a convening of the State Tax Commission to consider a confidential tax matter in accordance with Section 59-1-405.
- (c) "Meeting" does not mean the convening of a public body that has both legislative and executive responsibilities if:
  - (i) no public funds are appropriated for expenditure during the time the public body is convened; and
  - (ii) the public body is convened solely for the discussion or implementation of administrative or operational matters:
    - (A) for which no formal action by the public body is required; or
    - (B) that would not come before the public body for discussion or action.
- (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the public body who is participating in a meeting.
- (8) "Participate" means the ability to communicate with all of the members of a public body, either verbally or electronically, so that each member of the public body can hear or observe the communication.
- (9)
  - (a) "Public body" means any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:
    - (i) is created by the Utah Constitution, statute, rule, ordinance, or resolution;
    - (ii) consists of two or more persons;
    - (iii) expends, disburses, or is supported in whole or in part by tax revenue; and
    - (iv) is vested with the authority to make decisions regarding the public's business.
  - (b) "Public body" includes, as defined in Section 11-13-103, an interlocal entity or joint or cooperative undertaking.
  - (c) "Public body" does not include a:
    - (i) political party, political group, or political caucus;
    - (ii) conference committee, rules committee, or sifting committee of the Legislature; or
    - (iii) school community council or charter trust land council as defined in Section 53A-1a-108.1.
- (10) "Public statement" means a statement made in the ordinary course of business of the public body with the intent that all other members of the public body receive it.
- (11)
  - (a) "Quorum" means a simple majority of the membership of a public body, unless otherwise defined by applicable law.
  - (b) "Quorum" does not include a meeting of two elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have advisory power.
- (12) "Recording" means an audio, or an audio and video, record of the proceedings of a meeting that can be used to review the proceedings of the meeting.
- (13) "Specified body" means an administrative, advisory, executive, or legislative body that:
  - (a) is not a public body;
  - (b) consists of three or more members; and
  - (c) includes at least one member who is:
    - (i) a legislator; and
    - (ii) officially appointed to the body by the president of the Senate, speaker of the House of Representatives, or governor.
- (14) "Transmit" means to send, convey, or communicate an electronic message by electronic means.

Amended by Chapter 265, 2015 General Session

Amended by Chapter 276, 2015 General Session

**52-4-104 Training.**

The presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements of this chapter.

Enacted by Chapter 263, 2006 General Session

**Part 2  
Meetings**

**52-4-201 Meetings open to the public -- Exceptions.**

(1) A meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206.

- (2)
- (a) A meeting that is open to the public includes a workshop or an executive session of a public body in which a quorum is present, unless closed in accordance with this chapter.
  - (b) A workshop or an executive session of a public body in which a quorum is present that is held on the same day as a regularly scheduled public meeting of the public body may only be held at the location where the public body is holding the regularly scheduled public meeting unless:
    - (i) the workshop or executive session is held at the location where the public body holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at different location;
    - (ii) any of the meetings held on the same day is a site visit or a traveling tour and, in accordance with this chapter, public notice is given;
    - (iii) the workshop or executive session is an electronic meeting conducted according to the requirements of Section 52-4-207; or
    - (iv) it is not practicable to conduct the workshop or executive session at the regular location of the public body's open meetings due to an emergency or extraordinary circumstances.

Renumbered and Amended by Chapter 14, 2006 General Session

Amended by Chapter 263, 2006 General Session

**52-4-202 Public notice of meetings -- Emergency meetings.**

- (1)
- (a)
    - (i) A public body shall give not less than 24 hours' public notice of each meeting.
    - (ii) A specified body shall give not less than 24 hours' public notice of each meeting that the specified body holds on the capitol hill complex.
  - (b) The public notice required under Subsection (1)(a) shall include the meeting:
    - (i) agenda;
    - (ii) date;
    - (iii) time; and
    - (iv) place.
- (2)

- (a) In addition to the requirements under Subsection (1), a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule as provided in this section.
  - (b) The public notice under Subsection (2)(a) shall specify the date, time, and place of the scheduled meetings.
- (3)
- (a) A public body or specified body satisfies a requirement for public notice by:
    - (i) posting written notice:
      - (A) at the principal office of the public body or specified body, or if no principal office exists, at the building where the meeting is to be held; and
      - (B) on the Utah Public Notice Website created under Section 63F-1-701; and
    - (ii) providing notice to:
      - (A) at least one newspaper of general circulation within the geographic jurisdiction of the public body; or
      - (B) a local media correspondent.
  - (b) A public body or specified body is in compliance with the provisions of Subsection (3)(a)(ii) by providing notice to a newspaper or local media correspondent under the provisions of Subsection 63F-1-701(4)(d).
  - (c) A public body whose limited resources make compliance with Subsection (3)(a)(i)(B) difficult may request the Division of Archives and Records Service, created in Section 63A-12-101, to provide technical assistance to help the public body in its effort to comply.
- (4) A public body and a specified body are encouraged to develop and use additional electronic means to provide notice of their meetings under Subsection (3).
- (5)
- (a) The notice requirement of Subsection (1) may be disregarded if:
    - (i) because of unforeseen circumstances it is necessary for a public body or specified body to hold an emergency meeting to consider matters of an emergency or urgent nature; and
    - (ii) the public body or specified body gives the best notice practicable of:
      - (A) the time and place of the emergency meeting; and
      - (B) the topics to be considered at the emergency meeting.
  - (b) An emergency meeting of a public body may not be held unless:
    - (i) an attempt has been made to notify all the members of the public body; and
    - (ii) a majority of the members of the public body approve the meeting.
- (6)
- (a) A public notice that is required to include an agenda under Subsection (1) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.
  - (b) Subject to the provisions of Subsection (6)(c), and at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.
  - (c) Except as provided in Subsection (5), relating to emergency meetings, a public body may not take final action on a topic in an open meeting unless the topic is:
    - (i) listed under an agenda item as required by Subsection (6)(a); and
    - (ii) included with the advance public notice required by this section.

Amended by Chapter 202, 2015 General Session

**52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.**

- (1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.
- (2) Written minutes of an open meeting shall include:
  - (a) the date, time, and place of the meeting;
  - (b) the names of members present and absent;
  - (c) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
  - (d) a record, by individual member, of each vote taken by the public body;
  - (e) the name of each person who:
    - (i) is not a member of the public body; and
    - (ii) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
  - (f) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(e); and
  - (g) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
- (3) A recording of an open meeting shall:
  - (a) be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting; and
  - (b) be properly labeled or identified with the date, time, and place of the meeting.
- (4)
  - (a) As used in this Subsection (4):
    - (i) "Approved minutes" means written minutes:
      - (A) of an open meeting; and
      - (B) that have been approved by the public body that held the open meeting.
    - (ii) "Electronic information" means information presented or provided in an electronic format.
    - (iii) "Pending minutes" means written minutes:
      - (A) of an open meeting; and
      - (B) that have been prepared in draft form and are subject to change before being approved by the public body that held the open meeting.
    - (iv) "Specified local public body" means a legislative body of a county, city, or town.
    - (v) "State public body" means a public body that is an administrative, advisory, executive, or legislative body of the state.
    - (vi) "Website" means the Utah Public Notice Website created under Section 63F-1-701.
  - (b) Pending minutes, approved minutes, and a recording of a public meeting are public records under Title 63G, Chapter 2, Government Records Access and Management Act.
  - (c) Pending minutes shall contain a clear indication that the public body has not yet approved the minutes or that the minutes are subject to change until the public body approves them.
  - (d) A state public body and a specified local public body shall require an individual who, at an open meeting of the public body, publicly presents or provides electronic information, relating to an item on the public body's meeting agenda, to provide the public body, at the time of the meeting, an electronic or hard copy of the electronic information for inclusion in the public record.
  - (e) A state public body shall:
    - (i) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;

- (ii) within three business days after approving written minutes of an open meeting, post to the website and make available to the public at the public body's primary office a copy of the approved minutes and any public materials distributed at the meeting; and
  - (iii) within three business days after holding an open meeting, post on the website an audio recording of the open meeting, or a link to the recording.
- (f)
- (i) A specified local public body shall:
    - (A) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;
    - (B) subject to Subsection (4)(f)(ii), within three business days after approving written minutes of an open meeting, post to the website and make available to the public at the public body's primary office a copy of the approved minutes and any public materials distributed at the meeting; and
    - (C) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
  - (ii) A specified local public body of a city of the fifth class or town is encouraged to comply with Subsection (4)(f)(i)(B) but is not required to comply until January 1, 2015.
- (g) A public body that is not a state public body or a specified local public body shall:
- (i) make pending minutes available to the public within a reasonable time after holding the open meeting that is the subject of the pending minutes;
  - (ii) within three business days after approving written minutes, make the approved minutes available to the public; and
  - (iii) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
- (h) A public body shall establish and implement procedures for the public body's approval of the written minutes of each meeting.
- (i) Approved minutes of an open meeting are the official record of the meeting.
- (5) All or any part of an open meeting may be independently recorded by any person in attendance if the recording does not interfere with the conduct of the meeting.
- (6) The written minutes or recording of an open meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (7) Notwithstanding Subsection (1), a recording is not required to be kept of:
- (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken by the public body; or
  - (b) an open meeting of a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, if the district's annual budgeted expenditures for all funds, excluding capital expenditures and debt service, are \$50,000 or less.

Amended by Chapter 83, 2014 General Session

**52-4-204 Closed meeting held upon vote of members -- Business -- Reasons for meeting recorded.**

- (1) A closed meeting may be held if:
  - (a)
    - (i) a quorum is present;

- (ii) the meeting is an open meeting for which notice has been given under Section 52-4-202;  
and
- (iii)
  - (A) two-thirds of the members of the public body present at the open meeting vote to approve closing the meeting;
  - (B) for a meeting that is required to be closed under Section 52-4-205, if a majority of the members of the public body present at an open meeting vote to approve closing the meeting;
  - (C) for an ethics committee of the Legislature that is conducting an open meeting for the purpose of reviewing an ethics complaint, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
  - (D) for the Political Subdivisions Ethics Review Commission established in Section 11-49-201 that is conducting an open meeting for the purpose of reviewing an ethics complaint in accordance with Section 11-49-701, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
- (b)
  - (i) for the Independent Legislative Ethics Commission, the closed meeting is convened for the purpose of conducting business relating to the receipt or review of an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the receipt or review of ethics complaints";
  - (ii) for the Political Subdivisions Ethics Review Commission established in Section 11-49-201, the closed meeting is convened for the purpose of conducting business relating to the preliminary review of an ethics complaint in accordance with Section 11-49-602, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the review of ethics complaints"; or
  - (iii) for the Independent Executive Branch Ethics Commission created in Section 63A-14-202, the closed meeting is convened for the purpose of conducting business relating to an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to an ethics complaint."
- (2) A closed meeting is not allowed unless each matter discussed in the closed meeting is permitted under Section 52-4-205.
- (3) An ordinance, resolution, rule, regulation, contract, or appointment may not be approved at a closed meeting.
- (4) The following information shall be publicly announced and entered on the minutes of the open meeting at which the closed meeting was approved:
  - (a) the reason or reasons for holding the closed meeting;
  - (b) the location where the closed meeting will be held; and
  - (c) the vote by name, of each member of the public body, either for or against the motion to hold the closed meeting.
- (5) Except as provided in Subsection 52-4-205(2), nothing in this chapter shall be construed to require any meeting to be closed to the public.

Amended by Chapter 426, 2013 General Session

**52-4-205 Purposes of closed meetings -- Certain issues prohibited in closed meetings.**

- (1) A closed meeting described under Section 52-4-204 may only be held for:
- (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual;
  - (b) strategy sessions to discuss collective bargaining;
  - (c) strategy sessions to discuss pending or reasonably imminent litigation;
  - (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
    - (i) disclose the appraisal or estimated value of the property under consideration; or
    - (ii) prevent the public body from completing the transaction on the best possible terms;
  - (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
    - (i) public discussion of the transaction would:
      - (A) disclose the appraisal or estimated value of the property under consideration; or
      - (B) prevent the public body from completing the transaction on the best possible terms;
    - (ii) the public body previously gave public notice that the property would be offered for sale; and
    - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
  - (f) discussion regarding deployment of security personnel, devices, or systems;
  - (g) investigative proceedings regarding allegations of criminal misconduct;
  - (h) as relates to the Independent Legislative Ethics Commission, conducting business relating to the receipt or review of ethics complaints;
  - (i) as relates to an ethics committee of the Legislature, a purpose permitted under Subsection 52-4-204(1)(a)(iii)(C);
  - (j) as relates to the Independent Executive Branch Ethics Commission created in Section 63A-14-202, conducting business relating to an ethics complaint;
  - (k) as relates to a county legislative body, discussing commercial information as defined in Section 59-1-404;
  - (l) as relates to the Utah Higher Education Assistance Authority and its appointed board of directors, discussing fiduciary or commercial information as defined in Section 53B-12-102;
  - (m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:
    - (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;
    - (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Controversies and Protests; or
    - (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;
  - (n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary in order to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;
  - (o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:
    - (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be disclosed to a member of the public or to a participant in the procurement process; and

- (ii) the public body needs to review or discuss the information in order to properly fulfill its role and responsibilities in the procurement process; or
  - (p) a purpose for which a meeting is required to be closed under Subsection (2).
- (2) The following meetings shall be closed:
- (a) a meeting of the Health and Human Services Interim Committee to review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4);
  - (b) a meeting of the Child Welfare Legislative Oversight Panel to:
    - (i) review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4); or
    - (ii) review and discuss an individual case, as described in Subsection 62A-4a-207(5); and
  - (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose of advising the Natural Resource Conservation Service of the United States Department of Agriculture on a farm improvement project if the discussed information is protected information under federal law.
- (3) In a closed meeting, a public body may not:
- (a) interview a person applying to fill an elected position;
  - (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
  - (c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

Amended by Chapter 196, 2014 General Session

**52-4-206 Record of closed meetings.**

- (1) Except as provided under Subsection (6), if a public body closes a meeting under Subsection 52-4-205(1), the public body:
  - (a) shall make a recording of the closed portion of the meeting; and
  - (b) may keep detailed written minutes that disclose the content of the closed portion of the meeting.
- (2) A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.
- (3) The recording and any minutes of a closed meeting shall include:
  - (a) the date, time, and place of the meeting;
  - (b) the names of members present and absent; and
  - (c) the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.
- (4) Minutes or recordings of a closed meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (5) Both a recording and written minutes of closed meetings are protected records under Title 63G, Chapter 2, Government Records Access and Management Act, except that the records may be disclosed under a court order only as provided under Section 52-4-304.
- (6) If a public body closes a meeting exclusively for the purposes described under Subsection 52-4-205(1)(a), (1)(f), or (2):

- (a) the person presiding shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss the purposes described under Subsection 52-4-205(1)(a),(1)(f), or (2); and
- (b) the provisions of Subsection (1) of this section do not apply.

Amended by Chapter 239, 2010 General Session

**52-4-207 Electronic meetings -- Authorization -- Requirements.**

- (1) Except as otherwise provided for a charter school in Section 52-4-209, a public body may convene and conduct an electronic meeting in accordance with this section.
- (2)
  - (a) A public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings.
  - (b) The resolution, rule, or ordinance may:
    - (i) prohibit or limit electronic meetings based on budget, public policy, or logistical considerations;
    - (ii) require a quorum of the public body to:
      - (A) be present at a single anchor location for the meeting; and
      - (B) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection;
    - (iii) require a request for an electronic meeting to be made by a member of a public body up to three days prior to the meeting to allow for arrangements to be made for the electronic meeting;
    - (iv) restrict the number of separate connections for members of the public body that are allowed for an electronic meeting based on available equipment capability; or
    - (v) establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.
- (3) A public body that convenes or conducts an electronic meeting shall:
  - (a) give public notice of the meeting:
    - (i) in accordance with Section 52-4-202; and
    - (ii) post written notice at the anchor location;
  - (b) in addition to giving public notice required by Subsection (3)(a), provide:
    - (i) notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
    - (ii) a description of how the members will be connected to the electronic meeting;
  - (c) establish one or more anchor locations for the public meeting, at least one of which is in the building and political subdivision where the public body would normally meet if they were not holding an electronic meeting;
  - (d) provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; and
  - (e) if comments from the public will be accepted during the electronic meeting, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (4) Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 31, 2011 General Session

**52-4-208 Chance or social meetings.**

- (1) This chapter does not apply to any chance meeting or a social meeting.
- (2) A chance meeting or social meeting may not be used to circumvent the provisions of this chapter.

Enacted by Chapter 14, 2006 General Session

**52-4-209 Electronic meetings for charter school board.**

- (1) Notwithstanding the definitions provided in Section 52-4-103 for this chapter, as used in this section:
  - (a) "Anchor location" means a physical location where:
    - (i) the charter school board would normally meet if the charter school board were not holding an electronic meeting; and
    - (ii) space, a facility, and technology are provided to the public to monitor and, if public comment is allowed, to participate in an electronic meeting during regular business hours.
  - (b) "Charter school board" means the governing board of a school created under Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act.
  - (c) "Meeting" means the convening of a charter school board:
    - (i) with a quorum who:
      - (A) monitors a website at least once during the electronic meeting; and
      - (B) casts a vote on a website, if a vote is taken; and
    - (ii) for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the charter school board has jurisdiction or advisory power.
  - (d) "Monitor" means to:
    - (i) read all the content added to a website by the public or a charter school board member; and
    - (ii) view a vote cast by a charter school board member on a website.
  - (e) "Participate" means to add content to a website.
- (2)
  - (a) A charter school board may convene and conduct an electronic meeting in accordance with Section 52-4-207.
  - (b) A charter school board may convene and conduct an electronic meeting in accordance with this section that is in writing on a website if:
    - (i) the chair verifies that a quorum monitors the website;
    - (ii) the content of the website is available to the public;
    - (iii) the chair controls the times in which a charter school board member or the public participates; and
    - (iv) the chair requires a person to identify himself or herself if the person:
      - (A) participates; or
      - (B) casts a vote as a charter school board member.
- (3) A charter school that conducts an electronic meeting under this section shall:
  - (a) give public notice of the electronic meeting:
    - (i) in accordance with Section 52-4-202; and
    - (ii) by posting written notice at the anchor location as required under Section 52-4-207;
  - (b) in addition to giving public notice required by Subsection (3)(a), provide:

- (i) notice of the electronic meeting to the members of the charter school board at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present;
  - (ii) a description of how the members and the public may be connected to the electronic meeting;
  - (iii) a start and end time for the meeting, which shall be no longer than 5 days; and
  - (iv) a start and end time for when a vote will be taken in an electronic meeting, which shall be no longer than four hours; and
- (c) provide an anchor location.
- (4) The chair shall:
- (a) not allow anyone to participate from the time the notice described in Subsection (3)(b)(iv) is given until the end time for when a vote will be taken; and
  - (b) allow a charter school board member to change a vote until the end time for when a vote will be taken.
- (5) During the time in which a vote may be taken, a charter school board member may not communicate in any way with any person regarding an issue over which the charter school board has jurisdiction.
- (6) A charter school conducting an electronic meeting under this section may not close a meeting as otherwise allowed under this part.
- (7)
- (a) Written minutes shall be kept of an electronic meeting conducted as required in Section 52-4-203.
  - (b)
    - (i) Notwithstanding Section 52-4-203, a recording is not required of an electronic meeting described in Subsection (2)(b).
    - (ii) All of the content of the website shall be kept for an electronic meeting conducted under this section.
  - (c) Written minutes are the official record of action taken at an electronic meeting as required in Section 52-4-203.
- (8)
- (a) A charter school board shall ensure that the website used to conduct an electronic meeting:
    - (i) is secure; and
    - (ii) provides with reasonably certainty the identity of a charter school board member who logs on, adds content, or casts a vote on the website.
  - (b) A person is guilty of a class B misdemeanor if the person falsely identifies himself or herself as required by Subsection (2)(b)(iv).
- (9) Compliance with the provisions of this section by a charter school constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 363, 2014 General Session

**52-4-210 Electronic message transmissions.**

Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.

Enacted by Chapter 25, 2011 General Session

### **Part 3 Enforcement**

#### **52-4-301 Disruption of meetings.**

This chapter does not prohibit the removal of any person from a meeting, if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised.

Enacted by Chapter 14, 2006 General Session

#### **52-4-302 Suit to void final action -- Limitation -- Exceptions.**

- (1)
  - (a) Any final action taken in violation of Section 52-4-201, 52-4-202, 52-4-207, or 52-4-209 is voidable by a court of competent jurisdiction.
  - (b) A court may not void a final action taken by a public body for failure to comply with the posting written notice requirements under Subsection 52-4-202(3)(a)(i)(B) if:
    - (i) the posting is made for a meeting that is held before April 1, 2009; or
    - (ii)
      - (A) the public body otherwise complies with the provisions of Section 52-4-202; and
      - (B) the failure was a result of unforeseen Internet hosting or communication technology failure.
- (2) Except as provided under Subsection (3), a suit to void final action shall be commenced within 90 days after the date of the action.
- (3) A suit to void final action concerning the issuance of bonds, notes, or other evidences of indebtedness shall be commenced within 30 days after the date of the action.

Amended by Chapter 403, 2012 General Session

#### **52-4-303 Enforcement of chapter -- Suit to compel compliance.**

- (1) The attorney general and county attorneys of the state shall enforce this chapter.
- (2) The attorney general shall, on at least a yearly basis, provide notice to all public bodies that are subject to this chapter of any material changes to the requirements for the conduct of meetings under this chapter.
- (3) A person denied any right under this chapter may commence suit in a court of competent jurisdiction to:
  - (a) compel compliance with or enjoin violations of this chapter; or
  - (b) determine the chapter's applicability to discussions or decisions of a public body.
- (4) The court may award reasonable attorney fees and court costs to a successful plaintiff.

Renumbered and Amended by Chapter 14, 2006 General Session  
Amended by Chapter 263, 2006 General Session

#### **52-4-304 Action challenging closed meeting.**

- (1) Notwithstanding the procedure established under Subsection 63G-2-202(7), in any action brought under the authority of this chapter to challenge the legality of a closed meeting held by a public body, the court shall:

- (a) review the recording or written minutes of the closed meeting in camera; and
  - (b) decide the legality of the closed meeting.
- (2)
- (a) If the judge determines that the public body did not violate Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall dismiss the case without disclosing or revealing any information from the recording or minutes of the closed meeting.
  - (b) If the judge determines that the public body violated Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall publicly disclose or reveal from the recording or minutes of the closed meeting all information about the portion of the meeting that was illegally closed.

Amended by Chapter 382, 2008 General Session

**52-4-305 Criminal penalty for closed meeting violation.**

In addition to any other penalty under this chapter, a member of a public body who knowingly or intentionally violates or who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a class B misdemeanor.

Enacted by Chapter 263, 2006 General Session

## Part 13

### Municipal Officers' and Employees' Ethics Act

#### 10-3-1301 Short title.

This part is known as the "Municipal Officers' and Employees' Ethics Act."

Amended by Chapter 147, 1989 General Session

#### 10-3-1302 Purpose.

- (1) The purposes of this part are to establish standards of conduct for municipal officers and employees and to require these persons to disclose actual or potential conflicts of interest between their public duties and their personal interests.
- (2) In a metro township, as defined in Section 10-2a-403, the provisions of this part may not be applied to an appointed officer as that term is defined in Section 17-16a-3 or a county employee who is required by law to provide services to the metro township.

Amended by Chapter 352, 2015 General Session

#### 10-3-1303 Definitions.

As used in this part:

- (1) "Appointed officer" means any person appointed to any statutory office or position or any other person appointed to any position of employment with a city or with a community development and renewal agency under Title 17C, Limited Purpose Local Government Entities - Community Development and Renewal Agencies Act. Appointed officers include, but are not limited to, persons serving on special, regular, or full-time committees, agencies, or boards whether or not such persons are compensated for their services. The use of the word "officer" in this part is not intended to make appointed persons or employees "officers" of the municipality.
- (2) "Assist" means to act, or offer or agree to act, in such a way as to help, represent, aid, advise, furnish information to, or otherwise provide assistance to a person or business entity, believing that such action is of help, aid, advice, or assistance to such person or business entity and with the intent to assist such person or business entity.
- (3) "Business entity" means a sole proprietorship, partnership, association, joint venture, corporation, firm, trust, foundation, or other organization or entity used in carrying on a business.
- (4) "Compensation" means anything of economic value, however designated, which is paid, loaned, granted, given, donated, or transferred to any person or business entity by anyone other than the governmental employer for or in consideration of personal services, materials, property, or any other thing whatsoever.
- (5) "Elected officer" means a person:
  - (a) elected or appointed to the office of mayor, commissioner, or council member; or
  - (b) who is considered to be elected to the office of mayor, commissioner, or council member by a municipal legislative body in accordance with Section 20A-1-206.
- (6) "Improper disclosure" means disclosure of private, controlled, or protected information to any person who does not have both the right and the need to receive the information.
- (7) "Municipal employee" means a person who is not an elected or appointed officer who is employed on a full or part-time basis by a municipality or by a community development and

renewal agency under Title 17C, Limited Purpose Local Government Entities - Community Development and Renewal Agencies Act.

- (8) "Private, controlled, or protected information" means information classified as private, controlled, or protected under Title 63G, Chapter 2, Government Records Access and Management Act or other applicable provision of law.
- (9) "Substantial interest" means the ownership, either legally or equitably, by an individual, the individual's spouse, or the individual's minor children, of at least 10% of the outstanding shares of a corporation or 10% interest in any other business entity.

Amended by Chapter 40, 2011 General Session

**10-3-1304 Use of office for personal benefit prohibited.**

- (1) As used in this section, "economic benefit tantamount to a gift" includes:
  - (a) a loan at an interest rate that is substantially lower than the commercial rate then currently prevalent for similar loans; and
  - (b) compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.
- (2) Except as provided in Subsection (4), it is an offense for an elected or appointed officer or municipal employee to:
  - (a) disclose or improperly use private, controlled, or protected information acquired by reason of the officer's or employee's official position or in the course of official duties in order to further substantially the officer's or employee's personal economic interest or to secure special privileges or exemptions for the officer or employee or for others;
  - (b) use or attempt to use the officer's or employee's official position to:
    - (i) further substantially the officer's or employee's personal economic interest; or
    - (ii) secure special privileges for the officer or employee or for others; or
  - (c) knowingly receive, accept, take, seek, or solicit, directly or indirectly, for the officer or employee or for another, a gift of substantial value or a substantial economic benefit tantamount to a gift that:
    - (i) would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties; or
    - (ii) the person knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the person for official action taken.
- (3) Subsection (2)(c) does not apply to:
  - (a) an occasional nonpecuniary gift having a value of less than \$50;
  - (b) an award publicly presented in recognition of public services;
  - (c) any bona fide loan made in the ordinary course of business; or
  - (d) a political campaign contribution.
- (4) This section does not apply to an elected or appointed officer or municipal employee who engages in conduct that constitutes a violation of this section to the extent that the elected or appointed officer or municipal employee is chargeable, for the same conduct, under Section 76-8-105.

Amended by Chapter 445, 2013 General Session

**10-3-1305 Compensation for assistance in transaction involving municipality -- Public disclosure and filing required.**

- (1) As used in this section, "municipal body" means any public board, commission, committee, or other public group organized to make public policy decisions or to advise persons who make public policy decisions.
- (2) Except as provided in Subsection (6), it is an offense for an elected officer, or an appointed officer, who is a member of a public body to receive or agree to receive compensation for assisting any person or business entity in any transaction involving the municipality in which the member is an officer unless the member:
  - (a) files with the mayor a sworn statement giving the information required by this section; and
  - (b) discloses the information required by Subsection (5) in an open meeting to the members of the body of which the officer is a member immediately before the discussion.
- (3) It is an offense for an appointed officer who is not a member of a public body or a municipal employee to receive or agree to receive compensation for assisting any person or business entity in any transaction involving the municipality by which the person is employed unless the officer or employee:
  - (a) files with the mayor a sworn statement giving the information required by this section; and
  - (b) discloses the information required by Subsection (5) to:
    - (i) the officer or employee's immediate supervisor; and
    - (ii) any other municipal officer or employee who may rely upon the employee's representations in evaluating or approving the transaction.
- (4)
  - (a) The officer or employee shall file the statement required to be filed by this section 10 days before the date of any agreement between the elected or appointed officer or municipal employee and the person or business entity being assisted or 10 days before the receipt of compensation by the officer or employee, whichever is earlier.
  - (b) The statement is public information and shall be available for examination by the public.
- (5) The statement and disclosure shall contain:
  - (a) the name and address of the officer or municipal employee;
  - (b) the name and address of the person or business entity being or to be assisted or in which the appointed or elected official or municipal employee has a substantial interest; and
  - (c) a brief description of the transaction as to which service is rendered or is to be rendered and of the nature of the service performed or to be performed.
- (6) This section does not apply to an elected officer, or an appointed officer, who is a member of a public body and who engages in conduct that constitutes a violation of this section to the extent that the elected officer or appointed officer is chargeable, for the same conduct, under Section 76-8-105.

Amended by Chapter 445, 2013 General Session

**10-3-1306 Interest in business entity regulated by municipality -- Disclosure statement required.**

- (1) Every appointed or elected officer or municipal employee who is an officer, director, agent, or employee or the owner of a substantial interest in any business entity which is subject to the regulation of the municipality in which he is an elected or appointed officer or municipal employee shall disclose the position held and the nature and value of his interest upon first becoming appointed, elected, or employed by the municipality, and again at any time thereafter if the elected or appointed officer's or municipal employee's position in the business entity has changed significantly or if the value of his interest in the entity has increased significantly since the last disclosure.

- (2) The disclosure shall be made in a sworn statement filed with the mayor. The mayor shall report the substance of all such disclosure statements to the members of the governing body, or may provide to the members of the governing body copies of the disclosure statement within 30 days after the statement is received by him.
- (3) This section does not apply to instances where the value of the interest does not exceed \$2,000. Life insurance policies and annuities may not be considered in determining the value of any such interest.

Amended by Chapter 378, 2010 General Session

**10-3-1307 Interest in business entity doing business with municipality -- Disclosure.**

- (1) Every appointed or elected officer or municipal employee who is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the municipality in which he is an appointed or elected officer or municipal employee, shall publicly disclose to the members of the body of which he is a member or by which he is employed immediately prior to any discussion by such body concerning matters relating to such business entity, the nature of his interest in that business entity.
- (2) The disclosure statement shall be entered in the minutes of the meeting.
- (3) Disclosure by a municipal employee under this section is satisfied if the employee makes the disclosure in the manner required by Sections 10-3-1305 and 10-3-1306.

Amended by Chapter 147, 1989 General Session

**10-3-1308 Investment creating conflict of interest with duties -- Disclosure.**

Any personal interest or investment by a municipal employee or by any elected or appointed official of a municipality which creates a conflict between the employee's or official's personal interests and his public duties shall be disclosed in open meeting to the members of the body in the manner required by Section 10-3-1306.

Amended by Chapter 147, 1989 General Session

**10-3-1309 Inducing officer or employee to violate part prohibited.**

It is a class A misdemeanor for any person to induce or seek to induce any appointed or elected officer or municipal employee to violate any of the provisions of this part.

Amended by Chapter 241, 1991 General Session

**10-3-1310 Penalties for violation -- Dismissal from employment or removal from office.**

In addition to any penalty contained in any other provision of law, any person who knowingly and intentionally violates this part, with the exception of Sections 10-3-1306, 10-3-1307, 10-3-1308, and 10-3-1309, shall be dismissed from employment or removed from office and is guilty of:

- (1) a felony of the second degree if the total value of the compensation, conflict of interest, or assistance exceeds \$1,000;
- (2) a felony of the third degree if:
  - (a) the total value of the compensation, conflict of interest, or assistance is more than \$250 but not more than \$1,000; or

- (b) the elected or appointed officer or municipal employee has been twice before convicted of violation of this chapter and the value of the conflict of interest, compensation, or assistance was \$250 or less;
- (3) a class A misdemeanor if the value of the compensation or assistance was more than \$100 but does not exceed \$250; or
- (4) a class B misdemeanor if the value of the compensation or assistance was \$100 or less.

Amended by Chapter 147, 1989 General Session

**10-3-1311 Municipal ethics commission -- Complaints charging violations.**

- (1) A municipality may establish by ordinance an ethics commission to review a complaint against an officer or employee subject to this part for a violation of a provision of this part.
- (2)
  - (a) A person filing a complaint for a violation of this part shall file the complaint:
    - (i) with the municipal ethics commission, if a municipality has established a municipal ethics commission in accordance with Subsection (1); or
    - (ii) with the Political Subdivisions Ethics Review Commission in accordance with Title 11, Chapter 49, Political Subdivisions Ethics Review Commission, if the municipality has not established a municipal ethics commission.
  - (b) A municipality that receives a complaint described in Subsection (2)(a) may:
    - (i) accept the complaint if the municipality has established a municipal ethics commission in accordance with Subsection (1); or
    - (ii) forward the complaint to the Political Subdivisions Ethics Review Commission established in Section 11-49-201:
      - (A) regardless of whether the municipality has established a municipal ethics commission; or
      - (B) if the municipality has not established a municipal ethics commission.
- (3) If the alleged ethics complaint is against a person who is a member of the municipal ethics commission, the complaint shall be filed with or forwarded to the Political Subdivisions Ethics Review Commission.

Amended by Chapter 202, 2012 General Session

**10-3-1312 Violation of disclosure requirements -- Penalties -- Rescission of prohibited transaction.**

If any transaction is entered into in connection with a violation of Section 10-3-1305, 10-3-1306, 10-3-1307, or 10-3-1308, the municipality:

- (1) shall dismiss or remove the appointed or elected officer or municipal employee who knowingly and intentionally violates this part from employment or office; and
- (2) may rescind or void any contract or subcontract entered into pursuant to that transaction without returning any part of the consideration received by the municipality.

Amended by Chapter 147, 1989 General Session



# JOINT CITY COUNCIL- PLANNING COMMISSION WORK SESSION

January 26, 2016

## **Agenda Item “d”      Potential Amendments to Commission By-Laws**

### **Summary**

Over the past few meetings, the Planning Commission has prepared potential amendments to its bylaws, for Council consideration.

The attached draft does not include change to the Commission’s attendance policy, although there was extensive discussion regarding whether the bylaws needed to be amended to address that issue.

As it relates to changes to the attendance policy (according to my notes):

- Three commissioners did not favor a change to the policy, noting that the policy gives the commission the ability to recommend removal of a problematic commissioner on a case-by-case basis.
- One commissioner suggested that the rule be changed to apply if poor attendance becomes “excessive” or a “pattern” of poor attendance.
- One commissioner favored the idea of a threshold percentage of missed meetings, on a rolling 12-month basis, which would automatically trigger action. This action could include: automatic consideration for a recommendation of removal by the commission, referral of the commissioner to the Chair, a referral to the Mayor, or a referral to the Council. Various threshold percentages were considered.
- One commissioner expressed satisfaction with the current policy, but would not resist a change to the policy, either.
- One commissioner wished for the Council to make this decision without the Commission first weighing in on the issue, due to difficulty in building a consensus.

The Commission would like the Council’s input on what type of attendance policy is preferred. The paragraphs which would be modified would be III.A., and III.D.

With the exception of the attendance policy, the Commission as a whole supports these draft changes. They have not yet come to a vote for official consideration, but the Commission would like the Council’s input on these potential changes.

Paul Roberts

**SYRACUSE CITY  
PLANNING COMMISSION  
BYLAWS & RULES OF PROCEDURE**

Approved by City Council on ~~November, 29, 2011~~ [NEW DATE]

**I. PURPOSE AND SCOPE**

These policies and procedures are designed and adopted for the purpose of guidance and direction to the members of the Syracuse City Planning Commission in the performance of their duties. The Planning Commission shall be governed by the provisions of all applicable State Statutes, City ordinances and these rules. Nothing in these rules shall be interpreted to provide independent basis for invalidating or in any way altering a final decision of the Commission unless otherwise provided by City Ordinance or State Law. Nor shall anything herein be construed so as to provide or create an independent cause of action for any person or entity.

The scope of the Planning Commission shall include Title III of the Syracuse City Ordinance.

**II. ORGANIZATION.**

**A. Election of Chair and Vice-Chair.** The Commission, at its first regular meeting in ~~July~~ January of each year, shall elect a Chair and a Vice-Chair from the duly appointed members of the Commission by a majority of the total membership. The Chair and Vice-Chair may be elected to subsequent terms.

**B. Duties of the Chair.**

1. Preside and normally conduct meetings of the Commission and shall provide general direction for the meetings
2. Be a voting member of the Syracuse City Planning Commission
3. Approve the agenda prior to the meeting
4. Call the Commission to order, and proceed with the order of business
5. Announce the business before the Commission in the order in which it is to be acted upon
6. Receive and submit in the proper manner all motions and propositions presented by the members of the Commission
7. Put to vote all questions which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof

8. Inform the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice
9. Authenticate by signature when necessary, or when directed by the Commission, all acts, orders and proceedings of the Commission
10. Maintain order at meetings of the Commission
11. Move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meetings
12. Recognize speakers and commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures
13. Oversee all committees set up under the Planning Commission

**C. Duties of the Vice-Chair.** The Vice-Chair, during absence of the Chair, shall perform all the duties and functions of the Chair. In the event the Chair resigns or is removed from the Planning Commission, the Vice-Chair shall become the new Chair. The new Chair and/or Commission shall nominate a new Vice-Chair. The new Vice-Chair shall be approved by vote of the Planning Commission.

**D. Temporary Chair.** In the event of the absence or disability of both the Chair and the Vice-Chair, the senior member of the Commission in attendance shall serve as a temporary Chair to serve until the Chair or Vice-Chair shall return. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

**E. Secretary.** The ~~Administrative~~ Secretary ~~shall serve as secretary~~ of the Commission shall be designated by the Community Development Director. The secretary shall have the following duties:

1. To give notice of all Planning Commission meetings
2. To keep and record the minutes of the proceedings of the Commission
- 2.3. To collect all documents, papers or presentations presented to the commission during the meeting, including exhibits, visual presentations, letters and drawings
- 3.4. To keep and record a permanent record file of all documents and papers pertaining to the work of the Commission and see that the Commission agendas and minutes are posted on the City website in a timely manner
- 4.5. To perform such other duties as may be required

### III. DUTIES OF MEMBERS

**A. Meeting Attendance.** Every member of the Commission should attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused will notify the secretary and/or the Chair. The secretary shall call the same to the attention of the Chair.

**B. Conflict of Interest.** A Planning Commissioner ~~to whom some private benefit may come whose personal economic interest will be substantially furthered~~ as the result of a Planning Commission action shall not be a participant in the action. A Commissioner participates in the action if the Commissioner votes upon, discusses during Planning Commission meetings, or works with staff in their capacity as Commissioner, with respect to that action.

1. Substantial furtherance of the economic interest of relations or friends of the Commissioner shall also be grounds for recusal. The private benefit may be direct or indirect; create a material or personal gain; or provide an advantage to relations, friends, or to groups and associations which hold some share of a person's loyalty. However, membership itself in a group or organization shall not be considered a per se conflict of interest, but only applies if as to Planning Commission action concerning such group or unless a reasonable person would conclude that such membership in itself would prevent an objective consideration of the matter. A generally applicable ordinance which confers a benefit upon the community to which the Commissioner belongs is not considered a per se conflict of interest.
2. A Planning Commissioner experiencing, in their opinion, a conflict of interest, shall declare that interest publicly, shall abstain from discussion and voting on the action, and may sit in the audience or be excused from the room during consideration of the action. That Commissioner shall not discuss the matter privately with any other commissioner.
3. When the Planning Commissioner is the applicant in a land use decision the Commissioner is allowed to present and discuss the application, but shall not participate in the voting decision of the Planning Commission. It is encouraged that the Planning Commissioner has an alternate party act on their behalf.
4. The vote of a Planning Commissioner deemed to be experiencing a conflict of interest, who fails to be disqualified, shall be disallowed.
5. A conflict of interest may exist under these bylaws although a Planning Commissioner may not believe an actual conflict does exist; therefore, a Planning

Commissioner who has any question as to whether a conflict of interest exists under these bylaws shall raise the matter with the other Planning Commissioners. The matter may be tabled until such time that the City Attorney's Office can be contacted in order that a determination may be made as to whether a conflict of interest exists.

6. The requirements of Section 10-3-1301 et. Seq. Of the Utah Code, known as the "Municipal Officers' and Employees' Ethics Act", shall be adhered to. If a conflict exists between these policies, State law, or City ordinance, the strictest shall apply.

**C. Gifts and Favors.** Gifts, favors, or advantages must not be accepted in connection with the duties of the Planning Commission ~~if they are offered because the receiver holds a position of public responsibility.~~ It is very important that Planning Commissioners be fair and impartial in their dealings with the public and that they serve all citizens equally. It is not enough to avoid favoritism; ~~They~~ they should strive to avoid even the appearance of giving preference to one citizen or business applicant over any other.

1. ~~The value of a gift or advantage and the relation of the giver to public business should be considered in determining acceptability. Small gifts that come in the form of business lunches, calendars, or office bric-a-brac are often, not always, acceptable. In cases of doubt, refuse. In cases of marginal doubt, refuse. Planning Commissioners shall refuse all gifts or other items – no matter the value – provided by a current applicant, or a prior applicant upon whose application the Commissioner participated.~~
2. Planning Commissioners should not accept gifts from outside agencies which may be competing or applying for City business, permits, or development decisions. Accepting gifts not only gives the appearance of favoritism, but may create an embarrassing and possible unlawful position for the City.
3. Items of small value such as calendars, pencils, etc. (usually to be considered \$50 or less) with advertising or logos are acceptable, but larger items such as clothing, equipment for personal use, etc. should be politely declined.

**D. Commissioner Removal.** A Commission member may be permanently removed from the Planning Commission as outlined in City Code. Recommendation for such action may also be made by a majority vote of the Commission to the Mayor and may be based on any of the following:

1. Continuous unjustified non-attendance of Planning Commission work meetings and/or regular meetings.
2. Demonstrated inability or unwillingness to participate cooperatively as a working member of the Commission including, but not limited to, such actions as:

- a. Repeatedly showing a lack of preparation during meetings, or
  - b. Repeated attempts to disrupt meetings; or
  - c. Frequent votes contrary to the evidence presented for no apparent reason.
3. Failure to conduct oneself in a professional and competent manner appropriate to the position of Planning Commissioner.
  4. Violation of the criminal laws, federal, state, or local.
  5. A change in residency outside of Syracuse City.
  6. Failure to abide by Syracuse City Human Resources Policies and Procedures as it relates to employee conduct.

**E. Treatment of Information.** It is important to discriminate between planning information that belongs to the public and planning information that does not.

1. Reports and official records of a public planning agency must be open on an equal basis to all inquiries.
2. Any record or portion of a record which contains private or protected information shall be kept, disseminated and retained in accordance with the Utah Government Records Access Management Act. Information considered private, controlled or protected, that is learned in the course of performing planning duties must be treated in confidence if specifically requested by the applicant or as dictated by Title X of the Syracuse City Municipal Code. Such information becomes public when an application for official action, such as a change in zone classification or approval of a plat, is submitted.
- ~~3. Information contained in studies that are in progress in a planning agency should not be divulged except in accordance with established agency policies on the release of its studies. A public planning agency is not required to share its thoughts publicly.~~
- 4.3. Prearranged private meetings between a Planning Commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information on any application received by a Planning Commissioner whether by mail, telephone, or other communication shall be made part of the public record.
- 5.4. Any member of the Commission may make a concurring or dissenting report or recommendation to the City Council whenever he/she deems advisable. Reports and recommendations must be submitted to City Council in a written format for inclusion in City Council documentation and materials.

#### IV. MEETINGS.

- A. Place.** All meetings of the Planning Commission shall be held in the City Council Chambers of City Hall, Syracuse, Utah, or at such other place in Syracuse City as the Commission may designate.
- B. Regular Meetings.** Regular meetings of the Planning Commission shall be held on the first and third Tuesdays of each month at the hour of 6:00 p.m.
- C. Work Meetings.** Work meetings may be held on the first and third Tuesdays of each month after the regular meeting.
- D. Unscheduled Meetings.** An unscheduled meeting may be held after consent of unanimous vote of the Planning Commissioners in attendance at a regularly ~~scheduled~~ meeting. An unscheduled meeting may not be held that has the appearance of giving preference to one citizen or ~~business applicant~~ or may create an embarrassing and possible unlawful position for the City.
- E. Joint Sessions.** Joint sessions between Planning Commission and City Council may occur at the request of the Mayor and/or Council.
- F. Quorum.** Four members of the Commission shall constitute a quorum ~~thereof for the transaction of all business except where unanimous consent of all members is required.~~ Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted.
- G. Content.** Discussions in the meetings are to be limited to agenda items and issues reasonably related thereto. Comments or presentations by the public are to be limited to relevant issues. In order to ensure that the meetings proceed timely and orderly, the Chair may impose a time limit on those desiring to address the Commission. Any person who disrupts the meeting by exceeding a time limit, discussing irrelevant issues, or otherwise, may be removed at the direction of the Chair. Future agenda items may be added at the request of two or more Commissioners.
- H. Agenda and Submitted Documents.**
1. Future agenda items shall be placed on the next available agenda by the Chairman, at the request of two or more Commissioners.
  2. The agenda and applicable information shall be provided to the Commission members at least four days prior to the meeting, unless approved by the Chairman.
  3. For items which are scheduled for final action, the applicant and staff must submit to the Secretary all documents for consideration of that item, at least five days prior to the meeting. Commissioners who wish to submit additional documents, revisions or comments may submit them to the Secretary and Chairman. Those items shall be disseminated to the applicant and Planning

Commissioners as soon as practicable, and shall be made available to the public during Commission meeting.

**H. Order and Decorum.**

1. Consideration of Agenda Items. The following procedures for consideration of business items on the agenda will normally be observed. However, the procedure may be modified by the chairman if necessary for the expeditious conduct of business.

- a. Chair introduces the agenda items.
- b. City staff is invited to provide comments and/or recommendations.
- c. Petitioner presents the proposal.
- d. Commissioners ask questions and seek clarification on issues presented.
- e. Petitioner is asked to be seated.

f. If item includes a public hearing then public is invited to provide comments, evidence or opinions, to ask questions and to seek clarification on issues presented.

g. City staff and applicant shall be given the opportunity to respond to questions, criticism or concerns expressed by the public. Members of the public shall not be permitted to further engage with the applicant or staff.

gh. Commissioners discuss the proposal and ask for clarification as necessary.

hi. Chair requests a motion on the proposal.

ij. Upon motion and second, commissioners vote on the proposal. Any commissioner may, prior to casting a vote, explain the basis for his or her vote. The Commission may approve, deny, table, or approve with conditions the proposal before them.

**I. Time.** Meetings shall not exceed 9:00 p.m. unless extended through a two-thirds (2/3) majority vote of the Commission in attendance.

**J. Additional Guidelines.** In addition to these policies and procedures, the Commission may invoke additional guidelines as necessary to address issues as they arise so long as they are consistent with the nature and intent with the content herein.

**V. MOTIONS.**

**A. Making of Motions.** Any Planning Commissioner, but the Chair, may make or second a motion. Motions should state findings for denial or approval within the motion:

1. Motions should state findings at the beginning.
2. The staff reports should be in sufficient detail to assist Planning Commission in stating findings.
3. All motions should be repeated at the direction of the Chair

**B. Second Required.** Each motion of the Planning Commission must be seconded, except for the motion to adjourn a meeting; a motion that fails to receive a second shall fail.

**C. Withdrawing a Motion.** After a motion is stated by the Chair or read by the secretary, it shall be deemed in the possession of the Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commissioners in attendance. The Commissioner who made the motion may withdraw it at any time prior to the vote being taken.

**D. Motion to Table.** A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter and whenever possible, a specific date to rehear the matter is to be scheduled.

**E. Amending Motions.** When a motion is pending before the Commission, any member may suggest an amendment without a second, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author and the second of the motion in order to amend the stated motion. The author and the second may choose not to accept the amendment.

**F. Amending Amendments to Motions.** An amendment to a motion may be amended, no second required, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author and the second of the motion in order to amend the stated motion. The author and the second may choose not to accept the amendment

**G. Substitute Motions.** A substitute motion, which shall replace the original motion, may be made prior to a vote on the original motion. After a substitute motion has been seconded, then it becomes the motion to be put to vote; the original motion is only voted on if the substitute motion fails.

**H. To Rescind a Motion.** A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Commission's action on the motion.

**I. To Reconsider a Motion.** To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a Commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made ~~or when the minutes containing that particular item are approved.~~ If present, the applicant shall be given an opportunity to address the Commission before the vote upon the motion which is being reconsidered.

**J. Motion to Open and Close Hearings is not required.** The Chair will state when the public portion of the hearings are open and closed.

**K. Motion to Recess.** A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

**L. Motion to Adjourn.** A motion to adjourn the meeting shall be made at the end of ~~each~~ Planning Commission regular and work meetings. No second to the motion to adjourn is required.

## VI. VOTING.

Except as otherwise specifically provided in these rules, a vote of the majority of Commissioners participating in the vote ~~four (4) members of the Commission~~ shall be required ~~and shall be sufficient~~ to transact any business before the Planning Commission.

**A. Changing a Vote.** No member shall be permitted to change his/her vote after the decision is announced by the Chair.

**B. Tie Votes.** Tie votes shall cause a motion to fail.

~~**C. Conflict of Interest/Disqualification.** See section III. B.~~

## VII. COMMITTEES

Committees may be set up by the Planning Commission to enhance planning of specific areas of the city.

**A. Scope and Duration.** The Planning Commission Chair, with the consent of the Planning Commission, shall set the scope and duration of each committee at the inception of the committee.

**B. Members.** The Planning Commission Chair shall appoint members of the Planning Commission to serve as chair and vice-chair of each committee. Committee chair and

vice-chair, including input from other Commissioners, shall select other members of the committee. Committee membership should not normally exceed 12 members, including chair and vice-chair. No more than two sitting Planning Commissioners may be appointed to a committee.

**C. Purpose and Need Document.** Each committee shall draft a Purpose and Need document and present it to the Planning Commission for approval within six weeks of the first committee meeting. Purpose and Need document should keep committee work within the scope laid out for the committee at inception. If a need to revise the scope exists, it shall be brought back to the Planning Commission for approval.

**D. Progress Reporting.** Committees shall report to the Planning Commission at intervals determined by the Planning Commission Chair. Committees shall not make reports to other entities, without first reporting to the Planning Commission and receiving permission.

**E. Completion of Committee Tasking.** At the completion of the assigned task or assigned duration, the committee shall present findings and recommendations to the Planning Commission. In its final report, all final documents generated by the Committee, including minutes, shall be presented in a final packet. If the committee was unable to complete task within assigned duration, the committee may request an extension from the Planning Commission.

## **VIII. AMENDMENTS.**

These rules may be amended at any regular meeting of the Planning Commission by an affirmative vote of the Commission provided that such amendment has been presented in writing to each member of the Commission at least 48 hours preceding the meeting at which the vote is taken. Such amendments shall be submitted to the City Council for its approval before they shall take effect.



# COUNCIL AGENDA

January 26, 2016

Agenda Item “e”                      CVS Pharmacy

***Factual Summation***

- A. CVS is working through the development process on the NE corner of 2000 W and antelope drive. The applicant was postponed a subdivision recommendation from the PC because the newspaper noticing failed to go out (new newspaper staff error).
- B. The applicant is asking if the council is willing to hear, and act on both preliminary and final plat on the February 9<sup>th</sup> business meeting.
- C. The subdivision is only 2 lots.

***Recommendation:***

Agree to discuss both preliminary and final plat



# JOINT CITY COUNCIL- PLANNING COMMISSION WORK SESSION

January 26, 2016

## Agenda Item “F”                      General Policy Direction from Council to Commission

### Summary

During our last meeting, the Commission members and Chair expressed interest in receiving policy direction from the Council on a number of topics. These specific topics were raised during the meeting, and additional items may be raised by Commissioners during the meeting.

1. **Code Amendments.** What is the Council’s expectation of the Commission as it relates to pro-active ordinance revision and drafting? Would the Council rather the Commission focus on reviewing items submitted with applications? Some examples of policy direction include:
  - a. Prepare amendments only upon direct request (either through a resolution or through the liaison);
  - b. Inquire of Council (through liaison) whether an amendment should be pursued, and proceed only when the Council indicates they are interested in such a change;
  - c. Pro-actively identify areas the Commission sees room for changes/improvement and bring code amendments to the Council without specific direction;
  - d. Prepare code amendments in response to lessons learned during planning commission meetings, as the need arises;
  - e. Review potential amendments to the Land Use Code which are generated by the Council.
2. **Noise Ordinance.** A preliminary draft was produced by Chairman Vaughan in order to stimulate discussion of a City noise ordinance. Does the Council desire:
  - a. That the Commission to take the lead on this issue (inserting the provisions into the Land Use Code)?
  - b. That the issue be addressed by the Council as a nuisance provision (located elsewhere in the code)?
  - c. That the issue not be addressed at this time?
3. **Land Use Tables.** Does the Council wish to see an amendment to Title 10 which incorporates Land Use Tables as a means to quickly identify appropriate uses for specific zones as a one-stop source?

There will likely be additional questions on related issues. The Commission generally seeks to be productive and helpful to the City, and hopes that additional policy guidance from the Council will aid it in achieving that goal.

Paul Roberts



# COUNCIL AGENDA

January 26, 2016

Agenda Item “g”

Proposed Resolution R16-06 appointing Councilmembers to various committee positions and assignments.

### *Factual Summation*

- Please see the following memo regarding this agenda item. Any questions regarding this item may be directed at City Recorder Cassie Brown
- Please see the attached proposed resolution regarding this agenda item.

### *Memorandum*

At the beginning of each calendar year, the City Council reviews the list of appointments and assignments and makes changes according to recent election results or other determining factors. This item was briefly discussed during the January 12, 2016 business meeting, but was tabled until January 26 to give the Council more time to review and consider the appointments included in the resolution. Please review the attached resolution in preparation for a discussion regarding which positions you would like to hold. Adoption of the resolution can take place at the February 9, 2016 business meeting to formalize the decisions made during the work session.

## RESOLUTION R16-06

### A RESOLUTION OF THE SYRACUSE CITY COUNCIL APPOINTING CITY COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS.

**WHEREAS** Syracuse City Councilmembers are desirous of being appointed to and serving on various community committees and boards; and

**WHEREAS** there are also internal City positions, such as Mayor Pro-Tem that Councilmembers are desirous of being appointed to; and

**WHEREAS** the Syracuse City Council discussed committee appointments and assignments during their Work Session Meeting of January 12, 2016 and determined appropriate appointments and assignments for each Councilmember and members of the Administration.

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

#### **Section 1. Appointment.**

- a. Mayor Palmer is hereby appointed to serve as the City's representative on the Clearfield High School Community Council.
- b. Mayor Palmer is hereby appointed to serve as the liaison to the Youth Council.
- c. Mayor Palmer is hereby appointed to serve as a voting member on the Utah League of Cities and Towns (ULCT) Legislative Policy Committee.
- d. is hereby appointed to serve as a preparedness liaison.
- e. is hereby appointed to serve as an Employee Appeals Board alternate member.
- f. is hereby appointed to serve as the City's representative on the Cook Elementary Community Council.
- g. is hereby appointed to serve as the City's representative on the Syracuse High School Community Council.
- h. Councilmember Gailey is hereby appointed to serve as an Employee Appeals Board member.
- i. Councilmember Gailey is hereby appointed to serve as the City's representative on the Bluff Ridge Elementary Community Council.
- j. Councilmember Gailey is hereby appointed to serve as the liaison to Syracuse Chamber of Commerce.
- k. Councilmember Gailey is hereby appointed to serve as the Museum Board Advisor.
- l. Councilmember Gailey is hereby appointed to serve as the Second Mayor Pro-Tem.

- m. Councilmember Gailey is hereby appointed to serve as the Youth Court Liaison.
- n. Councilmember Gailey is hereby appointed to serve as the liaison to the Planning Commission.
- o. is hereby appointed to serve as a volunteer liaison.
- p. is hereby appointed to serve as the City's representative on the Syracuse Junior High School Community Council.
- q. is hereby appointed to serve as the Mayor Pro-Tem.
- r. Councilmember Lisonbee is hereby appointed to serve as a volunteer liaison.
- s. Councilmember Lisonbee is hereby appointed to serve as a voting member on the Utah League of Cities and Towns (ULCT) Legislative Policy Committee.
- t. Councilmember Lisonbee is hereby appointed to serve as an Employee Appeals Board alternate member.
- u. Councilmember Lisonbee is hereby appointed to serve as the City's representative on the Buffalo Point Community Council.
- v. Councilmember Lisonbee is hereby appointed to serve as the liaison to the Arts Council.
- w. is hereby appointed to serve as the Third Pro-Tem.
- x. is hereby appointed to serve as a preparedness liaison.
- y. is hereby appointed to serve as an Employee Appeals Board member.
- z. is hereby appointed to serve as the City's representative on the Syracuse Elementary Community Council.
- aa. is hereby appointed to serve as the City's representative on the Legacy Junior High Community Council.
- bb. City Manager Bovero is hereby appointed to serve as a voting member on the Utah League of Cities and Towns (ULCT) Legislative Policy Committee.
- cc. The Syracuse City Attorney is hereby appointed to serve as a non- voting member on the Utah League of Cities and Towns (ULCT) Legislative Policy Committee
- dd. is hereby appointed to serve as the liaison to the Parks and Recreation Advisory Committee.
- ee. is hereby appointed to serve as the liaison to the Emergency Preparedness Committee.
- ff. Public Works Director Whiteley is hereby appointed to serve as the City's representative on the Layton Canal Board.
- gg. Public Works Director Whiteley has been elected to the Davis and Weber Canal Board.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE  
CITY, STATE OF UTAH, THIS 12<sup>th</sup> DAY OF JANUARY, 2016.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

By: \_\_\_\_\_  
Terry Palmer, Mayor



# COUNCIL AGENDA

## January 26, 2016

Agenda Item “h”

Mission Statement, Vision Statements, and FY  
2017 Budgetary Goals

***Factual Summation***

- Any question regarding this agenda item may be directed at City Manager Brody Bovero
- Please see attached draft resolution regarding the amendment of the City’s mission statement, establishment of 10-year vision statements, and FY2017 budgetary goals.

**RESOLUTION R16-03**

**A RESOLUTION OF THE SYRACUSE CITY COUNCIL AMENDING THE SYRACUSE CITY MISSION STATEMENT; IDENTIFYING 10-YEAR VISION STATEMENTS CITY-WIDE AND FOR EACH CITY DEPARTMENT; AND IDENTIFYING BUDGETARY GOALS FOR FISCAL YEAR 2017.**

**WHEREAS** Syracuse City Councilmembers are desirous of updating and amending the City's mission statement;

**WHEREAS** Syracuse City Councilmembers are desirous of developing 10-year vision statements for the entire City and for each individual Department; and

**WHEREAS** Syracuse City Councilmembers are desirous of developing budgetary goals for Fiscal Year (FY) 2017; and

**WHEREAS** the City Council and City Administration met in a goal setting retreat do determine appropriate changes to the mission statement, develop vision statements, and identify budgetary goals.

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

**Section 1. Adoption.** The amended mission statement, vision statements, and FY2017 budgetary goals are attached hereto as Exhibit A.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12<sup>th</sup> DAY OF JANUARY, 2016.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

By:\_\_\_\_\_  
Terry Palmer, Mayor

# EXHIBIT “A”



## **Mission Statement**

“To provide quality, affordable services for its citizens, while promoting community pride, fostering economic development and preparing for the future.”

### **10-Year City-Wide Vision Statements**

1. We are a City with well-maintained infrastructure, including roads, utilities, and parks.
2. In preparation for the West Davis Corridor, we will make provisions for interchanges to accommodate commercial businesses to serve the residents’ needs and to support economic stability of the City.
3. We are financially stable City, balancing the cost of services with the level of services that we provide. The City will have minimal or no debt.
4. The City will incorporate improvements, events, and services that create an overall feeling of connection and pride in the City by its residents.

### **Vision Statements on City Services**

#### **Police**

1. The Syracuse PD is a well-trained, professional police force.
2. The Syracuse PD is responsive to crime and other community issues.

3. Syracuse City police officers are courteous and service-oriented.
4. Syracuse City police officers are part of the community and respected by the public.
5. The City's policies provide guidance on the expected levels of personnel in the police department.

#### **Fire/EMS**

1. Syracuse firefighters and EMS providers are professional, well-trained, and courteous.
2. The Syracuse FD/EMS has the equipment, training, and personnel to respond quickly.
3. Syracuse firefighters and EMS providers are part of the community and respected by the public.
4. The City is prudent with the finances of the FD, and minimizes debt associated with providing fire/EMS services.

#### **Public Works/Utilities**

1. Utilities provided by the City are affordable.
2. Public Works and utility billing employees are customer service oriented.
3. Services provided by Publics Works are done in an efficient manner.
4. Syracuse City has a well-organized infrastructure replacement and maintenance schedule that ensures well-maintained systems.

#### **Parks & Recreation**

1. Syracuse City provides parks and open space for active and passive recreation, with equipment and space for a variety of activities.
2. There are a wide variety of programs provided by the Parks & Recreation Department.
3. The Parks & Recreation Department operates efficiently.
4. The programs offered by the Parks & Recreation Department are financially self-sustaining.

5. Syracuse City parks and trails have plenty of trees.

### **Community and Economic Development**

1. Syracuse City has a clear and targeted plan for the development of key areas of the City.
2. The Community & Economic Development Department employees are knowledgeable and positive.
3. The Community & Economic Development Department communicates well with the business community.

### **Administration**

1. Syracuse City Administration employees are knowledgeable, courteous, and customer-oriented.
2. Syracuse City Administration demonstrates transparency in conducting City business.

### **Information Technology**

1. Syracuse City uses IT to improve communication with residents.
2. Syracuse City provides IT services in an efficient and organized manner.
3. Syracuse City uses technology to improve staff productivity.
4. Syracuse City's IT services are customer-oriented.

### **Justice Court**

1. Syracuse City's justice court meets the needs justice in the City.
2. Syracuse City's justice court is administered fairly and efficiently.

### **FY 2017 Budgetary Goals**

The following goals are set by the City Council to provide direction for the City during the FY2017 budget year. Upon adoption, these goals will be developed to include action plans and key personnel assigned to each goal.

1. Find ways to lessen the enmity that exists among individuals in policy-making bodies.
2. Include a formal 1<sup>st</sup> and 2<sup>nd</sup> reading of all new or amended ordinances prior to adoption.
3. Ensure the staff of their value in City government.
4. Develop an accountability reporting program, to include a regular reporting schedule on the value of spending by the city departments.
5. Create a positive perception of City Hall that demonstrates an inviting group of people working to serve the citizens of Syracuse.
6. Incorporate competitive business practices in an effort to eliminate waste, improve service, and strengthen City services.
7. Develop plans for undeveloped park lands.
8. Develop a minimum of 15 possible public service projects in the City.
9. Develop a policy on how the City will appropriately represent itself on external boards.
10. Develop a community education program as an offering to citizens of the City.
11. Review internal commissions and subcommittees to boost their value to the City, increase participation, and eliminate waste.
12. Identify the mission of the Syracuse Arts Council, expand offerings, and maximize the value of having an Arts Council.
13. Develop a volunteer recognition program.
14. Aggressively seek business expansion, within the vision of the City.
15. Make the City website more user-friendly.
16. Develop plans for each department to prepare for the future.
17. Restructure the City Budget.
18. Evaluate the need to hire more police officers.
19. Investigate the feasibility of radio metering for culinary water vs current system.
20. Evaluate the possibility of contracting with external youth organizations, such as AYSO, for the use of City parks for practices and games.
21. Develop a parks and open space master plan.

22. Review each department to look for a 5% to 10% reduction in costs.
23. Ensure money is available to add to the City's fund balance.
24. Ensure funding is provided for infrastructure improvements.
25. Put money toward debt payment.
26. Ensure City spending is efficient, transparent, and honest.
27. Receive feedback from departments regarding service needs and wasteful spending.



# COUNCIL AGENDA

## January 26, 2016

### Agenda Item “i” Discussion of Wage Compression Issue

#### *Factual Summation*

- Any question regarding this agenda item may be directed at City Manager Brody Bovero.
- See the attached supporting documentation.
- The City’s efforts to attract and maintain the best possible talent is governed by three documents:
  - The Recruitment & Retention Policy
    - Outlines leadership responsibilities of the Council and management team.
    - Set’s compensation standards.
    - Outlines team member performance responsibilities.
  - The Compensation Plan
    - Sets the 5-year compensation plan, including merit increases, career development, and market benchmark adjustments.
  - The Personnel Policies & Procedures Manual
    - Defines standards for employee conduct (e.g. dress, vehicle use, computer use, etc.).
    - Outlines operational procedures & policies (e.g. accident and safety procedures, drug use policy, harassment policy, leave of absence, etc.).
    - Outlines disciplinary and appeal procedures.
- In the Recruitment & Retention Policy and the FY 2016-FY 2020 Compensation Plan, the compensation for wages and salary of the City were set at the 60<sup>th</sup> to 70<sup>th</sup> percentile of the market benchmark. Due to a variety of factors, the City has not been able to consistently achieve the intent of these policies, and therefore continues to struggle when it comes to attracting and keeping excellent employees.

- One of the primary factors that creates a barrier to both attracting and keeping excellent employees is the issue of wage compression. For several years, employees of the City did not receive wage increases. During this time, the entry level wage continued to raise along with market conditions. This created a phenomenon in the City whereby experienced and well-performing employees who were loyal to the City during this time period now only make slightly more than the entry-level employee. This tends to create discord amongst team members and encourages high-value employees to look for employment elsewhere.
- Additionally, the wage compression issue handicaps the City's ability to attract top employees from other organizations for the same reason. Under the current situation, in order to attract an outside employee (even if he/she keeps the same wage that he/she has in the other organization), said employee would come in making a higher wage than our existing employees, who have often times had more experience and are well-performing employees. Management is left with deciding to either give the existing employees raises in order to maintain the balance in the department, or not making the offer to the outside employee. Due to budgetary constraints, we have routinely decided to pass on making the offer to the outside employee.
- The City Council has asked the Administration to propose a plan to address the wage compression issue.
- The Administration has conducted the latest market benchmark, and devised an algorithm that factors in each employee's experience, education, job performance, and unique/valuable special skills if any. The algorithm is used as a tool to place a 'value' on each employee and indicates where that employee should be in terms of their wage scale. We feel this is an innovative approach that varies significantly from most other cities, which typically base compensation levels on time/experience in the job alone.
- This analysis provides us with a target of where the City's compensation should be, based on the standards in the Recruitment & Retention Policy. It also gives us the financial 'gap' that exists in order to properly address the wage compression issue.
- Attached you will find the wage compression analysis by department.

- Based on the analysis, the total gap that we face is currently at \$622,218, which includes \$491,347 in salary and wages, and the remainder in benefit costs.

#### Options Available to Address the Wage Compression Issue

- The following options are presented to the Council in order to address the wage compression issue:
  - No Action: This option leaves the City in its current situation. This option is not recommended as the risk of lost talent, cost of turnover, and the opportunity costs of not recruiting top talent from other organizations will likely equal or supersede the cost of keeping and attracting top talent.
  - One-Time Correction: This option corrects the entire \$622,218 financial gap in one action. In order to do this, the City would need to find the resources necessary to address the wage compression issue, and still operate appropriately. Accordingly, this option involves short-term ‘pain’, but then sets the City free to operate under its current policies going forward as no additional special actions appear to be needed in the future. The downside of course, to this option is the difficulty in balancing the City’s financial commitments and services, without requiring revenue enhancements.
  - Multi-Year Corrective Action: This option corrects the financial gap over a specified number of years. By doing this, the correction is easier to ‘digest’ by the City, since it doesn’t require a large up-front cost. The drawback to this option is that it drags the issue out a number of years. While progress is certainly being made, the City may not be in position to recruit top talent until the final years of the correction.
- In analyzing, the options above, we feel that the one-time corrective action is the overall best option for the City, except that the cost to do so is financially prohibitive without any revenue enhancement. Assuming the Council is not ready to pursue revenue enhancement measures, we are therefore recommending the multi-year corrective action as the preferred approach. An example of such approach is outlined below:
- 4-Year Corrective Action at 25% of the Gap per year
  - FY 2016: \$156,500
  - FY2017: \$156,500
  - FY2018: \$156,500
  - FY2019: \$156,500

## Calculation by Department of Wage Compression Gap

| <u>Department</u>        | <u>Gap</u>        |
|--------------------------|-------------------|
| Justic Court             | <b>10,353.41</b>  |
| Admin                    | <b>59,615.12</b>  |
| Building Maint.          | <b>21,782.16</b>  |
| DCED                     | <b>25,745.21</b>  |
| Police                   | <b>183,585.39</b> |
| Fire                     | <b>128,441.57</b> |
| Public Works - Streets   | <b>42,646.78</b>  |
| Parks & Rec              | <b>57,341.40</b>  |
| IT                       | <b>0.00</b>       |
| Public Works - Utilities | <b>92,707.33</b>  |
| Total                    | <b>622,218.37</b> |



# COUNCIL AGENDA

January 26th, 2016

Agenda Item “j” Discussion regarding proposed budget opening for FY2016.

## *Factual Summation*

- Any questions about this agenda item may be directed at City Manager Brody Bovero or Finance Director Stephen Marshall.

Please review the following attachments:

- a. FY2016 Mid-Year Budget Adjustments PDF.
- b. Capital Projects Revised project list.
- c. PowerPoint summary.
- d. Fund Balance Policy.

## *Background*

- Please review the detailed **capital projects** listing attached with this document for recommended changes. In this budget opening, we have carryover for projects from FY2015. These projects were started last fiscal year and were not completed by June 30, 2015. We also are proposing new projects and updates to approved projects as follows:

- New - Monterey Estates Trail - \$175,000.
- New - Diversion Box at Jensen Pond - \$50,000
- Revised – Rock Creek Park Improvements - \$677,000
- Revised - Surface Treatments of roads - \$408,400
- Revised - Marilyn Acres Phase III - \$1,094,000
- Carryover – 2000 West Storm Drain Impact - \$93,786
- Carryover – Steeds Storm Drain Outfall - \$700,000
- Carryover – Smedley Acres Phase II - \$355,691
- Carryover – 3000 West Project - \$2,805,000
- Carryover – Pavement Preservation Project - \$424,946
- Carryover – Antelope Dr. and 3000 West Intersection - \$296,000
- Carryover – Uncover sewer manholes / main replacement - \$300,000
- Carryover – SR-193 Trail extension - \$10,200

- Carryover – Centennial Park Restroom with pump house - \$250,000
- Changes to operational budgets:

**General Fund – major changes**

- \$46,000 increase in sales tax revenue.
- \$56,000 increase in building permits.
- \$49,600 increase in plan check fees.
- \$40,000 decrease in court fines
- **\$114,600 total net increase in revenues**
  
- \$18,150 - Efficiency Audit carryover.
- \$10,000 increase for sick leave cash out program.
- \$10,000 increase for contract for bailiff services.
- \$30,214 increase in salary and benefits for DCED – move code enforcement over to DCED and new Community Services Director position.
- \$19,618 decrease in salaries in Police – move Code Enforcement to DCED. Add 1 new crossing guard at 4000 west.
- \$22,239 increase in salaries for Parks & Rec – overtime costs for snow removal and park maintenance worker I part time position.
- \$11,497 increase in benefits for streets department – employee elected to receive insurance benefits.
- **\$85,482 total net increase in expenses**

**Beginning surplus - \$53,470**

**Change from above - \$29,118**

**Total revised surplus - \$82,588**

**All Other Funds – Significant Changes**

- \$30,000 increase for parks master plan carryover
- \$21,250 increase for arborist and to fix cemetery fence and building.
- \$136,172 increase for new gas tax and sales tax revenue for roads.
- \$147,000 increase for CDBG grant – Smedley Acres Phase II.
- \$100,000 increase for additional funding for pavement preservation.
- \$15,000 carryover for transportation impact fee plan update.
- \$10,000 increase for purchase of secondary water.
- \$10,000 increase in culinary and secondary impact funds for IFFP and IFA updates.
- \$19,000 increase in depreciation expense – culinary fund.
- \$20,000 increase in sewer revenues and disposal fees.
- \$23,500 increase for garbage can purchases.
- \$37,986 increase in RDA for payment to Fun Center – revised contract.

- \$30,000 increase in RDA for professional & technical for creation of CDA.
- \$40,800 increase in revenues in capital projects for SR-193 landscaping monies.
- \$192,048 decrease in capital equipment – increase in public works shed and decrease in breathing apparatus for fire department.

**Recommendation:**

Set public hearing and the approval for the budget opening for the February 9<sup>th</sup> council meeting.

# Syracuse City

## FY2016 Mid-Year Budget Adjustments



|                                                                   | Original<br>Budget | Amended<br>Budget | Increase /<br>(Decrease) |
|-------------------------------------------------------------------|--------------------|-------------------|--------------------------|
| <b>General Fund:</b>                                              |                    |                   |                          |
| <u>REVENUE ADJUSTMENTS:</u>                                       |                    |                   |                          |
| Sales Tax                                                         | 3,432,000.00       | 3,478,000.00      | 46,000.00                |
| Building Permits                                                  | 494,000.00         | 550,000.00        | 56,000.00                |
| Plan Check Fees                                                   | 250,400.00         | 300,000.00        | 49,600.00                |
| Federal Grants                                                    | 34,750.00          | 38,750.00         | 4,000.00                 |
| Sponsorships (Ice Rink)                                           | 4,000.00           | -                 | (4,000.00)               |
| Court Fines                                                       | 240,000.00         | 200,000.00        | (40,000.00)              |
| Special Event Revenue                                             | 15,000.00          | 10,000.00         | (5,000.00)               |
| Sundry                                                            | 10,000.00          | 18,000.00         | 8,000.00                 |
| (Increase for ULGT Insurance Rebate)                              |                    |                   |                          |
|                                                                   |                    |                   | 114,600.00               |
| <u>EXPENDITURE ADJUSTMENTS:</u>                                   |                    |                   |                          |
| <b>Administration:</b>                                            |                    |                   |                          |
| Professional & Technical                                          | 45,100.00          | 63,250.00         | 18,150.00                |
| (Increase to fund the cost of the efficiency audit)               |                    |                   |                          |
| Employee Incentive Program                                        | 10,000.00          | 20,000.00         | 10,000.00                |
| (Sick Leave Cash Out for Emergency Preparedness Items)            |                    |                   |                          |
| <b>Justice Court</b>                                              |                    |                   |                          |
| Professional & Technical                                          | 11,000.00          | 21,000.00         | 10,000.00                |
| (Contract for bailiff service)                                    |                    |                   |                          |
| <b>Community &amp; Econ Development</b>                           |                    |                   |                          |
| Wages & benefits                                                  | 654,733.00         | 684,947.00        | 30,214.00                |
| (Move Code Enforcement to DCED & New Community Services Director) |                    |                   |                          |
| Equipment, Supplies, & Maintenance                                | 8,000.00           | 9,080.00          | 1,080.00                 |
| Vehicle Maintenance                                               | 4,000.00           | 6,200.00          | 2,200.00                 |
| Ordinance Enforcement                                             | -                  | 6,500.00          | 6,500.00                 |
| Professional & Technical                                          | 45,500.00          | 37,500.00         | (8,000.00)               |
| (Remove contract services for attorney at PC)                     |                    |                   |                          |
| <b>Police</b>                                                     |                    |                   |                          |
| Wages & benefits                                                  | 2,110,621.00       | 2,091,003.00      | (19,618.00)              |
| (Crossing Guard at 4000 West & Move Code Enf to DCED)             |                    |                   |                          |
| Uniforms                                                          | 15,780.00          | 14,700.00         | (1,080.00)               |
| Vehicle Maintenance                                               | 78,400.00          | 76,200.00         | (2,200.00)               |
| Ordinance Enforcement                                             | 6,500.00           | -                 | (6,500.00)               |
| Grant Funded Expenses                                             | 26,450.00          | 30,450.00         | 4,000.00                 |
| <b>Parks &amp; Recreation</b>                                     |                    |                   |                          |
| Wages & benefits                                                  | 711,249.00         | 733,488.00        | 22,239.00                |
| (Overtime costs for snow removal, park maintenance worker I)      |                    |                   |                          |
| Special Department Materials                                      | 7,000.00           | 14,000.00         | 7,000.00                 |
| (Jr. Jazz Tickets)                                                |                    |                   |                          |
| <b>Streets</b>                                                    |                    |                   |                          |
| Wages & benefits                                                  | 366,494.00         | 377,991.00        | 11,497.00                |
| (Employee electing health and dental insurance)                   |                    |                   | -                        |

|                                                |                    |                                        |                  |
|------------------------------------------------|--------------------|----------------------------------------|------------------|
|                                                |                    |                                        | <u>85,482.00</u> |
|                                                | <u>Revenue</u>     | <u>Expenses</u>                        |                  |
| General Fund net change                        | 114,600.00         | 85,482.00                              | 29,118.00        |
| Beginning fund overage                         |                    |                                        | 53,470.00        |
|                                                |                    |                                        | <u>82,588.00</u> |
| Overall fund deficit to come from fund balance |                    |                                        | 82,588.00        |
| <b>Estimated Ending Fund Balance</b>           | <b>\$2,819,126</b> | <b>~31.4% Fund Balance of Revenues</b> |                  |
| <b>Use 82,588 for wage compression</b>         | <b>\$2,736,538</b> | <b>~30.6% Fund Balance of Revenues</b> |                  |
| <b>Use 400,000 for capital projects</b>        | <b>\$2,336,538</b> | <b>~26.4% Fund Balance of Revenues</b> |                  |
| <b>Use 800,000 for capital projects</b>        | <b>\$1,936,538</b> | <b>~22.2% Fund Balance of Revenues</b> |                  |

## Parks Impact Fee Fund

### REVENUE ADJUSTMENTS:

Park Impact Fees

-

### EXPENSE ADJUSTMENTS:

Professional & Technical  
(Parks Master Plan - Carryover)

- 30,000.00

(30,000.00)

Capital Outlay  
(Centennial Restroom, SR-193 Trail, Monterey Estates Trail)

312,000.00 936,200.00

(624,200.00)

(654,200.00)

|                        |                |                 |              |
|------------------------|----------------|-----------------|--------------|
|                        | <u>Revenue</u> | <u>Expenses</u> |              |
| PIF Fund net change    | -              | (654,200.00)    | (654,200.00) |
| Beginning fund overage |                |                 | 224,000.00   |

Overall fund deficit to come from fund balance

(430,200.00)

**Estimated Ending Fund Balance \$1,710,616**

## Parks Maintenance Fund

### REVENUE ADJUSTMENTS:

Sundry  
(Insurance Claims)

- 4,525.00

4,525.00

-

4,525.00

### EXPENDITURE ADJUSTMENTS:

Buildings & Ground Maintenance  
(Fix Cemetery Fence and Building & Arborist for Trees - Insurance)

165,210.00 186,460.00

21,250.00

21,250.00

|                                   |                |                 |             |
|-----------------------------------|----------------|-----------------|-------------|
|                                   | <u>Revenue</u> | <u>Expenses</u> |             |
| Parks Maintenance Fund net change | 4,525.00       | 21,250.00       | (16,725.00) |
| Beginning fund shortage           |                |                 | (10,369.00) |

Overall Change

(27,094.00)

**Estimated Ending Fund Balance \$96,921**

## Street Lights Fund

### REVENUE ADJUSTMENTS:

Sundry

- -

-

-

-

### EXPENDITURE ADJUSTMENTS:

Street Light Utilities

15,000.00 18,000.00

3,000.00

|                                                             |                 |                 |                   |
|-------------------------------------------------------------|-----------------|-----------------|-------------------|
| (Increase due to SR-193 lights and other new street lights) |                 |                 | <u>3,000.00</u>   |
|                                                             | <u>Revenue</u>  | <u>Expenses</u> |                   |
| Street Lights Fund net change                               | -               | 3,000.00        | (3,000.00)        |
| Beginning fund shortage                                     |                 |                 | (2,300.00)        |
| Overall Change                                              |                 |                 | <u>(5,300.00)</u> |
| <b>Estimated Ending Fund Balance</b>                        | <b>\$51,736</b> |                 |                   |

## Transportation Fund

### REVENUE ADJUSTMENTS:

|                                                                                          |            |            |                   |
|------------------------------------------------------------------------------------------|------------|------------|-------------------|
| Class C Road Fund Allotment<br>(Gas Tax Increase 1/2 year + Sales Tax Increase 1/4 year) | 750,000.00 | 886,171.50 | 136,171.50        |
| Federal Grants<br>(Community Development Block Grant)                                    | -          | 147,000.00 | 147,000.00        |
| Sundry<br>(Sale of Salt Spreader and Insurance for fire hydrant)                         | -          | 1,350.00   | 1,350.00          |
|                                                                                          |            |            | <u>284,521.50</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                                                                                 |            |              |                   |
|-----------------------------------------------------------------------------------------------------------------|------------|--------------|-------------------|
| Special Highway projects<br>(Repair Fire Hydrant)                                                               | 109,000.00 | 110,350.00   | 1,350.00          |
| Capital Projects<br>(Smedley Acres Phase II, Pavement Preservation, Antelope, Bluff<br>Antelope Dr & 3000 West) | 522,150.00 | 1,252,096.00 | 729,946.00        |
|                                                                                                                 |            |              | <u>731,296.00</u> |

|                                      |                 |                 |                     |
|--------------------------------------|-----------------|-----------------|---------------------|
|                                      | <u>Revenue</u>  | <u>Expenses</u> |                     |
| Trans. Fund net change               | 284,521.50      | 731,296.00      | (446,774.50)        |
| Beginning fund shortage              |                 |                 | -                   |
| Overall Change                       |                 |                 | <u>(446,774.50)</u> |
| <b>Estimated Ending Fund Balance</b> | <b>\$54,883</b> |                 |                     |

## Transportation Impact Fee Fund

### REVENUE ADJUSTMENTS:

|                                                         |   |              |                     |
|---------------------------------------------------------|---|--------------|---------------------|
| State Grant Revenue<br>(WFRC Funding via the State TIF) | - | 2,096,473.00 | 2,096,473.00        |
|                                                         |   |              | <u>2,096,473.00</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                                       |   |              |                     |
|-----------------------------------------------------------------------|---|--------------|---------------------|
| Professional & Technical Services<br>(Transportation Impact Fee Plan) | - | 15,000.00    | 15,000.00           |
| Capital Projects<br>(3000 West Project)                               | - | 2,575,000.00 | 2,575,000.00        |
|                                                                       |   |              | <u>2,590,000.00</u> |

|                                      |                  |                 |                     |
|--------------------------------------|------------------|-----------------|---------------------|
|                                      | <u>Revenue</u>   | <u>Expenses</u> |                     |
| Trans. Impact Fund net change        | 2,096,473.00     | 2,590,000.00    | (493,527.00)        |
| Beginning fund overage               |                  |                 | 280,000.00          |
| Overall Change                       |                  |                 | <u>(213,527.00)</u> |
| <b>Estimated Ending Fund Balance</b> | <b>\$147,437</b> |                 |                     |

## Secondary Water Fund:

### REVENUE ADJUSTMENTS:

|                     |   |  |          |
|---------------------|---|--|----------|
| State Grant Revenue | - |  | -        |
|                     |   |  | <u>-</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                   |              |              |                  |
|---------------------------------------------------|--------------|--------------|------------------|
| Source of Supply - Water Purchase                 | 300,000.00   | 310,000.00   | 10,000.00        |
| Capital Outlay                                    | 100,000.00   | 223,000.00   | 123,000.00       |
| Move to Balance Sheet<br>(Smedley Acres Phase II) | (100,000.00) | (223,000.00) | (123,000.00)     |
|                                                   |              |              | <u>10,000.00</u> |

|                                      | <u>Revenue</u>   | <u>Expenses</u> |                    |
|--------------------------------------|------------------|-----------------|--------------------|
| Sec. Water Fund net change           | -                | 10,000.00       | (10,000.00)        |
| Beginning fund shortage              |                  |                 | (22,064.00)        |
| Overall Change                       |                  |                 | <u>(32,064.00)</u> |
| <b>Estimated Ending Cash Balance</b> | <b>\$970,744</b> |                 |                    |

## Secondary Water Impact Fund:

### EXPENDITURE ADJUSTMENTS:

|                                              |              |              |                  |
|----------------------------------------------|--------------|--------------|------------------|
| Professional & Technical                     | 50,000.00    | 60,000.00    | 10,000.00        |
| Capital Outlay                               | 465,000.00   | 550,000.00   | 85,000.00        |
| Move to Balance Sheet<br>(3000 West Project) | (465,000.00) | (550,000.00) | (85,000.00)      |
|                                              |              |              | <u>10,000.00</u> |

|                                      | <u>Revenue</u>  | <u>Expenses</u> |                     |
|--------------------------------------|-----------------|-----------------|---------------------|
| Sec. Water Impact Fund net change    | -               | 10,000.00       | (10,000.00)         |
| Beginning fund shortage              |                 |                 | (267,000.00)        |
| Overall Change                       |                 |                 | <u>(277,000.00)</u> |
| <b>Estimated Ending Cash Balance</b> | <b>\$86,442</b> |                 |                     |

## Storm Water Fund:

### REVENUE ADJUSTMENTS:

|                                                       |   |          |                 |
|-------------------------------------------------------|---|----------|-----------------|
| Federal Grants<br>(Community Development Block Grant) | - | 4,500.00 | 4,500.00        |
|                                                       |   |          | <u>4,500.00</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                   |            |            |                 |
|---------------------------------------------------|------------|------------|-----------------|
| Depreciation Expense                              | 220,000.00 | 228,000.00 | 8,000.00        |
| Capital Outlay                                    | -          | 4,500.00   | 4,500.00        |
| Move to Balance Sheet<br>(Smedley Acres Phase II) | -          | (4,500.00) | (4,500.00)      |
|                                                   |            |            | <u>8,000.00</u> |

|                                      | <u>Revenue</u>   | <u>Expenses</u> |                     |
|--------------------------------------|------------------|-----------------|---------------------|
| Storm Water Fund net change          | 4,500.00         | 8,000.00        | (3,500.00)          |
| Beginning fund shortage              |                  |                 | (158,092.00)        |
| Overall Change                       |                  |                 | <u>(161,592.00)</u> |
| <b>Estimated Ending Cash Balance</b> | <b>\$395,079</b> |                 |                     |

## Storm Water Impact Fund:

### REVENUE ADJUSTMENTS:

|                             |   |           |                  |
|-----------------------------|---|-----------|------------------|
| Contributions               | - | 19,500.00 | <u>19,500.00</u> |
| (Keller Crossing SD Buy-in) |   |           | <u>19,500.00</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                                   |   |              |              |
|-------------------------------------------------------------------|---|--------------|--------------|
| Capital Outlay                                                    | - | 276,000.00   | 276,000.00   |
| Move to Balance Sheet                                             | - | (276,000.00) | (276,000.00) |
| (2000 West SD, Steeds Storm Drain, Antelop & 3000 W., Rock Creek) |   |              | <u>-</u>     |

|                                                | <u>Revenue</u> | <u>Expenses</u> |                   |
|------------------------------------------------|----------------|-----------------|-------------------|
| Storm Water Impact Fund net change             | 19,500.00      | -               | 19,500.00         |
| Beginning fund overage                         |                |                 | 247,400.00        |
|                                                |                |                 | <u>266,900.00</u> |
| Overall fund deficit to come from fund balance |                |                 | 266,900.00        |
| <b>Estimated Ending Cash Balance</b>           |                |                 | <b>\$96,589</b>   |

## Culinary Water Fund:

### REVENUE ADJUSTMENTS:

|                                     |   |            |                   |
|-------------------------------------|---|------------|-------------------|
| Federal Grants                      | - | 135,000.00 | <u>135,000.00</u> |
| (Community Development Block Grant) |   |            | <u>135,000.00</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                            |              |              |                  |
|------------------------------------------------------------|--------------|--------------|------------------|
| Depreciation Expense                                       | 541,000.00   | 560,000.00   | 19,000.00        |
| Capital Outlay                                             | 335,000.00   | 856,191.00   | 521,191.00       |
| Move Capital to Balance Sheet                              | (335,000.00) | (856,191.00) | (521,191.00)     |
| (Smedley Acres Phase II, 3000 West Project, Marilyn Acres) |              |              | <u>19,000.00</u> |

|                                                  | <u>Revenue</u> | <u>Expenses</u> |                   |
|--------------------------------------------------|----------------|-----------------|-------------------|
| Culinary Water Fund net change                   | 135,000.00     | 19,000.00       | 116,000.00        |
| Beginning fund Shortage                          |                |                 | (5,286.00)        |
|                                                  |                |                 | <u>110,714.00</u> |
| Overall fund overage contributed to fund balance |                |                 | 110,714.00        |
| <b>Estimated Ending Cash Balance</b>             |                |                 | <b>\$591,624</b>  |

## Culinary Water Impact Fund:

### EXPENDITURE ADJUSTMENTS:

|                          |           |           |                  |
|--------------------------|-----------|-----------|------------------|
| Professional & Technical | 50,000.00 | 60,000.00 | <u>10,000.00</u> |
|                          |           |           | <u>10,000.00</u> |

|                                      | <u>Revenue</u> | <u>Expenses</u> |                   |
|--------------------------------------|----------------|-----------------|-------------------|
| Cul Water Impact Fund net change     | -              | 10,000.00       | (10,000.00)       |
| Beginning fund overage               |                |                 | 189,600.00        |
|                                      |                |                 | <u>179,600.00</u> |
| Overall Change                       |                |                 | 179,600.00        |
| <b>Estimated Ending Cash Balance</b> |                |                 | <b>\$374,600</b>  |

## Sewer Fund:

### REVENUE ADJUSTMENTS:

|               |              |              |                  |
|---------------|--------------|--------------|------------------|
| Sewer Revenue | 1,830,000.00 | 1,850,000.00 | <u>20,000.00</u> |
|               |              |              | <u>20,000.00</u> |

### EXPENDITURE ADJUSTMENTS:

|                                                              |                    |                 |                     |
|--------------------------------------------------------------|--------------------|-----------------|---------------------|
| Sewer Disposal Fees                                          | 1,386,450.00       | 1,406,450.00    | 20,000.00           |
| Capital Outlay                                               | 35,000.00          | 542,000.00      | 507,000.00          |
| Move to Balance Sheet<br>(3000 West, Uncover manhole covers) | (35,000.00)        | (542,000.00)    | <u>(507,000.00)</u> |
|                                                              |                    |                 | <u>20,000.00</u>    |
|                                                              | <u>Revenue</u>     | <u>Expenses</u> |                     |
| Sewer Fund net change                                        | 20,000.00          | 20,000.00       | -                   |
| Beginning fund shortage                                      |                    |                 | (269,156.00)        |
|                                                              |                    |                 | <u>(269,156.00)</u> |
| Overall fund deficit to come from fund balance               |                    |                 | (269,156.00)        |
| <b>Estimated Ending Cash Balance</b>                         | <b>\$1,074,882</b> |                 |                     |

## Garbage Fund:

|                                                |                  |                 |                    |
|------------------------------------------------|------------------|-----------------|--------------------|
| <u>EXPENDITURE ADJUSTMENTS:</u>                |                  |                 |                    |
| Garbage Can Purchases                          | 18,500.00        | 37,000.00       | 18,500.00          |
| Green Waste Can Purchases                      | 5,000.00         | 10,000.00       | <u>5,000.00</u>    |
|                                                |                  |                 | <u>23,500.00</u>   |
|                                                | <u>Revenue</u>   | <u>Expenses</u> |                    |
| Garbage Fund net change                        | -                | 23,500.00       | (23,500.00)        |
| Beginning fund overage                         |                  |                 | 8,766.00           |
|                                                |                  |                 | <u>(14,734.00)</u> |
| Overall fund deficit to come from fund balance |                  |                 | (14,734.00)        |
| <b>Estimated Ending Cash Balance</b>           | <b>\$417,090</b> |                 |                    |

## Revelopment Fund

|                                                                  |                  |                 |                    |
|------------------------------------------------------------------|------------------|-----------------|--------------------|
| <u>REVENUE ADJUSTMENTS:</u>                                      |                  |                 |                    |
|                                                                  |                  |                 | <u>-</u>           |
|                                                                  |                  |                 | <u>-</u>           |
| <u>EXPENDITURE ADJUSTMENTS:</u>                                  |                  |                 |                    |
| Repayment to Financers<br>(Revised Contract with Fun Center)     | 167,485.00       | 205,471.00      | 37,986.00          |
| Professional & Technical<br>(Creation of a CDA - Antelope Drive) | 2,000.00         | 32,000.00       | <u>30,000.00</u>   |
|                                                                  |                  |                 | <u>67,986.00</u>   |
|                                                                  | <u>Revenue</u>   | <u>Expenses</u> |                    |
| RDA Fund net change                                              | -                | 67,986.00       | (67,986.00)        |
| Beginning fund overage                                           |                  |                 | 1,659.00           |
|                                                                  |                  |                 | <u>(66,327.00)</u> |
| Overall fund deficit to come from fund balance                   |                  |                 | (66,327.00)        |
| <b>Estimated Ending Cash Balance</b>                             | <b>\$724,896</b> |                 |                    |

## MBA Fund

### REVENUE ADJUSTMENTS:

|                                                |                |                 |            |
|------------------------------------------------|----------------|-----------------|------------|
|                                                |                |                 | -          |
|                                                |                |                 | -          |
| <hr/>                                          |                |                 |            |
| <u>EXPENDITURE ADJUSTMENTS:</u>                |                |                 |            |
| Bond Fees                                      | 8,510.00       | 10,610.00       | 2,100.00   |
| (New Bond Fee for 2014 Bond)                   |                |                 |            |
|                                                |                |                 | <hr/>      |
|                                                |                |                 | 2,100.00   |
|                                                |                |                 | <hr/>      |
|                                                | <u>Revenue</u> | <u>Expenses</u> |            |
| MBA Fund net change                            | -              | 2,100.00        | (2,100.00) |
| Beginning fund shortage                        |                |                 | (6,000.00) |
|                                                |                |                 | <hr/>      |
| Overall fund deficit to come from fund balance |                |                 | (8,100.00) |
| <b>Estimated Ending Cash Balance</b>           | <b>\$787</b>   |                 |            |

## Capital Improvement Fund

### REVENUE ADJUSTMENTS:

|                                                                            |                 |                 |              |
|----------------------------------------------------------------------------|-----------------|-----------------|--------------|
| Federal Grants                                                             | 240,299.00      | -               | (240,299.00) |
| (AFG Grant - Breathing Apparatus Equipment)                                |                 |                 |              |
| State Grants                                                               | -               | 40,800.00       | 40,800.00    |
| (SR-193 Landscaping Funds)                                                 |                 |                 | <hr/>        |
|                                                                            |                 |                 | (199,499.00) |
|                                                                            |                 |                 | <hr/>        |
| <u>EXPENDITURE ADJUSTMENTS:</u>                                            |                 |                 |              |
| Capital Equipment                                                          | 704,498.00      | 512,450.00      | (192,048.00) |
| (Purchase of Mini-Excavator for roadside mowing, remove<br>breathing app.) |                 |                 | <hr/>        |
|                                                                            |                 |                 | (192,048.00) |
|                                                                            |                 |                 | <hr/>        |
|                                                                            | <u>Revenue</u>  | <u>Expenses</u> |              |
| CIP Fund net change                                                        | (199,499.00)    | (192,048.00)    | (7,451.00)   |
| Beginning fund shortage                                                    |                 |                 | (64,199.00)  |
|                                                                            |                 |                 | <hr/>        |
| Overall fund deficit to come from fund balance                             |                 |                 | (71,650.00)  |
| <b>Estimated Ending Cash Balance</b>                                       | <b>\$13,016</b> |                 |              |

**CAPITAL IMPROVEMENT PROPOSED BUDGET SUMMARY FOR FISCAL YEAR 2016**

| Project                                                        | Fund 20                   | Fund 50             | Fund 30             | Fund 40               | Fund 53                 | Fund 21                     | Fund 51                         | Fund 31                              | Fund 41                                | Fund 12                                         | Project Total         |
|----------------------------------------------------------------|---------------------------|---------------------|---------------------|-----------------------|-------------------------|-----------------------------|---------------------------------|--------------------------------------|----------------------------------------|-------------------------------------------------|-----------------------|
|                                                                | Class C Capital<br>204070 | Culinary<br>501670  | Secondary<br>301670 | Storm Drain<br>401670 | Sewer Capital<br>531670 | Road Impact Fee<br>21-40-70 | Culinary Impact<br>Fee 51-40-70 | Secondary<br>Impact Fee 31-<br>40-70 | Storm Drain<br>Impact Fee 41-40-<br>70 | Parks, Trails, & Rec<br>Impact Fee 12-40-<br>70 |                       |
| 2000 West Storm Drain Impact - 3600 South to Gentile           |                           |                     |                     |                       |                         |                             |                                 |                                      | \$93,785.80                            |                                                 | \$93,785.80           |
| Steeds Storm Drain Outfall -1000 S. between 3000 W. to 3500 W. |                           |                     |                     |                       |                         |                             |                                 |                                      | \$700,000.00                           |                                                 | \$700,000.00          |
| Smedley Acres Phase II                                         | \$147,000.00              | \$131,191.00        | \$73,000.00         | \$4,500.00            |                         |                             |                                 |                                      |                                        |                                                 | \$355,691.00          |
| 3000 West - 1200 South to 700 South (WFRC Funding)             |                           | \$240,000.00        |                     |                       | \$5,000.00              | \$2,475,000.00              |                                 | \$85,000.00                          | ??                                     |                                                 | \$2,805,000.00        |
| Pavement Presevation Project - surface treatment               | \$424,946.00              |                     |                     |                       |                         |                             |                                 |                                      |                                        |                                                 | \$424,946.00          |
| Antelope Drive/3000 West Intersection Improvement              | \$58,000.00               |                     |                     |                       | \$2,000.00              | \$100,000.00                |                                 |                                      | \$136,000.00                           |                                                 | \$296,000.00          |
| Uncover manholes / sewer main replacement                      |                           |                     |                     |                       | \$300,000.00            |                             |                                 |                                      |                                        |                                                 | \$300,000.00          |
| SR-193 Trail Installation                                      |                           |                     |                     |                       |                         |                             |                                 |                                      |                                        | \$10,200.00                                     | \$10,200.00           |
| Centennial Park Restroom w/ pump for splash pad                |                           |                     |                     |                       |                         |                             |                                 |                                      |                                        | \$250,000.00                                    | \$250,000.00          |
| Marilyn Acres Culinary Waterline Project Phase 3               | \$150,000.00              | \$485,000.00        | \$100,000.00        |                       | \$359,000.00            |                             |                                 |                                      |                                        |                                                 | \$1,094,000.00        |
| Surface Treatments throughout city                             | \$408,400.00              |                     |                     |                       |                         |                             |                                 |                                      |                                        |                                                 | \$408,400.00          |
| Add Secondary Pump To Jensen Pump House                        |                           |                     |                     |                       |                         |                             |                                 | \$175,000.00                         |                                        |                                                 | \$175,000.00          |
| Bluff Road Secondary w/ Overlay (1000 W To Gentile)            | \$63,750.00               |                     |                     |                       |                         |                             |                                 | \$290,000.00                         |                                        |                                                 | \$353,750.00          |
| Rock Creek Park Improvements                                   |                           |                     |                     |                       |                         |                             |                                 |                                      | \$276,000.00                           | \$401,000.00                                    | \$677,000.00          |
| Rock Creek Park Bathroom                                       |                           |                     |                     |                       |                         |                             |                                 |                                      |                                        | \$100,000.00                                    | \$100,000.00          |
| Monterey Estates Trail                                         |                           |                     |                     |                       |                         |                             |                                 |                                      |                                        | \$175,000.00                                    | \$175,000.00          |
| Diversion Box at Jensen Pond                                   |                           |                     | \$50,000.00         |                       |                         |                             |                                 |                                      |                                        |                                                 | \$50,000.00           |
| <b>FY2016</b>                                                  | <b>\$1,252,096.00</b>     | <b>\$856,191.00</b> | <b>\$223,000.00</b> | <b>\$4,500.00</b>     | <b>\$666,000.00</b>     | <b>\$2,575,000.00</b>       | <b>\$0.00</b>                   | <b>\$550,000.00</b>                  | <b>\$1,205,785.80</b>                  | <b>\$936,200.00</b>                             | <b>\$8,268,772.80</b> |

|                               |                       |                       |                       |                     |                       |                       |                     |                     |                       |                       |                        |
|-------------------------------|-----------------------|-----------------------|-----------------------|---------------------|-----------------------|-----------------------|---------------------|---------------------|-----------------------|-----------------------|------------------------|
| Beginning Cash Balance        | \$1,159,979.50        | \$ 796,101.00         | \$775,808.00          | \$ 341,171.00       | \$ 1,366,037.00       | \$ 626,000.00         | \$ 396,227.00       | \$ 646,442.00       | \$ 1,282,997.00       | \$ 2,634,909.00       | \$10,025,671.50        |
| Non Cash Depreciation Expense | \$ -                  | \$ 516,714.00         | \$427,936.00          | \$ 53,908.00        | \$ 250,845.00         | \$ -                  | \$ -                | \$ -                | \$ -                  | \$ -                  | \$1,249,403.00         |
| Reimbursements                | \$147,000.00          | \$ 135,000.00         | \$0.00                | \$ 4,500.00         | \$ -                  | \$ 2,096,473.00       |                     | \$ -                | \$ 19,378.00          | \$ -                  | \$2,402,351.00         |
| <b>Cash Available</b>         | <b>\$1,306,979.50</b> | <b>\$1,447,815.00</b> | <b>\$1,203,744.00</b> | <b>\$399,579.00</b> | <b>\$1,616,882.00</b> | <b>\$2,722,473.00</b> | <b>\$396,227.00</b> | <b>\$646,442.00</b> | <b>\$1,302,375.00</b> | <b>\$2,634,909.00</b> | <b>\$13,677,425.50</b> |
| Capital Projects              | \$1,252,096.00        | \$856,191.00          | \$223,000.00          | \$4,500.00          | \$666,000.00          | \$2,575,000.00        | \$0.00              | \$550,000.00        | \$1,205,785.80        | \$936,200.00          | \$8,268,772.80         |
| <b>Cash Balance Ending</b>    | <b>\$54,883.50</b>    | <b>\$591,624.00</b>   | <b>\$980,744.00</b>   | <b>\$395,079.00</b> | <b>\$950,882.00</b>   | <b>\$147,473.00</b>   | <b>\$396,227.00</b> | <b>\$96,442.00</b>  | <b>\$96,589.20</b>    | <b>\$1,698,709.00</b> | <b>\$5,408,652.70</b>  |



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# Fund Balance Presentation

January 26, 2016

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## FACTS

- Per Utah Code section 10-6-116 sections 2 & 4, the unrestricted or “accumulated” general fund balance is required to be between 5 – 25% of the next fiscal year’s budgeted revenues.
  - Unrestricted fund balance includes unassigned, assigned, and committed fund balance amounts in the comprehensive annual financial report.
-



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## FACTS

- Unrestricted Fund balance at June 30, 2015 =
    - \$2,386,538 – unassigned fund balance
    - \$682,409 – assigned fund balance
    - \$0 - committed fund balance
    - **\$3,068,947 – total unrestricted fund balance**
  - The FY2015 revenues = \$10,660,762.  
Unrestricted Fund balance at June 30, 2015= 28.8%.
-



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## FACTS

- Unassigned fund balance = not allocated or earmarked for any specific purpose.
  - Assigned fund balance = internally allocated and earmarked for a specific purpose.
    - Street lights fund = \$57,036
    - Park Maintenance fund = \$123,715
    - Money allocated to roads = \$501,658.
    - **Total Assigned fund balance = \$682,409**
-



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# HISTORICAL FACTS

- **Unassigned Fund balance over last 7 years:**

- FY2009 = \$285,445 or approximately 5%

- FY2010 = \$625,253 or approximately 10%

- FY2011 = \$1,017,689 or 14.49%

- FY2012 = \$1,454,387 or 17.26%

- FY2013 = \$1,828,234 or 19.30%

- FY2014 = \$2,372,822 or 23.7%

- FY2015 = \$2,386,538 or 22.3%

- Average increase of \$350,000 per year



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# Fund Balance Policy

- Maintain a healthy fund balance that acts as a rainy day fund for any unforeseen emergencies and/or expenses = minimum of 16.7% (2 months of expenses)
  - Utilize and execute excess fund balance into operations where it is needed the most (i.e. roads, capital purchases, debt reduction, or other one-time expenses as approved by city council)
-



# General Fund Balance

## General Fund Balance Calculation

|                                     | FY2015               | FY2016 – est.       | FY2016 **          |
|-------------------------------------|----------------------|---------------------|--------------------|
| <b>Budgeted / Actual Revenues</b>   | <b>\$ 10,660,762</b> | <b>\$11,044,588</b> | <b>\$9,544,588</b> |
| Unassigned Fund Balance             | \$2,386,538          | \$2,736,538         | \$2,736,538        |
| Assigned Fund Balance               | \$682,409            | \$182,409           | \$182,409          |
| <b>Total Unrestricted Fund Bal.</b> | <b>\$3,068,947</b>   | <b>\$2,918,947</b>  | <b>\$2,918,947</b> |
| Fund Bal. as a % of revenues        | 28.8%                | 26.4%               | 30.6%              |

\*\*Eliminate grant revenues of \$1,500,000 for 3000 west project. Grant revenues are not consistent and inflate total revenue numbers. We don't anticipate future budgets receiving grant revenues of this magnitude.



# General Fund Balance

## General Fund Balance Calculation

|                                     | FY2015               | FY2016 – est.       | FY2016 **          |
|-------------------------------------|----------------------|---------------------|--------------------|
| <b>Budgeted / Actual Revenues</b>   | <b>\$ 10,660,762</b> | <b>\$11,044,588</b> | <b>\$9,544,588</b> |
| <b>Total Unrestricted Fund Bal.</b> | <b>\$3,068,947</b>   | <b>\$2,918,947</b>  | <b>\$2,918,947</b> |
| Fund Bal. as a % of revenues        | 28.8%                | 26.4%               | 30.6%              |
|                                     |                      |                     |                    |
| Target Fund Balance @ 25%           | \$2,665,191          | \$2,761,147         | \$2,386,147        |
| <b>Target Fund Balance @ 20%</b>    | <b>\$2,132,152</b>   | <b>\$2,208,918</b>  | <b>\$1,908,918</b> |
| <b>Total Surplus Available</b>      | <b>\$936,795</b>     | <b>\$710,029</b>    | <b>\$1,010,029</b> |



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# FY2016 Budget

- Started with a budget surplus of \$53,470.
  - No use of fund balance.
  - Conservative estimates on revenues & liberal estimates on expenses.
  - Some revenue estimates = exceed expectations.
  - Some items need to be added for carryover from prior fiscal year.
  - Total revised budget surplus of \$82,588
-



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# Menu Options

- Tier I – Budget and move forward executing the expense in FY2016 or FY2017.
  - Tier II – Budget and transfer to capital projects fund. Reserve it for future use. No further action required at this point in time.
-



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# Menu Options

## Options for Funding – Tier I:

|                                           |                  |
|-------------------------------------------|------------------|
| Wage Compression (25% fix)                | \$156,500        |
| 10 year strategic financial plan          | \$20,000         |
| Park Purchase / Acquisition / Development | \$100,000        |
| Park Cameras                              | \$7,000          |
| Historic Building / New Marquee Sign      | \$20,000         |
|                                           |                  |
| Total Cost – Tier I Options               | <b>\$303,500</b> |



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# Menu Options

## Options for Funding – Tier II:

|                                             |                  |
|---------------------------------------------|------------------|
| SAA Amphitheater**                          | \$50,000         |
| Antelope Island Market Study **             | \$50,000         |
| 2000 West Project Betterments               | \$100,000        |
| West Davis Corridor Interchange Betterments | \$25,000         |
| Chloe Sunshine Playground – splash pad      | \$200,000        |
| Centennial Park Pavilion                    | \$70,000         |
|                                             |                  |
| Total Cost – Tier II Options                | <b>\$495,000</b> |

\*\*possible grant funding available to help pay for city portion



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# Menu Options

## Total Cost of Proposed Projects:

|                              |                  |
|------------------------------|------------------|
| Total Cost – Tier I Options  | <b>\$303,500</b> |
| Total Cost – Tier II Options | <b>\$495,000</b> |
|                              |                  |
| Total Cost                   | <b>\$798,500</b> |
|                              |                  |
|                              |                  |

# SYRACUSE CITY FUND BALANCE POLICY

## PURPOSE OF FUND BALANCE

The purpose of this policy is to establish a target level of fund balance for the general fund and to establish a process and criteria for the continued evaluation of that target level as conditions warrant. This policy shall also establish a process for reaching and or maintaining the targeted level of fund balance and the priority for the use of resources in excess of the target.

It is essential that Syracuse City (City) maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and other circumstances. The fund balance also provides cash flow liquidity for the City's general operations. This policy shall provide a mechanism for monitoring and reporting the City's general fund balance. This policy applies only to the general fund.

## DEFINITIONS AND CLASSIFICATIONS

**Fund Balance** is a term used to describe the net assets of governmental funds. It is calculated as the difference between the assets and liabilities reported in a governmental fund.

The Governmental Accounting Standards Board (GASB), who establishes financial reporting rules for governments, separates fund balance into five classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The five classifications of fund balance are defined below.

1. **Non-spendable** – resources which cannot be spent because they are either
  - a) not in spendable form (i.e. inventories); or
  - b) legally or contractually required to be maintained intact.
2. **Restricted** – resources with constraints placed on the use of resources which are either
  - a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or
  - b) imposed by law through constitutional provisions or enabling legislation.
3. **Committed** - resources which are subject to limitations the government imposes upon itself at its highest level of decision making (City Council) and that remain bound unless removed in the same manner by the City Council (i.e. park maintenance and street light utility).
4. **Assigned** – resources neither restricted nor committed for which a government has a stated intended use as established by the City Council to which the City Council has delegated the authority to assign amounts for specific purposes to the City Manager.

These purposes include capital improvements, capital purchase, debt reduction, or other one-time expenditures as approved by the City Council.

5. *Unassigned* – resources which cannot be properly classified in one of the other four categories. This is the amount of fund balance that is available to address emergencies and provide fiscal stability. This is the classification governed by this Fund Balance policy.

## **BACKGROUND AND CONSIDERATIONS**

Fund balance is intended to serve as a measure of financial resources in a governmental fund. The City's management, credit rating agencies, banks, and others monitor the levels of fund balance in the general fund as an important indicator of the City's economic condition.

Credit rating agencies monitor levels of fund balance and unrestricted fund balance in the City's general fund to evaluate a government's continued creditworthiness. Likewise, laws and regulations often govern appropriate levels of fund balance and unrestricted fund balance for state and local governments.

Those interested primarily in a government's creditworthiness or economic condition (e.g., rating agencies) are likely to favor increased levels of fund balance. Opposing pressures often come from unions, taxpayers and citizens' groups, which may view high levels of fund balance as "excessive." Therefore, it is imperative that the governing body adopt a fund balance policy that meets the expectations of credit rating agencies, but also is sensitive to our citizens and taxpayers.

In establishing an appropriate level of fund balance the City has considered the following factors:

- Property Tax Base
- Sales Tax Revenues
- Debt Profile
- Liquidity
- Budget Management
- Future Uses
- Citizen input

The GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months (16.7%) of regular general fund operating revenues or regular general fund operating expenditures. Utah Code 10-6-116 requires that the fund balance be between 5% and 25%.

The City has determined that the two month minimum recommendation is appropriate and meets the objectives of this fund balance policy.

## **FUND BALANCE POLICY**

It is the policy of the City to maintain a minimum unassigned fund balance in the general fund of **16.7%** of the general fund revenues. For the purposes of this policy, the general fund revenues will be considered the future revenues of the next fiscal year. For example, the unassigned fund balance at June 30, 2014 should be 16.7% of the fiscal year 2015 general fund budgeted revenues.

In the event that the unassigned fund balance drops below the 16.7% targeted level, the City will develop a plan, implemented through the annual budgetary process, to bring the balance back to the target level. In no instance shall the unassigned fund balance in the general fund ever fall below 5% of general fund revenues as required by state law. Except in the case of an emergency the City Council will be required to take action on any item that temporarily reduces fund balance below the 16.7% minimum target level. An emergency includes those items that are not foreseeable such as a sudden economic downturn, natural disaster, etc.

Amounts in excess of the targeted maximum of 16.7% of general fund revenues may be spent upon approval by the City Council. Approved uses of fund balance would include capital improvements (i.e. streets, parks, etc), capital purchases (i.e. vehicles, equipment, etc), debt reduction, or other one-time expenditures as identified by the City Council. Once approved, the City Finance Director will reclassify those funds to the assigned fund balance category and remove those funds from the unassigned fund balance category.

## **POLICY ADMINISTRATION**

Annually during the Comprehensive Annual Financial Report (CAFR) presentation, the Finance Director shall report the City's fund balance and the classification of the various components in accordance with GAAP and this policy.

Should the City fall below the minimum target level, the Finance Director shall prepare a plan and recommendation to restore the unassigned fund balance to the target level prior to the ensuing fiscal year's budget adoption.

Should the City exceed the 16.7% target level, the City Manager shall prepare a recommendation to the council on how to utilize excess funds for capital improvements or other one-time expenditures.



## CITY COUNCIL

### AGENDA

January 26, 2016

#### **Agenda Item "k"**

#### **Continued discussion of a proposed ordinance amending Title 10 regarding Industrial Architecture Standards.**

##### **Summary:**

There has been discussion and concern over the appropriate regulation of steel buildings in PC. Some concerns expressed are that the nature of steel building construction results in flat walls and "boxy" building massing. When the standard vertical steel siding is applied to the exterior, building facades can become monotonous and to some accounts "cheap". Staff has gathered the following information to assist in this discussion.

##### **Attachments:**

- Existing Architectural Review Committee Standards and Ordinance
- Steel Siding Examples
- Steel Building Examples
- Ninigret CC Text
- Commissioner Vaughan's Code Research
- Draft Ordinance Language

**ORDINANCE NO. 15-27**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.**

**WHEREAS**, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

**WHEREAS**, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

**WHEREAS**, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

**WHEREAS**, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

**WHEREAS**, the Planning Commission now hereby wishes to amend various sections of Title X to address such proposed changes.

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

**Section 1. Amendment.** The following sections of Syracuse City Municipal Code are hereby amended as attached in Exhibit A.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 8th DAY OF DECEMBER, 2015.**

**SYRACUSE CITY**

ATTEST:

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Cassie Z. Brown, City Recorder

---

Mayor Terry Palmer

Voting by the City Council:

“AYE” “NAY”

|                        |     |     |
|------------------------|-----|-----|
| Councilmember Peterson | ___ | ___ |
| Councilmember Lisonbee | ___ | ___ |
| Councilmember Duncan   | ___ | ___ |
| Councilmember Johnson  | ___ | ___ |
| Councilmember Gailey   | ___ | ___ |

## Exhibit A

### 10.28.220 Industrial Architecture

The architectural design of a structure must consider many variables, from the functional use of the building, to its aesthetic design, to its “fit” within the context of existing development. The following standards help buildings achieve the appropriate level of design detail on all facades, avoid blank/uninteresting facades, and provide for the proper screening of equipment and refuse areas.

#### (A) Architectural Form and Detail

1. If adjacent to a residential zoning district, in addition to the buffer requirements of this code, additional building setbacks of ten feet (10') must be provided adjacent to the residential use to reduce the visual impact of large-scale industrial buildings.
2. The mass and scale of large, box-like industrial buildings are to be reduced through the incorporation of varying building heights and setbacks along the front and street sides of building façades.
3. Front and street sides of facades of large buildings visible from a public street must include: architectural features such as reveals, windows and openings, changes in color, texture, or material to add interest to the building elevation and reduce its visual mass.
4. Primary building entries must be readily identifiable and well defined through the use of projections, recesses, columns, roof structures, or other design elements.

#### (B) Color and Materials

1. A comprehensive material and color scheme must be developed for each site. Material and color variations in multi-building complexes must be complementary and compatible among buildings.
2. Primary Materials. 25% of the front and street facing exterior walls must be finished with brick, architectural block, stone, or glass. Unfinished gray concrete block is not permitted. The use of non-insulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.
3. All projects are required to submit a sample board containing physical samples of all exterior surface materials, including roofing materials, in all the colors they will be used. Photos alone are not sufficient.
4. Large expanses of precast concrete (including cast in place concrete tilt-up panels), metal wall panels, or other uniform material must be broken up with pop outs, recesses, or change in color and texture, every 100 feet.
5. Bright, contrasting colors should be used for small areas of building accents only.
6. Design and colors of wall signs must be compatible with the main buildings on the site.
7. Materials, design, and colors of monument signs must be compatible with the main buildings on the site.

#### (C) Accessory Buildings.

1. The design of accessory buildings (e.g., security kiosks, maintenance buildings, and outdoor equipment enclosures) must be incorporated into and be compatible with the overall design of the project and the main buildings on the site.
2. Temporary buildings are not to be located where they will be visible from adjoining public streets.
3. Modular buildings must be skirted with material and color that is compatible with the modular unit and the main buildings on the site.



# COUNCIL AGENDA

January 26, 2016

Agenda Item “1”                      Ordinance language change to title 9

## *Factual Summation*

- A. On the December 4<sup>th</sup> 2015 city council meeting it was request that the staff make changes to ordinance **9.05.090 Violation – Penalty**. This ordinance change will make it possible for the council and city to press charges against a party or individual that violates the ordinance and fails to work toward correcting the violation. Before it was possible to interpret the text that the city was required to press charges against the violating individual.
- B. On January 12<sup>th</sup> – the City council asked staff to add text to address basement finish construction work to **9.05.090 Violation – Penalty**. As well as identify the circumstances in which a violator would be subject to misdemeanor charges.

## *Recommendation:*

Approve text amendment to the ordinance.

**ORDINANCE NO. 16-03**

**AN ORDINANCE AMENDING TITLE 9 REGARDING BUILDING INSPECTIONS.**

**WHEREAS**, there are instances where the city council has need to make the text of an ordinance more flexible for conditions that arise, and

**WHEREAS**, the city council takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

**WHEREAS**, after such consideration city council will either support and sustain current text as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing text; and

**WHEREAS**, the City Council now hereby wishes to amend a section of title 9 to address such proposed changes.

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

**Section 1. Amendment.** The following sections of Syracuse City Title 9 are hereby amended as follows:

**9.05.090 Violation – Penalty.**

---

- A. The erection or construction of any building or structure in the City in violation of, or without complying with, the regulations provided in this title is a class B misdemeanor.
- B. The renovation of an existing structure in violation of, or without complying with, the regulations provided in this title, is a class B misdemeanor if the violating party fails to bring the property, structure or improvements into compliance within the timeframe outlined in the International Building Code after being given notice that the work was unauthorized.
- C. The Building Official may record a notice of violation on the title of the subject property, close a building to occupancy, or take other appropriate remedies in order to achieve compliance.
- D. Violations of this section are also subject to civil fines or fees, and may be enjoined by the City by appropriate court proceedings.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,  
STATE OF UTAH, THIS 26th DAY OF JANUARY , 2016.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

\_\_\_\_\_  
Mayor Terry Palmer

Voting by the City Council:

|                        | "AYE" | "NAY" |
|------------------------|-------|-------|
| Councilmember Maughan  | _____ | _____ |
| Councilmember Lisonbee | _____ | _____ |
| Councilmember Bolduc   | _____ | _____ |
| Councilmember Anderson | _____ | _____ |
| Councilmember Gailey   | _____ | _____ |