



Ogden City

City Council

October 4, 2016

City Council Chambers

Municipal Building – Third Floor

2549 Washington Boulevard, Ogden, Utah 84401

3:30 p.m. Joint Work Session

City Council, also acting as the Redevelopment Agency
City Council Work Room

The purpose of the work session includes presentations and discussions regarding:

- Seaboard Development, LLC Grant/Loan; and
- Council/Board Business.

And welcoming students from Hof University, Hof, Germany:

- 5:00 p.m. – Presentation to Hof Students
- 5:30 p.m. – Reception

Any items not fully addressed prior to the City Council meeting, which begins at 6:00 p.m., may be addressed immediately following that meeting.

6:00 p.m. Special Redevelopment Agency Meeting

City Council Chambers

1. Roll Call.
 2. Pledge of Allegiance.
 3. Moment of Silence.
 4. Public Hearing:
 - a. **FY2017 Budget Amendment – Interfund Loan and Quality Neighborhood Transfer.** Proposed Resolution 2016-17 amending the budget for the Fiscal Year July 1, 2016 to June 30, 2017 by increasing the anticipated revenues and transfers for a gross increase of \$4,266,035. (*Adopt/not adopt ordinance – roll call vote*)
 5. Public Comments. This is an opportunity to address the Board regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comments will be limited to three minutes per person. Participants are to state their name and address for the record. Comments which cannot be made within these limits should be submitted in writing to the City Council Office (citycouncil@ogdencity.com).
- The Board encourages civil discourse for everyone who participates in our meetings. Comments pertaining to an agenda item that includes a public hearing or public input should be given during the meeting as that item is discussed.
6. Comments:
 - a. Board Executive Director.
 - b. Board members.

7. Adjournment.

City Council Meeting
Council Chambers

1. Roll Call.
 2. Recognitions:
 - a. **Community Planning Month.** Joint Proclamation declaring October 2016 as “Community Planning Month” in Ogden City. (*Approve joint proclamation – voice vote*)
 - b. **Hispanic Heritage Month.** Joint Proclamation declaring September 15 to October 15, 2016 as “Hispanic Heritage Month” in Ogden City. (*Approve joint proclamation – voice vote*)
 - c. **Hof, Germany Students.** Recognizing visitors from Hof University for building upon our sister-city relationship through and enriching cultural exchange.
 3. Common Consent:
 - a. **Seaboard Development, LLC Grant/Loan.** Proposed Resolution 2016-24 accepting a study conducted in accordance with Utah Code Section 10-8-2 and approving a \$100,000 forgivable loan to partially fund demolition of property at 262 12th Street. (*Adopt resolution – roll call vote*)
 4. Public Hearings:
 - a. **FY2017 Arts Grants.** Proposed Resolution 2016-22 awarding arts grants for Fiscal Year 2016-2017. (*Adopt/not adopt resolution – roll call vote*)
 - b. **FY2017 Budget Amendment – Interfund Loan and Quality Neighborhood Transfer.** Proposed Ordinance 2016-49 amending the budget for the Fiscal Year July 1, 2016 to June 30, 2017 by increasing the anticipated revenues for a gross increase of \$1,257,015. (*Adopt/not ordinance – roll call vote*)
 5. Reports from the Planning Commission:
 - a. **Proposed Rezone of 17th Street and Wall Avenue from M-1 to C-3.** Proposed Ordinance 2016-55 amending Section 15-3-3 of the Ogden Municipal Code to reclassify as Regional Commercial Zone (C-3) property heretofore classified as Limited Manufacturing Zone (M-1), generally located at the southeast corner of 17th Street and Wall Avenue. (*Receive input; adopt/not adopt ordinance – roll call vote*)
 6. Public Comments. This is an opportunity to address the Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comments will be limited to three minutes per person. Participants are to state their name and address for the record. Comments which cannot be made within these limits should be submitted in writing to the City Council Office (citycouncil@ogdencity.com).
- The Council encourages civil discourse for everyone who participates in our meetings. Comments pertaining to an agenda item that includes a public hearing or public input should be given during the meeting as that item is discussed.
7. Comments:
 - a. Mayor.
 - b. Council Members.
 8. **Closed Executive Session.** Consideration of adjourning into a Closed Executive Session pursuant to one or more of the provisions of Section 52-4-205(1) of the Open and Public Meetings Law:
 - a. Discussion of the character, professional competence, or physical or mental health of an individual
 - b. Strategy session to discuss collective bargaining
 - c. Strategy session to discuss pending or reasonably imminent litigation
 - d. Strategy session to discuss the purchase, exchange, or lease of real property
 - e. Strategy session to discuss the sale of real property
 - f. Discussion regarding deployment of security personnel, devices, or systems
 - g. Investigative proceedings regarding allegations of criminal misconduct.
(*Adjourn/not adjourn into closed session – roll call vote*)
 9. Adjournment.

Continuation of Work Session if Necessary

Public meetings may be held electronically in accordance with Utah Code Annotated 52-4-207 to allow Council members to participate via teleconference. The anchor location for the meeting shall be on the 3rd Floor of the Ogden Municipal Building, 2549 Washington Blvd., Ogden Utah.

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the Management Services Department at 629-8701 (TDD # 629-8949) or by email: ADACompliance@ci.ogden.ut.us at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and/or agenda was posted in three public places within the Ogden City Limits on this 30th day of September, 2016. These public places being: 1) City Recorder's Office on the 2nd floor of the Municipal Building; 2) 2nd floor foyer of the Municipal Building; and 3) the Weber County Library. A copy was posted to the Utah State Public Notice Website and the Ogden City Website, as well as provided to the Standard-Examiner.

TRACY HANSEN, MMC
OGDEN CITY RECORDER

Visit the City Council Meetings page at: councilmeetings.ogdencity.com
Ogden City Council Agenda Information Line – 801-629-8159



Redevelopment Agency Meeting BOARD STAFF REVIEW

FY2017 BUDGET AMENDMENT (\$4,266,035)

- *Revenues*
 - *Sanitary Sewer Utility Loan Proceeds (\$912,000)*
 - *CBD Mall Loan Proceeds(\$1,138,000)*
 - *Interagency Transfer from City – ANI (\$1,000,000)*
 - *Development Loan Repayment (\$1,216,035)*
- *Appropriations*
 - *Property Purchase (\$2,050,000)*
 - *Quality Neighborhoods (1,000,000)*
 - *Loan Repayment (\$342,000)*
 - *Fund Balance – CBD Mall Area (\$78,035)*
 - *Interfund Loan (\$1,138,000)*
- *Transfers*
 - *Housing Funds to Debt Service (\$342,000)*

DETERMINATION: Adopt or Not Adopt Resolution

***Executive
Summary***

The Board will consider a Resolution amending the FY2017 Budget to increase the budget by \$4,266,035. The budget amendment recognizes revenue from loans from the Sanitary Sewer Utility, the CBD Mall, and a Developer. These funds will be used for future property purchases. It also recognized revenue from the transfer of the Quality Neighborhood funds to the RDA. The budget amendment also appropriates funds for repayment of a loan to the City

Background

During the fiscal year, the Board entertains requests for budget adjustments to allow for the following:

1. Entering grant or other special purpose revenues into the budget prior to expenditure.
2. Making mid-course corrections to avoid budget overruns.
3. Forwarding encumbrances from the previous fiscal year.
4. Other items dealing with special circumstances or opportunities.



Redevelopment Agency Meeting BOARD STAFF REVIEW

The Uniform Fiscal Procedures Act for Utah Cities requires that a public hearing be held on all budget adjustments where the budget of one or more funds is increased. (Utah Code Ann. §10-6-127.) Notice of the public hearing must be given seven (7) days prior to the hearing. (Utah Code Ann. §10-6-113.)

September 7, 2016

A transmittal outlining the Administration’s request for a budget adjustment was received.

September 13, 2016

The RDA Board reviewed the proposed budget amendment prior to the regular meeting. The Board set a public hearing on the proposed budget amendment for October 4, 2016.

Proposal

The proposal is to amend the FY2017 budget to provide for additional revenues in the amount of \$4,266,035 not previously anticipated and to appropriate the additional funds for various expenditures. A summary of the Revenues and Appropriations is shown below:

Summary of Revenues			Notes
Fund/ Source	Amount	Total	
RDA			
Interfund Transfer	\$ 912,000		Loan from Sanitary Sewer Fund
Loan Proceeds CBD Mall	\$ 1,138,000		Loan from CBD Mall RDA
Sub-Total		\$2,050,000	
Housing Fund			
Interagency Transfer	\$ 1,000,000		QNI Funds
Sub-Total		\$1,000,000	
CBD Mall RDA Area			
Interest Income	\$ 78,035		From Developer Loan Repayment
Loan Repayment Proceeds	\$ 1,138,000		From Developer Loan Repayment
Sub-Total		\$1,216,035	
TOTAL		\$4,266,035	



Redevelopment Agency Meeting BOARD STAFF REVIEW

Summary of Appropriations			Notes
Fund/ Source	Amount	Total	
RDA			
Capital Outlay - Lan	\$ 2,050,000		Future Land Purchase
Sub-Total		\$2,050,000	
Housing Fund			
Quality Neighborhoods	\$ 1,000,000		Transfer from City
Housing Projects	\$ (342,000)		Loan Repayment to City
Debt Service - Principal	\$ 340,000		Loan Repayment to City
Debt Service - Interest	\$ 2,000		Loan Repayment to City
Sub-Total		\$1,000,000	
CBD Mall RDA Area			
Return to Fund Balance	\$ 78,035		
Interfund Loan to RDA	\$ 1,138,000		Transfer for Property Purchase
Sub-Total		\$1,216,035	
TOTAL		\$4,266,035	

The loan from the Sanitary Sewer Utility and the CBD Mall Area will facilitate future property purchases. The Quality Neighborhoods Funds are being transferred to the RDA because those funds were meant to fund housing developments associated with QNI that may be assisted with other RDA funds or development agreements with the RDA.

Question

Please review the proposed budget adjustment to the FY2017 Budget.

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

REDEVELOPMENT AGENCY TRANSMITTAL

Date: August 29, 2016
To: Ogden City Redevelopment Agency Board
From: Lisa Stout, Comptroller
RE: Budget Opening – FY17 INTERFUND LOANS AND QN TRANSFER

Staff Contact: Lisa Stout, Comptroller, ext. 8713
Recommendation: Set public hearing and adopt resolution and ordinance
Documents: - Resolution
- Schedule A (Revenue)
- Revenue Detail Schedule
- Schedule B (Appropriations)
- Appropriation Detail Schedule

Executive Summary

The purpose of this proposed resolution is to appropriation of new revenue or expected activities in the Redevelopment Agency.

The CBD Mall area in the RDA has two developer loan payments pending. This proposal increases revenue in the CBD Mall area by a total of \$1,216,035 in order to recognize the repayment and interest on these loans. Additionally, the RDA is proposing an appropriation of \$1,138,000 as a loan to the RDA General Fund to use for the purchase of property outside of the CBD Mall area.

The RDA is proposing recognition of loan proceeds revenue into the RDA General Fund from the Ogden City Sanitary Sewer fund in the amount of \$912,000 and from the CDB Mall area in the amount of \$1,138,000 that will be used to purchase property by the RDA. The details of the property purchase and loan agreements between the RDA and the Sanitary Sewer fund and the RDA General Fund and the CDB Mall area will be submitted for the RDA Boards consideration in conjunction with the budget opening. These will be interfund loans that will accrue interest rate and have a repayment term.

The Quality Neighborhoods program has been funded by the City Council for FY17, in the amount of \$1,000,000. This budget is currently in the City's Major Grants fund. The City is proposing transferring the \$1,000,000 from the Major Grants fund to the Redevelopment Agency's Housing fund. This transfer will be recognized as revenue in the RDA Housing fund and budgeted for Quality Neighborhoods expenditures.

The City loaned \$340,000 out of the HELP program to the Redevelopment Agency in FY16. The terms of this loan required the Agency to repay the City in July 2016. The RDA is using the Housing Fund from RDA area increment to repay this loan. The principal amount is \$340,000 and interest amount is \$2,000. This doesn't change the overall RDA budget, but reduces Housing Funds and increases debt service.

Background

Board action is required to appropriate fund.

Proposal

Review and adopt resolution.

Fiscal Impact

Increases the RDA budget by \$4,266,035.

OGDEN CITY REDEVELOPMENT AGENCY
BUDGET OPENING - FY17 INTERFUND LOANS AND QN TRANSFER
REVENUE SCHEDULE
SCHEDULE "A"

Account Title	Account Number	Amount
<u>Ogden Redevelopment Agency</u>		
INTERFUND LOAN PROCEEDS FROM SANITARY	3120-1-82000	\$ 912,000
LOAN PROCEEDS CBD MALL	3120-1-82000	<u>1,138,000</u>
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		<u>\$ 2,050,000</u>
 <u>Ogden Redevelopment Agency-Housing Fund</u>		
INTERAGENCY TRANSFER CITY	3900-2-84002	<u>\$ 1,000,000</u>
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		<u>\$ 1,000,000</u>
 <u>Ogden Redevelopment Agency-CBD Mall Area</u>		
INTEREST INCOME	3140-2-61000	\$ 78,035
LOAN REPAYMENT FROM DEVELOP	3140-2-84000	<u>\$ 1,138,000</u>
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		<u>\$ 1,216,035</u>
 TOTAL REVENUE		 <u><u>\$ 4,266,035</u></u>

OGDEN CITY REDEVELOPMENT AGENCY

**BUDGET OPENING - FY17 INTERFUND LOANS AND QN TRANSFER
REVENUE DETAIL SCHEDULE**

District	Item Title	Description	Amount
Ogden Redevelopment Agency	INTERFUND LOAN PROCEEDS FROM SANITARY SEWER	Loan from the City Sanitary Sewer fund to Redevelopment Agency General Fund for the purchase of property. Term, rate and note repayment schedule will be authorized in a loan agreement and resolution.	\$ 912,000
Ogden Redevelopment Agency	LOAN PROCEEDS CBD MALL	Loan from the RDA CBD Mall area fund to Redevelopment Agency General Fund for the purchase of property. Term, rate and note repayment schedule will be authorized in a loan agreement and resolution.	\$ 1,138,000
Ogden Redevelopment Agency - Housing Fund	INTERAGENCY TRANSFER CITY	The RDA secured a revolving loan from Synchrony Bank. The repayment source for any draws of this loan is the Quality Neighborhoods Funds. This project has been budgeted in the Major Grants fund of the City. The RDA has no plans to draw against that loan at this time, however for accounting purposes, the tracking of this project will be made in the RDA housing fund.	\$ 1,000,000
Ogden Redevelopment Agency-CBD Mall Area	INTEREST INCOME	The RDA CBD Mall area loaned funds to a developer in fiscal year 2012, in the amount of \$1,138,000. The terms of the note required the developer to repay the City July 2016, with interest.	\$ 78,035
Ogden Redevelopment Agency-CBD Mall Area	LOAN REPAYMENT FROM DEVELOP	The RDA CBD Mall area loaned funds to a developer in fiscal year 2012, in the amount of \$1,138,000. The terms of the note required the developer to repay the City July 2016, with interest.	\$ 1,138,000

TOTAL REVENUE

\$ 4,266,035

OGDEN CITY REDEVELOPMENT AGENCY

**BUDGET OPENING - FY17 INTERFUND LOANS AND QN TRANSFER
 APPROPRIATION SCHEDULE
 SCHEDULE "B"**

Account Title	Account Number	Amount
<u>Ogden Redevelopment Agency</u>		
CAPITAL OUTLAY - LAND	3120-2-06-800100-31000	\$ 2,050,000
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		\$ 2,050,000
 <u>Ogden Redevelopment Agency-Housing Fund</u>		
QUALITY NEIGHBORHOODS	3900-2-06-800100-33002	\$ 1,000,000
HOUSING PROJECTS	3900-2-06-800100-33001	\$ (342,000)
DEBT SERVICE - PRINCIPAL	3900-2-08-550802-22100	\$ 340,000
DEBT SERVICE - INTEREST	3900-2-08-800100-22201	<u>2,000</u>
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		\$ 1,000,000
 <u>Ogden Redevelopment Agency-CBD Mall Area</u>		
RETURN TO FUND BALANCE	3140-2-07-550802-43000	\$ 78,035
INTERFUND LOANS TO RDA GEN	3140-2-07-550801-51000	\$ <u>1,138,000</u>
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		\$ 1,216,035
 TOTAL APPROPRIATIONS		 \$ <u>4,266,035</u>



City Council Meeting COUNCIL STAFF REVIEW

JOINT PROCLAMATION DECLARING OCTOBER 2016 “COMMUNITY PLANNING MONTH” IN OGDEN CITY

COUNCIL DETERMINATION: **Adopt Joint Proclamation**

Background

The proposed Joint Proclamation declares October 2016 as “Community Planning Month” in Ogden City. The proclamation is being considered as a way to recognize all of the community planning efforts being made in Ogden by both professional and citizen community planners.

Through the efforts of the American Planning Association, October has been designated as National Community Planning Month as a way to bring attention to and to recognize great community planning throughout the United States. The APA encourages local cities and towns to declare October as Community Planning Month in their community as a way to highlight the unique community planning efforts being made locally.

The APA’s National Community Planning Month theme for 2016 is Civic Engagement. The American Planning Association indicates that this year’s theme helps to underscore the necessity of engaging the public, elected officials, and key leaders. The outreach and civic engagement that has taken place over the last few years with the projects like the City’s diversity initiative, college town initiative, website reconstruction, branding initiative, and the community plan process has helped to build a solid foundation upon which the City will further its goals of increasing and improving civic engagement throughout all areas of the City.

As this proclamation is an effort to recognize the work of the Planning Commission and Planning Staff, the proposal is to have the Council adopt the proclamation at the October 4, 2016 meeting and present it to the Planning Commission at its October 5, 2016 meeting.

Memos Prepared By: **Council Staff - Glenn Symes, 629-8164**

**DECLARING OCTOBER 2016
“COMMUNITY PLANNING MONTH”
IN OGDEN CITY**

- WHEREAS,** Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and
- WHEREAS,** Community planning can help guide this change in a way that provides better choices for how people live and work; and
- WHEREAS,** Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and
- WHEREAS,** The benefit of community planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and
- WHEREAS,** The month of October is designated as National Community Planning Month throughout the United States of America and its territories; and
- WHEREAS,** The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our cities and environment; and
- WHEREAS,** The American Planning Association’s 2016 theme of “Civic Engagement” highlights the importance of building relationships within the community as a way to effectively engage Ogden’s citizenry and to give a voice to the people of our community; and
- WHEREAS,** The celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of Planning Commissions and all other citizen planners who have contributed their time and expertise to the improvement of Ogden, Utah; and
- WHEREAS,** The celebration also gives us the opportunity to recognize the many valuable contributions made by the professional community planners of Ogden, Utah, which includes the City’s Planning Staff and the City’s Community and Economic Development Department, and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Ogden City Council and Mayor Michael P. Caldwell hereby proclaim October 2016:

“Community Planning Month”

in Ogden City. “Community Planning Month” in Ogden, Utah is part of a nation-wide recognition and celebration of community planning and is an opportunity to recognize all of the citizen and professional planners who have diligently worked to make Ogden a unique and vibrant place to live, work, learn and play.

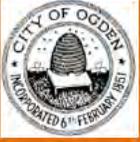
PASSED AND ADOPTED this 4th day of October 2016.

Marcia L. White, Council Chair

Michael P. Caldwell, Mayor

ATTEST:

Tracy Hansen, City Recorder



City Council Meeting COUNCIL STAFF REVIEW

JOINT PROCLAMATION DECLARING SEPTEMBER 15 TO OCTOBER 15, 2016 “HISPANIC HERITAGE MONTH” IN OGDEN CITY

COUNCIL STAFF REVIEW

ACTION: **Adopt joint proclamation**

Request

This joint proclamation declares September 15 to October 15, 2016 “Hispanic Heritage Month” in Ogden City. The proclamation will be read with translation, alternating between English and Spanish during the meeting.

Eulogio Alejandre will be present to accept the proclamation on behalf of Members of Latinos United Promoting Education and Civic Engagement (LUPEC).

Council Staff Contact: Brittany Griffin, (801)629-8103

**DECLARING SEPTEMBER 15 TO OCTOBER 15, 2016
“HISPANIC HERITAGE MONTH”
IN OGDEN CITY**

- WHEREAS,** Throughout the history of Ogden, people have come from all parts of the globe to call our community home. This rich diversity provides a community character that is distinctive from all other cities in Utah. Having a diverse population enriches our community and serves as one of our greatest assets; and
- WHEREAS,** The individuals and families who are Hispanic-Latino and live in Ogden have a profound and positive influence on our community through their strong commitment to family, faith, hard work and service. They enhance and shape our local character with traditions that reflect their multiethnic and multicultural backgrounds; and
- WHEREAS,** The Hispanic and Latino people of Ogden strengthen our community and bring much promise to our future through their significant cultural, social, economic and charitable contributions. Hispanic Heritage Month celebrates the histories, cultures and contributions of residents whose ancestors came from Mexico, Central and South America, Spain and the Caribbean; and
- WHEREAS,** In 1968, the United States Congress and President Lyndon B. Johnson passed the first resolution to celebrate Hispanic Heritage Week. This was later expanded by President Ronald Reagan to include a month long celebration from September 15th to October 15th. These dates were selected to coincide with the Independence Day of eight countries: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Mexico, Chile and Belize; and
- WHEREAS,** This commemorative month honors the influence and impact of Hispanics and Latinos in all spheres of society. Commemorating Hispanic Heritage Month gives us each an opportunity to take pride in these roots and to help promote the rich diversity that these cultures have to offer.

NOW, THEREFORE the Ogden City Council and Mayor Michael P. Caldwell hereby proclaim September 15 to October 15, 2016:

“Hispanic Heritage Month”

in Ogden City. We express our sincere gratitude and recognition for Latinos United Promoting Education and Civic Engagement (LUPEC), Weber State University, Ogden-Weber Tech College and all others within our community who are working to embrace Hispanic-Latino cultures and improve immigrant integration. We encourage residents to celebrate this special month in recognition of the generations of Hispanics-Latinos who have positively influenced and enriched our community and nation.

PASSED AND ADOPTED this 4th day of October 2016.

Marcia L. White, Council Chair

Michael P. Caldwell, Mayor

ATTEST:

Tracy Hansen, City Recorder

UNA PROCLAMACIÓN CONJUNTA DEL CONSEJO DE LA CIUDAD DE OGDEN Y ALCALDE

DECLARANDO EL 15 DE SEPTIEMBRE AL 15 DE OCTUBRE DE 2016 “EL MES DE LA HERENCIA HISPANA” EN LA CIUDAD DE OGDEN

- MIENTRAS,** A lo largo de la historia de Ogden, la gente ha venido de todas partes del mundo para llamar a nuestra casa de la comunidad. Esta rica diversidad proporciona un carácter de la comunidad que se distingue de todas las otras ciudades en Utah. Tener una población diversa enriquece nuestra comunidad y sirve como uno de nuestros mayores activos; y
- MIENTRAS,** Los individuos y las familias que son hispano-latina y viven en Ogden tienen una influencia profunda y positiva en nuestra comunidad a través de su firme compromiso con la familia, la fe, el trabajo duro y el servicio. Mejoran y dan forma a nuestro carácter local con las tradiciones que reflejan sus orígenes multiétnicas y multiculturales; y
- MIENTRAS,** Los hispanos y latinos de Ogden fortalecen nuestra comunidad y traen mucha promesa de nuestro futuro a través de sus contribuciones culturales, sociales, económicos y de caridad significativas. Mes de la Hispanidad celebra las historias, culturas y contribuciones de los residentes cuyos antepasados vinieron de México, Centro y Sudamérica, España y el Caribe; y
- MIENTRAS,** En 1968, el Congreso de los Estados Unidos y el presidente Lyndon B. Johnson aprobó la primera resolución para celebrar la Semana de la Herencia Hispana. Esta tarde fue ampliada por el presidente Ronald Reagan para incluir una celebración de un mes, del 15 de septiembre al 15 de octubre. Estas fechas fueron seleccionadas para coincidir con el Día de la Independencia de ocho países: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, México, Chile y Belice; y
- MIENTRAS,** Este mes conmemorativa rinde homenaje a la influencia y el impacto de los hispanos y latinos en todas las esferas de la sociedad. Conmemorando Mes de la Hispanidad nos da a cada uno la oportunidad de enorgullecerse de estas raíces y para ayudar a promover la rica diversidad que estos cultivos tienen que ofrecer.

POR TANTO el Ayuntamiento de Ogden y el alcalde Michael P. Caldwell presente proclaman 15 septiembre-15 octubre 2016:

“EL MES DE LA HERENCIA HISPANA”

en la Ciudad de Ogden. Expresamos nuestra sincera gratitud y reconocimiento para latinos en Estados Promover la Educación y Participación ciudadana (LUPEC), la Universidad Estatal de Weber, Ogden-Weber Tech College y todos los demás dentro de nuestra comunidad que están trabajando para abrazar culturas hispano-latino y mejorar la integración de los inmigrantes. Animamos a los residentes para celebrar este mes especial en reconocimiento de las generaciones de hispano-latino que han influido positivamente y enriquecido nuestra comunidad y nación.

PASADO Y ADOPTADO este cuatro día del mes de octubre de 2016.

Marcia L. White, Presidencia del Consejo

Michael P. Caldwell, Alcalde

ATTEST:

Tracy Hansen, Ciudad del Registrador



City Council Meeting **COUNCIL STAFF REVIEW**

RECOGNIZING HOF UNIVERSITY VISITORS

COUNCIL STAFF REVIEW

ACTION: None

Request

This is a request to recognize visitors from Hof University. Hof, Germany and Ogden, Utah formed one of the first sister-city relationships between the United States and Germany after World War II in 1954. The partnership has since provided many positive citizen exchanges that have fostered cultural, educational, and political relationships.

A Hof University Professor and seven students will be present to accept this recognition award.

Council Staff Contact: Brittany Griffin, (801)629-8103



The Ogden City Council and Mayor

proudly recognize visitors from

Hof University

**for building upon our sister-city relationship through an
enriching cultural exchange.**

The cities of Hof, Germany and Ogden, Utah mutually value education and improvement and recognize the significance of sharing experiences and ideas. Our communities formed one of the first sister-city relationships between the United States and Germany after World War II in 1954. The partnership has since provided many positive citizen exchanges that have fostered cultural, educational, and political relationships between our people. We extend a warm welcome our most recent visitors, a professor and students from Hof University:

*Professor Heinz Göbring
Theresa Deuerling
Helena Stößel*

*Maike Wilferth
Karolin Maria Korus
Sandra Büttner*

*Katrin Neidhart
Kevin Harzer*

We sincerely appreciate those from Hof who have made an effort to get to know the Ogden community, and we look forward to future opportunities to build upon our valued partnership.

Presented this 4th day of October 2016.

Marcia L. White, Council Chair

Michael P. Caldwell, Mayor



City Council Meeting COUNCIL STAFF REVIEW

GRANT/LOAN TO SEABOARD DEVELOPMENT, LLC (A SUBSIDIARY OF IASIS HEALTHCARE CORPORATION)

- *Fred Meyer Building Incentive Study (UCA § 10-8-2)*
- *Promissory Note/Loan Agreement (\$100,000) for Demolition of Fred Meyer Building at 262 12th Street*

DETERMINATION:

Adopt or Not Adopt Resolution

Executive Summary

The Council will consider a Resolution approving terms of a loan agreement and authorizing a grant/loan of \$100,000 to Seaboard Development, LLC, and accepting a study conducted as required by Utah Code §10-8-2 finding that the grant/loan will further public policy Funds will be used for demolition of the Fred Meyer Building located at 262 12th Street.

This agreement was previously authorized by the Council for BV Maple Holdings/Ball Ventures, LLC. The property which is the subject of the agreement was subsequently transferred to Seaboard by BV Maple/Ball.

Background

Utah Code Ann. § 10-8-2

Section 10-8-2 of the Utah State Code outlines the requirements for appropriating funds for a “corporate purpose.” This statute authorizes the City Council to appropriate funds for any project or organization if the Council determines the funding will promote the “safety, health, prosperity, moral well-being, peace, order, comfort, or convenience” of Ogden citizens. The process requires the following:

- A determination of the value received—intangible benefits can be considered
- A study showing the benefits and purpose of the appropriation and how the City’s goals and objectives will be met by the appropriation
- A public hearing on the study (14-day notice)

Note that the statute indicates that this process must be followed only if the funds are not appropriated during the annual budget process.



City Council Meeting COUNCIL STAFF REVIEW

September 26, 2012

The Council held a work session to discuss an Administrative proposal to make a donation under Utah Code Annotated §10-8-2 to facilitate a development along Washington Boulevard. The Council approved the donation, but Council members requested that a policy be established to ensure that future proposals would be handled consistently. Council staff agreed to work with the Administration to develop a process.

October 16, 2012

The Council adopted Resolution 2012-23 establishing a policy for donations to outside entities. The process set forth in the Resolution requires the following:

1. Completion of a study that addresses the following:
 - a. The benefit the City will receive—tangible or intangible—in return for appropriated funds.
 - b. An analysis of how the appropriation will be used to enhance the safety, health, prosperity, moral wellbeing, peace, order, comfort, or convenience of Ogden City residents.
 - c. Whether the appropriation is necessary and appropriate to accomplish any of the goals and objectives of the City such as
 - i. Removing blight or underdeveloped properties.
 - ii. Increasing the City's tax base.
 - iii. Creating jobs.
 - iv. Retaining jobs.
 - v. Any other identified public purpose that the development might serve.
 - d. Completion of a financial analysis showing projected financial returns to the City, if any, and the period of time over which the City will recoup the amount of the appropriation.
2. A finding by the Council that the development will promote the safety, health, prosperity, moral wellbeing, peace, order, comfort, or convenience of the Ogden City residents shall be adopted by Resolution citing the Study as evidence to support that finding.
3. The final appropriation shall be completed in accordance with the processes outlined in Utah Code Ann. § 10-8-2:
 - a. If the appropriation will be made as an amendment to the current year fiscal budget, then the appropriation shall be approved



City Council Meeting

COUNCIL STAFF REVIEW

- pursuant to the process outlined in Utah Code Ann. § 10-8-2(3)(d).
- b. If the appropriation is made as part of a future fiscal year budget, then the appropriation shall be approved during the regular annual budget process.

This policy is consistent with state law.

April 19, 2016

The Council office received an Administrative transmittal requesting the Council approve a \$100,000 grant/loan to BV Maple Holdings Utah, LLC and Ball Ventures, LLC (BV), for demolition of the Fred Meyer Building located at 262 12th Street, Ogden, Utah.

June 7, 2016

The Council held a public hearing on the proposed grant/loan. The Council then adopted Resolution 2016-16 which approved the findings and conclusions of a Fred Meyer Incentive Study, approved the Promissory Note and Loan Agreement with BV and authorized the Mayor to execute the documents.

September 20, 2016

The Council office received an administrative transmittal requesting the Council authorize a Loan Agreement and Promissory Note with Seaboard Development, LLC for a \$100,000 grant/loan to Seaboard Development, LLC for demolition of the Fred Meyer Building located at 262 12th Street. This proposed agreement replaces BV Maple Holdings Utah, LLC and Ball Ventures, LLC (BV) with Seaboard as the party to the agreement. Minor modifications to the original agreement are also proposed.

Fred Meyer Building

Fred Meyer operated a store at 262 12th Street in Ogden until 2002. Ownership of the 150,000 sq. ft. building has changed several times since the store closed. The property is located in a major commercial section of the City and a prime location for development. However, the large size of the building limits the development potential for the site. Since 2002, the building has continued to deteriorate and the building structure is now so far compromised that it is no longer economically viable for renovation or reuse.



City Council Meeting COUNCIL STAFF REVIEW

BV Maple Holdings Utah, LLC, a subsidiary of Ball Ventures, LLC (BV), acquired the building in 2012 and has been attempting to get a tenant on the site since that time. The existing building needs to be demolished to allow the site to be built to tenant specifications. In order to make development of the property financially feasible, BV asked the City contribute to the cost of demolishing the building and the City agreed. BV sold the property to Seaboard after negotiating that agreement, but before executing it.

Proposal

The Administration is requesting the Council approve a Resolution that adopts or authorizes the following:

1. Adopts the findings and conclusions of a Fred Meyer Incentive Study;
2. Approves the Promissory Note and Loan Agreement with Seaboard;
3. Authorizes the Mayor to execute the Promissory Note and Loan Agreement with Seaboard.

Fred Meyer Building Incentive Study

The Administration previously completed and submitted a study in accordance with §10-8-2 of the Utah Code and City Council policy. The Study outlines the benefits of a donation as follows:

Findings

The following benefits support public policy and provide sufficient consideration for the donation:

Benefits to Ogden City

A. Tax Base

- a. *Property Tax.* Future development at the site will generate additional \$112,700 in property tax revenues annually beginning in the next 5-7 years.
- b. *Sales Tax.* Future development at the site will generate additional \$30,000 in sales tax revenues annually beginning in the next 5-7 years.



City Council Meeting

COUNCIL STAFF REVIEW

- c. *Other.* Future development at the site will generate additional building permit fees, impact fees, business license fees, municipal energy fees, and utility service fees.
- B. Economic Development
 - a. *Business and Employee Expenditures.* A tenant at the site will directly or indirectly promote or impact the following:
 - i. Purchases in the City;
 - ii. Economic diversification within the City and County;
 - iii. Additional economic development
 - iv. Existing businesses and industries by bringing additional employees/customers to the area
 - v. Employee expenditures in the area
- C. Construction Expenditures

The Developer estimated construction at the site would be valued at approximately \$32 M. A portion of those construction costs may go to local vendors.
- D. Neighborhood Benefits

Nearby commercial entities will benefit from removal of blight and the private investment on the site.

Accomplishment of Goals and Objectives

- A. Necessity of Appropriation

This is public investment and an opportunity to reduce blight and spur development on the site.
- B. Whether the Appropriation is Appropriate
 - a. The total loan (donation) will not exceed \$100,000. The development must meet certain terms and conditions under the Agreement. If the Development cannot meet those terms and conditions, the funds must be repaid.
 - b. The donation will leverage additional investment at the site.
 - c. The removal of blight will contribute to the overall health and safety of Ogden citizens.



City Council Meeting COUNCIL STAFF REVIEW

Conclusion

The blight reduction and additional private investment that will come with future development accomplishes the overall goals of the City and therefore justifies the donation.

Promissory Note/Loan Agreement

Key terms of the proposed Promissory Note and Loan Agreement are summarized as follows:

- Loan of \$100,000 will be paid by Ogden City to Seaboard in a lump sum within 30 days of the following
 - issuance of a demolition permit
 - Proof of agreement with demolition company
- Substantial commencement of demolition must begin on or before November 30, 2016
(The Agreement with BV had a deadline of August 1, 2016)
- A new structure must be completed on the site on or before November 30, 2018
(The Agreement with BV had a deadline of August 1, 2018)
- If Seaboard fails to complete new development by November 30, 2018, Seaboard must repay the loan plus accrued interest at 5% within 30 days.
- Interest rate will be 15% if not paid within 30 days of due date.

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

OGDEN CITY COUNCIL TRANSMITTAL

RECEIVED

SEP 20 2016

Mark Johnson, CAO

Date Received by Administration:

Date Sent to Council:

OGDEN CITY COUNCIL OFFICE

DATE: September 2, 2016

TO: Ogden City Council

FROM: Tom Christopoulos, *CED Director* _____ TC

SUBJECT: \$100,000 Loan to BV Maple Holdings – **CHANGE IN NAME TO IASIS HEALTHCARE CORP**

STAFF CONTACT: Brandon Cooper, *CED Deputy Director*  BC

REQUESTED TIMELINE: As soon as convenient

RECOMMENDATION: Administration recommends the City Council adopt a resolution approving a \$100,000 Loan for demolition from Ogden City to Iasis HealthCare Corp.

DOCUMENTS: Resolution; Loan Document; Promissory Note
_____ MS

DISCUSSION:

Background

The property located at 262 12th Street, Ogden, Utah was the business location for the Ogden-based Fred Meyer store until 2002. Since then, the property has been vacant and the buildings situated thereupon have deteriorated – adding considerable blight to the area. BV Maple Holdings Utah, LLC acquired the property in 2012 with the intent of remodeling the building or redeveloping the site.

In April 2016, the City Council held a public hearing whereupon they approved a Loan Document and Promissory Note for a \$100,000 loan for assistance of demolition work to BV Maple in exchange for the covenants set forth therein. Though approved by the Council, the Loan Document and Promissory Note were never signed by BV Maple. Since that time, BV Maple has sold the property to Seaboard Development, LLC, an affiliated party to Iasis Healthcare Corp. The attached Loan Document and Promissory Note recognizes Iasis as the appropriate party in the transaction, obligating them to the terms of the loan, and establishes new dates for the work to be performed. Iasis will be obligated to be substantially completed with construction of the new improvements on or before November 30, 2016. All other terms and conditions are the same as those previously approved by the Council.

Recommendation

Administration recommends the City Council adopt the attached resolution approving the Loan

Document and Promissory Note allowing Iasis Healthcare to commence demolition of the structures upon the property, preparing the way for the construction of a state-of-the-art medical facility.

Please call Brandon Cooper at 801.629.8967 with any questions.

ATTACHMENTS:

Resolution
Loan Document
Promissory Note

RESOLUTION NO. 2016-24

A RESOLUTION OF THE OGDEN CITY COUNCIL ACCEPTING A STUDY CONDUCTED IN ACCORDANCE WITH UTAH CODE SECTION 10-8-2 AND APPROVING A \$100,000 FORGIVABLE LOAN TO PARTIALLY FUND DEMOLITION OF BLIGHTED BUILDINGS SITUATED UPON REAL PROPERTY LOCATED AT 262 12th STREET, OGDEN, UTAH

WHEREAS, the property located at 262 12 Street, Ogden, Utah (“**Property**”) was the business location for the Ogden-based Fred Meyer store until 2002. Since then, the Property has been vacant, and the building situated thereon is rapidly deteriorating and adding blight to and negatively impacting an important and promising commercial district within Ogden City; and

WHEREAS, Seaboard Development, LLC, a Utah limited liability company (“**Seaboard**”), acquired the Property in 2016 and has determined that the structure of the building on the Property is compromised and threatens the health and safety of City residents; and

WHEREAS, after considering all viable alternatives, Administration staff has determined that the most efficient and least costly action the City can take to help facilitate demolition of the dilapidated structures upon the Property and encourage more rapid redevelopment of the area will be to make a \$100,000 loan to Seaboard (“**Loan**”), which will immediately reduce blight and result in a higher probability of successfully attracting end-users to the site; and

WHEREAS, to help incentivize Seaboard to move forward with demolition of the structures before securing a contract for reuse of the Property, the Ogden City Council finds that the balance on the Note should be forgiven if Seaboard meets the requirements of the Note and Loan Agreement, copies of which are attached hereto as Exhibits “A” and “B”, respectively, and which by this reference are made a part hereof; and

WHEREAS, should it appear that Seaboard will succeed in meeting the terms of the Note and Loan Agreement, thereby securing forgiveness of the Note, Utah Code Annotated § 10-8-2 *et seq.* allows “a municipal legislative body to . . . appropriate money for corporate purposes only.” Further, according to § 10-8-2(3), “It is considered a corporate purpose to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality . . .”; and

WHEREAS, before a municipal legislative body can make a decision to appropriate money for a corporate purpose, it must hold a public hearing for public comment on a study that shows: 1) An identified benefit the City would receive in return for any money or resources appropriated; 2) The City’s purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality; 3) Whether the

appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the municipality in the area of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose (the “Study”); and

WHEREAS, pursuant to Utah Code Annotated § 10-8-2, the City Council has received and reviewed the Study regarding the Loan prepared by Administration staff and public notice has been given at least 14 days prior hereto in a newspaper of general circulation within the City; and

WHEREAS, on June 7, 2016, as set forth in Resolution 2016-16, the Study was previously adopted by the City Council on behalf of Ball Ventures, Inc., and

WHEREAS, although the Property was subsequently transferred from Ball Ventures, Inc. to Seaboard Development, LLC, the Project scope and §10-8-2 analysis and conclusion remain the same; and

WHEREAS, upon review of the Study, the Council has fully considered the analysis and conclusions set forth therein, and all comments made during the public hearing; and

WHEREAS, the Ogden City Council finds that demolition of the structures upon the Property will further important City public policies through the elimination of blight and by encouraging construction of quality replacement structures and providing for the safety, health, and prosperity of City residents.

NOW, THEREFORE, BE IT RESOLVED by the Ogden City Council as follows:

1. The City Council hereby adopts the conclusions set forth in the Study and hereby finds and determines that, for all the reasons set forth in the Study, the net value to be received by the City by making the Loan and allowing forgiveness thereof will constitute adequate consideration, or equivalent value, both tangible and intangible, for the benefit being provided by the proposed contribution;

2. The terms of the Note and Loan Agreement, attached hereto as Exhibits “A” and “B”, are approved.

3. The Mayor of Ogden City is hereby authorized to execute, deliver and carry out the terms and conditions of the Note and Loan Agreement with Seaboard Development, LLC as described in Exhibits “A” and “B”.

IN WITNESS WHEREOF, the Ogden City Council has approved, passed and adopted this Resolution this _____ day of _____, 2016.

Chair

ATTEST:

City Recorder

APPROVED AS TO FORM: MAB 9/29/16
Legal Date

Exhibit "A"
Promissory Note

PROMISSORY NOTE

Borrower:

SEABOARD DEVELOPMENT, LLC
117 Seaboard Lane
Franklin, TN 37069

Lender:

OGDEN CITY
2549 Washington Blvd., Suite 900
Ogden, UT 84415

Principal Amount: \$100,000.00

Date of Agreement: September __, 2016

1. **PROMISE TO PAY.** SEABOARD DEVELOPMENT, LLC, a Utah limited liability company (“Borrower”) promises to pay to OGDEN CITY, a municipality and political subdivision of the state of Utah (“Lender”), or order, in lawful money of the United States of America, the principal amount of ONE HUNDRED THOUSAND DOLLARS AND 00/100 DOLLARS (\$100,000.00) or so much as may be outstanding, together with interest on the unpaid outstanding principal balance, according to the terms hereof.
2. **DISBURSEMENT OF LOAN PROCEEDS.** The \$100,000 loan proceeds shall be disbursed to Borrower in a lump sum amount within thirty (30) days following: (i) issuance by Ogden City of a demolition permit for the demolition of the improvements upon the property located at 262 12 Street, Ogden Utah (the “Property”), (ii) proof of entering into an agreement with a company for the demolition of the improvements upon the Property, (iii) mobilization of equipment and substantial commencement of demolition activities upon the Property, which must take place on or before November 30, 2016, and (iv) written notice by Borrower to Lender of compliance with the requirements of (i) through (iii) above.
3. **INTEREST RATE AND PAYMENTS.** If Borrower complies fully with the requirements of the Loan Agreement of even date herewith (“Loan Agreement”) by (i) substantially completing demolition of all improvements upon the Property on or before November 30, 2016, (ii) substantially completing construction of the new structure upon the Property on or before November 30, 2018, and (iii) substantially complying with all material terms of the Loan Agreement, then the amount due under this Note, including all principal and interest, shall be forgiven in full. Otherwise, if Borrower fails to comply with any material term of the Loan Agreement, to which this note is attached, then the entire principal balance, together with accrued interest thereon, shall be due and payable on or before November 30, 2018. If interest becomes payable according to the terms hereof, the interest rate will be FIVE PERCENT (5%) per annum, commencing on the day hereof. Interest due will be computed on a 365/365 simple interest basis; that is, by applying the ratio of the annual interest rate over the number of days in a year, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. Borrower shall not be required to make periodic interest payments. Unless otherwise agreed or required by applicable law, payments will be applied first to any unpaid collection costs and any late charges, then to any unpaid interest, and any remaining amount to principal.
4. **PREPAYMENT.** Borrower may pay without penalty all or a portion of the amount owed earlier than it is due.
5. **LATE CHARGE.** If any payment is not made within 30 days of its due date, then the interest rate on this Note will be increased from FIVE PERCENT (5%) per annum to FIFTEEN PERCENT (15%) per annum, until paid.
6. **DEFAULT.** Borrower will be in default if any of the following happens: (a) Borrower fails to make any

payment when due, (b) Borrower breaks any material promise Borrower has made to Lender in this Note or in the Loan Agreement, or (iii) Borrower fails to comply with or to perform when due any other term, obligation, covenant, or condition contained in this Note or the Loan Agreement.

7. **LENDER'S RIGHTS.** Upon default, Lender may declare the entire unpaid principal balance on this Note and all accrued unpaid interest immediately due, without notice, and then Borrower will pay that amount. Lender may hire or pay someone else to help collect this Note if Borrower does not pay. Borrower also will pay Lender that amount. This includes, subject to any limits under applicable law, Lender's reasonable attorneys' fees and Lender's legal expenses whether or not there is a lawsuit, including reasonable attorneys' fees and legal expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services. If not prohibited by applicable law, Borrower also will pay any court costs, in addition to all other sums provided by law. This Note has been delivered to Lender and accepted by Lender in the State of Utah. If there is a lawsuit, Borrower agrees to submit to the jurisdiction of the courts of Weber County, State of Utah. This Note shall be governed by and construed in accordance with the laws of the State of Utah.
8. **GENERAL PROVISIONS.** Lender may delay or forgo enforcing any of its rights or remedies under this Note without losing them. Borrower and any other person who signs, guarantees or endorses this Note, to the extent allowed by law, waive presentment, demand for payment, protest and notice of dishonor. Upon any change in the terms of this Note, and unless otherwise expressly stated in writing, no party who signs this Note, whether as maker, guarantor, accommodation maker or endorser, shall be released from liability. All such parties agree that Lender may renew or extend (repeatedly and for any length of time) this loan, or release any party or guarantor or collateral; or impair, fail to realize upon or perfect Lender's security interest in the collateral; and take any other action deemed necessary by Lender without the consent of or notice to anyone. All such parties also agree that Lender may modify this loan without the consent of or notice to anyone other than the party with whom the modification is made.

PRIOR TO SIGNING THIS NOTE, BORROWER READ AND UNDERSTOOD ALL THE PROVISIONS OF THIS NOTE. BORROWER AGREES TO THE TERMS OF THE NOTE AND ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THE NOTE.

BORROWERS:

Seaboard Development, LLC,
A Utah limited liability company
By:

Its: _____

Exhibit "B"
Loan Agreement

LOAN AGREEMENT

THIS LOAN AGREEMENT ("**Agreement**") dated September _____, 2016 ("**Reference Date**") is given between Ogden City, a municipality and political subdivision of the state of Utah together with its successors or assigns ("**City**"), and Seaboard Development, LLC, a Utah limited liability company ("**Seaboard**"). Seaboard Development, LLC shall hereinafter collectively be referred to as the "**Borrower**". Borrower and City are referred to collectively herein as the "Parties" and sometimes individually as a "Party."

RECITALS:

A. The property located at 262 12th Street, Ogden, Utah ("**Property**") was the business location for the Ogden-based Fred Meyer store until 2002. Since then, the Property has been vacant, and the buildings situated thereupon are deteriorating and adding blight to the area;

B. Seaboard Development, LLC acquired the Property in 2012 with the intent of remodeling the building or redeveloping the site; and

C. The City has agreed to make a \$100,000 loan to the Borrower in exchange for the covenants set forth herein according to the terms hereof.

D. Seaboard acquired the property from BV Maple with the same intent of demolishing the existing structures upon the Property and redeveloping the site.

NOW, THEREFORE, the Parties hereto intending to be legally bound and in consideration of the respective undertakings made and described herein, do agree as follows:

1. **Recitals.** The above recitals are incorporated herein by reference and made a part hereof.

2. **Loan.** City agrees to make a loan to Borrower in the amount of \$100,000 according to the terms of the promissory note attached hereto as **Exhibit "A"** and by this reference made a part hereof ("**Note**"). The loan proceeds from the Note shall be disbursed to Borrower in a lump sum amount within thirty (30) days following:

a. Issuance by Ogden City of a demolition permit for the demolition of the improvements upon the property located at 262 12 Street, Ogden Utah (the "**Property**");

b. Proof of entering into an agreement with a company for the demolition of the improvements upon the Property;

c. Mobilization of demolition equipment and substantial commencement of demolition activities upon the Property, which must take place on or before November 30, 2016, and

d. Written notice by Borrower to Lender of compliance with the requirements of subparagraphs a. through c. of this paragraph.

3. **Principal and Interest Payments.** If Borrower complies fully with the requirements of the Note and this Agreement by (i) substantially completing demolition of all improvements upon the Property on or before November 30, 2016, (ii) substantially completing construction of the new structure upon the Property on or before November 30, 2018, and (iii) substantially complying with all material terms of the Note and this Agreement, then the amount due under the Note, including all principal and interest, shall be forgiven in full. Otherwise, if Borrower fails to comply with any material term of the Note and this Agreement, then the entire principal balance, together with accrued interest thereon, shall be due and payable on or before November 30, 2018.

4. **Amendment.** Any amendment, modification, termination, or rescission affecting this Agreement shall be made in writing, signed by the Parties, and attached hereto.

5. **Binding Effect.** This Agreement shall become binding upon the Parties only upon execution of the Agreement by all Parties.

6. **Relationship of Parties.** Nothing contained in this Agreement shall be construed as creating a joint venture, partnership or association between the Parties. Each Party hereto is a separate and independent entity acting on its own behalf.

7. **Default.** In the event of default by either Party to this Agreement in any of the terms, provisions, covenants, or agreements to be performed by said Party under this Agreement and said defaulting Party fails to cure such default within sixty (60) days after written demand by the other Party, then the Party providing said notice of default shall thereafter have no further obligations to the defaulting Party hereunder. The defaulting Party shall be liable to the non-defaulting Party for any and all damages, costs and expenses incurred by the non-defaulting Party caused by the defaulting Party. Nothing herein shall limit the remedies in law or in equity available to the non-defaulting Party in the event this Agreement is terminated due to the default of a Party.

8. **Notices, Demands and Communications Between the Parties.** Formal notices, demands and communications between the Agency and Borrower shall be deemed sufficiently given only if delivered via registered or certified mail, postage prepaid, return receipt requested, or if delivered by a recognized national courier service (i.e. UPS, Federal Express, etc.) to the following addresses:

IF TO CITY:

Ogden City
Attention: Mayor
2549 Washington Blvd., Suite 900
Ogden, Utah 84401

WITH COPY TO:

Ogden City Attorney
2549 Washington Blvd., Suite 840
Ogden, Utah 84401

IF TO BORROWER:

Seaboard Development, LLC.
117 Seaboard Lane
Franklin, TN 37069

Attention: _____

9. **Successors.** This Agreement shall be binding upon, and inure to the benefit of, the legal representatives, successors and assigns of the Parties hereto.

10. **Severability.** Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity of any of the remaining portions and the same shall be deemed in full force and effect as if this Agreement had been executed with the invalid portions eliminated.

11. **Governing Law.** This Agreement and the performance hereunder shall be governed by the laws of the State of Utah.

12. **Counterparts.** This Agreement may be executed in one or more duplicate originals, each of which shall be deemed to be an original.

13. **Board Approval.** The obligations of the City contained in this Agreement are subject to approval by the Ogden City Council in an official meeting of said Council by appropriate adoption of a Resolution approving this Agreement.

14. **Waiver.** No waiver of any of the provisions of this Agreement shall operate as a waiver of any other provision, regardless of any similarity that may exist between such provisions, nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the waiving Party.

15. **Captions.** The Captions preceding the paragraphs of this Agreement are for convenience only and shall not affect the interpretation of any provision herein.

16. **Integration.** This Agreement, together with the Note attached hereto, contains the entire and integrated agreement of the Parties as of its date, and no prior or contemporaneous promises, representations, warranties, inducement, or understandings between the Parties and not contained herein shall be of any force or effect.

17. **No Presumption.** This Agreement shall be interpreted and construed only by the contents hereof and there shall be no presumption or standard of construction in favor of or against any Party. Each Party represents and warrants to the other Party that it has been represented by, and has had the opportunity to consult with, legal counsel in connection with the review, negotiation and execution of this Agreement.

18. **Non-liability of City or Agency Officials and Employees.** No member, official, or employee of the City shall be personally liable to the Borrower, or any successor in interest, in the event of any default or breach by the City.

19. **Governmental Immunity.** Nothing in this Agreement shall be deemed to constitute or imply a waiver, modification or alteration of the caps or limitations on liability or privileges, immunities or other protection available to a city under the Utah Governmental Immunity Act or such other statutes or laws affording governmental agencies caps or limitations on liability or privileges, immunities or other protections.

20. **Authority and Consent.** The Parties represent and warrant that each has the right, legal capacity and authority to enter into, and perform its respective obligations under this Agreement, and that no approvals or consents of any other person, other than the respective Party, are necessary.

21. **Attorney's Fees.** In the event either Party hereto defaults in any of the covenants or agreements contained herein, the defaulting Party shall pay all costs and expenses, including a reasonable attorney's fee, incurred by the other Party.

22. **Waiver of Jury Trial.** The Parties waive the right to a jury trial in any action related to this Agreement or the relationship between their respective successors and assigns.

23. **Facsimile (FAX) Documents.** A signed facsimile transmission of this Agreement, and re-transmission of any signed facsimile transmission, shall be the same as execution and delivery of this Agreement as an original. If the transaction involves multiple parties, facsimile transmission may be executed in counterparts.

IN WITNESS WHEREOF, the Parties hereto have executed and approved this Agreement on the date set forth opposite their respective signatures below.

CITY:

OGDEN CITY,
a municipality and political subdivision
of the state of Utah
By:

Michael P. Caldwell
Mayor

Date: _____

ATTEST:

Tracy Hansen, City Recorder

Approved as to Form:



Office of City Attorney

BORROWER:

Seaboard Development, LLC,
a Utah limited liability company
By:

Date: _____

Its: _____

EXHIBIT "A"
TO AGREEMENT
(Promissory Note)

PROMISSORY NOTE

Borrower:

SEABOARD DEVELOPMENT, LLC
117 Seaboard Lane
Franklin, TN 37069

Lender:

OGDEN CITY
2549 Washington Blvd., Suite 900
Ogden, UT 84415

Principal Amount: \$100,000.00

Date of Agreement: September __, 2016

1. **PROMISE TO PAY.** SEABOARD DEVELOPMENT, LLC, a Utah limited liability company (“Borrower”) promises to pay to OGDEN CITY, a municipality and political subdivision of the state of Utah (“Lender”), or order, in lawful money of the United States of America, the principal amount of ONE HUNDRED THOUSAND DOLLARS AND 00/100 DOLLARS (\$100,000.00) or so much as may be outstanding, together with interest on the unpaid outstanding principal balance, according to the terms hereof.
2. **DISBURSEMENT OF LOAN PROCEEDS.** The \$100,000 loan proceeds shall be disbursed to Borrower in a lump sum amount within thirty (30) days following: (i) issuance by Ogden City of a demolition permit for the demolition of the improvements upon the property located at 262 12 Street, Ogden Utah (the “Property”), (ii) proof of entering into an agreement with a company for the demolition of the improvements upon the Property, (iii) mobilization of equipment and substantial commencement of demolition activities upon the Property, which must take place on or before November 30, 2016, and (iv) written notice by Borrower to Lender of compliance with the requirements of (i) through (iii) above.
3. **INTEREST RATE AND PAYMENTS.** If Borrower complies fully with the requirements of the Loan Agreement of even date herewith (“Loan Agreement”) by (i) substantially completing demolition of all improvements upon the Property on or before November 30, 2016, (ii) substantially completing construction of the new structure upon the Property on or before November 30, 2018, and (iii) substantially complying with all material terms of the Loan Agreement, then the amount due under this Note, including all principal and interest, shall be forgiven in full. Otherwise, if Borrower fails to comply with any material term of the Loan Agreement, to which this note is attached, then the entire principal balance, together with accrued interest thereon, shall be due and payable on or before November 30, 2018. If interest becomes payable according to the terms hereof, the interest rate will be FIVE PERCENT (5%) per annum, commencing on the day hereof. Interest due will be computed on a 365/365 simple interest basis; that is, by applying the ratio of the annual interest rate over the number of days in a year, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. Borrower shall not be required to make periodic interest payments. Unless otherwise agreed or required by applicable law, payments will be applied first to any unpaid collection costs and any late charges, then to any unpaid interest, and any remaining amount to principal.
4. **PREPAYMENT.** Borrower may pay without penalty all or a portion of the amount owed earlier than it is due.
5. **LATE CHARGE.** If any payment is not made within 30 days of its due date, then the interest rate on this Note will be increased from FIVE PERCENT (5%) per annum to FIFTEEN PERCENT (15%) per annum, until paid.
6. **DEFAULT.** Borrower will be in default if any of the following happens: (a) Borrower fails to make any

payment when due, (b) Borrower breaks any material promise Borrower has made to Lender in this Note or in the Loan Agreement, or (iii) Borrower fails to comply with or to perform when due any other term, obligation, covenant, or condition contained in this Note or the Loan Agreement.

7. **LENDER'S RIGHTS.** Upon default, Lender may declare the entire unpaid principal balance on this Note and all accrued unpaid interest immediately due, without notice, and then Borrower will pay that amount. Lender may hire or pay someone else to help collect this Note if Borrower does not pay. Borrower also will pay Lender that amount. This includes, subject to any limits under applicable law, Lender's reasonable attorneys' fees and Lender's legal expenses whether or not there is a lawsuit, including reasonable attorneys' fees and legal expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services. If not prohibited by applicable law, Borrower also will pay any court costs, in addition to all other sums provided by law. This Note has been delivered to Lender and accepted by Lender in the State of Utah. If there is a lawsuit, Borrower agrees to submit to the jurisdiction of the courts of Weber County, State of Utah. This Note shall be governed by and construed in accordance with the laws of the State of Utah.
8. **GENERAL PROVISIONS.** Lender may delay or forgo enforcing any of its rights or remedies under this Note without losing them. Borrower and any other person who signs, guarantees or endorses this Note, to the extent allowed by law, waive presentment, demand for payment, protest and notice of dishonor. Upon any change in the terms of this Note, and unless otherwise expressly stated in writing, no party who signs this Note, whether as maker, guarantor, accommodation maker or endorser, shall be released from liability. All such parties agree that Lender may renew or extend (repeatedly and for any length of time) this loan, or release any party or guarantor or collateral; or impair, fail to realize upon or perfect Lender's security interest in the collateral; and take any other action deemed necessary by Lender without the consent of or notice to anyone. All such parties also agree that Lender may modify this loan without the consent of or notice to anyone other than the party with whom the modification is made.

PRIOR TO SIGNING THIS NOTE, BORROWER READ AND UNDERSTOOD ALL THE PROVISIONS OF THIS NOTE. BORROWER AGREES TO THE TERMS OF THE NOTE AND ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THE NOTE.

BORROWERS:

Seaboard Development, LLC,
A Utah limited liability company
By:

Its: _____



City Council Meeting COUNCIL STAFF REVIEW

FISCAL YEAR 2017 ARTS GRANTS

COUNCIL STAFF REVIEW

DETERMINATION: *Hold public hearing and receive input; adopt or not adopt resolution*

Executive Summary

Each year, the Ogden City Council appropriates grant funding to various local arts entities and programs. The Ogden Arts Advisory Committee and Administration review each application and provide recommendations to the Council. The FY2017 budget includes \$70,000 for arts grants.

Background

September 13, 2016

The City Council took action to set the public hearing for input and consideration of the arts grants on October 4, 2016.

August 16, 2016

A work session was held to review and discuss the proposed arts grants. There were no changes recommended by Council Members to the existing proposal.

Additional Background

In 1998, the Council first allocated funds to provide grants to arts groups and organizations in the City. The Ogden Arts Advisory Committee was charged with the responsibility of administering the granting process and developing the criteria for awarding the grants.

In March of 2003, because of changes to State law and the outcome of a Utah Supreme Court case, the City Council adopted a resolution that established the process for awarding grants for the arts. The process establishes the requirements to satisfy State law for providing municipal grants to nonprofit organizations. It requires that the Council hold a public hearing prior to awarding the grants.

In recent years the City Council has appropriated money for the purpose of supporting the arts in Ogden by providing grants to arts



City Council Meeting COUNCIL STAFF REVIEW

organizations. The Budget Guideline with respect to the arts grants is shown below:

Arts. The City Council supports the arts through grants. The Ogden Arts Advisory Committee receives and reviews written proposals, recommends the distribution of funds, and follows up on how these funds were used. Recipients of the grants are encouraged to have matching funds from other sources, e.g. Utah Arts Council.

Section 10-8-2 of the Utah State law and case law require a more rigorous review and approval process before the City can give grants to nonprofit organizations. The process requires that the City do a study that meets the requirements set out in State law before the grants are awarded. The study from the Ogden Arts is attached.

Process for Awarding Arts Grants

- City Council approves an amount with the budget to be used as grant money for arts in the City.
- An application process is completed during which applicants submit requests for grant money from the City.
- The Arts Committee, in conjunction with the Administration, formulates recommendations outlining which applicants the Arts Committee feels should receive grant money and in what amounts. The recommendations are accompanied by a study detailing the findings for the recommendations as per state law.
- During a work session, the City Council reviews the recommendations for grant awards from the Administration. The Committee's study accompanies the Administration's recommendations.
- The City Council sets a public hearing date. A minimum 14-day notice of the hearing is required.
- The City Council holds a public hearing and adopts a resolution approving the awards for the specific organizations.



City Council Meeting COUNCIL STAFF REVIEW

- Agreements between the City and the grantee are developed and signed.
- The Ogden Arts staff monitors and follows up on each grant.

Current Proposal

The Administration, along with the Ogden City Arts Advisory Committee, has submitted its recommendations for arts grants. The recommendations include summaries and analysis from the Committee that satisfy State law regarding the study required. There were twenty (20) applications this year, and the Administration is recommending that all of these organizations receive funding at some level. The amounts requested and recommended by both the Arts Committee and the Administration are summarized below.

Category	FY2017 Requested	FY2017 Recommended	FY2016 Funding Received
General Support:			
Eccles Community Art Center	\$15,000	\$7,333	\$7,000
Treehouse Children's Museum	\$15,000	\$6,333	\$12,000
WSU Shaw Gallery	\$15,000	\$5,333	\$0
Ogden Friends of Acoustic Music	\$20,000	\$6,333	\$16,860
Chamber Orchestra Ogden	\$5,000	\$4,333	\$4,000
Ogden Symphony Ballet Association	\$5,000	\$3,333	\$5,000
WSU Strings Project	\$4,050	\$1,233	\$2,640
Imagine Ballet Theater	\$5,000	\$3,333	\$0
Project Support:			
Ogden Nature Center – Birdhouses	\$3,000	\$2,334	\$2,000
Ogden Nature Center – Earth Day	\$3,000	\$2,334	\$2,000
Historic 25 th – Farmer's Market	\$2,000	\$2,000	\$0
Nurture the Creative Mind – Arts Festival	\$4,000	\$4,000	\$0
Good Company Theatre – "Pirated"	\$11,000	\$9,334	\$0
Weber Morgan Health Department	\$1,725	\$1,725	\$500
Ogden School Foundation	\$2,000	\$1,833	\$0
Ogden Inspired	\$2,000	\$1,833	\$0
Traces of the West	\$875	\$875	\$0
Suzanne Storer	\$5,000	\$3,334	\$0



City Council Meeting COUNCIL STAFF REVIEW

St. Anne’s Center – Lantern House	\$2,000	\$1,834	\$0
Ogden Opera Guild	\$1,000	\$1,000	\$1,000
Good Company Theatre – “High Hopes”	\$0	\$0	\$7,000
Totals	\$121,650	\$70,000	\$60,000

The proposed award amounts are further detailed in the study submitted to the Council by Ogden Arts. The grants are a combination of general support and project support. A summary of each proposal is included in the Council packet.

FY2017 Review Process and Applicants

The process for reviewing the FY17 applicants consisted of an arts subcommittee, including a Council staff representative, who provided initial review and ranking of the applicants.

These rankings were forwarded to the Arts Advisory Committee and ultimately forwarded to the Mayor for final review. These have now been provided to the Council for final consideration. In this year’s applicant pool, there were six more applicants than last year. Because of the large increase in applications only four were recommended to receive full funding.

Ogden City Municipal Code §3-16-5, B-3

“Subject to city council approval, up to forty percent (40%) of appropriated funding may be allocated to general support grants for ongoing community organizations.”

General vs. Project Support

The Ogden City Arts Ordinance (§3-16-5) outlines the totals that should be recommended for both General Support and Project Support grants. The ordinance calls for up to 40% of the grant funding to go to General Support leaving the remaining 60% for Project Support.

With this year’s allocation of \$70,000, the General Support category would allow up to \$28,000 in grant awards with the Project Support category taking the remaining \$42,000. The reason for this is that the City believes that these grants should be more focused on developing



City Council Meeting COUNCIL STAFF REVIEW

arts projects and programs rather than maintaining or supplementing arts organizations for a long period of time.

In this year's recommendations, the total proposed for General Support is \$37,564. This is 54% of the total funding. The Project Support total is \$32,436, or 46% of the total. There was \$46,450 more funding requested in General Support than in Projects Support, and all of the applications in Projects Support are at or near full funding. The ordinance does allow the Council to approve more than 40% of funding in the General Support category; however, the Council should be aware of this when considering the recommendations.

Council Options

- a) Increase funding in Project Support to \$37,600 or 54% (the maximum level to meet the grant requests in Project Support) and reduce \$5,164 in General Support to fund this increase;
- b) Reduce the grant allocation in the General Support category to meet the recommended ratio in the ordinance;
- c) Increase funding in Project Support and carry over funds to the FY18 budget for additional allocation;
- d) Reduce or change the award amounts for any other organization; and/or
- e) Make no changes to existing recommendations.

Attachments

1. Administrative Transmittal
2. Resolution
3. Ogden City Arts Grants Analysis and Report: FY 2017
4. Ogden City Arts Grant Review Results 2016-17
5. City of Ogden Arts Grant History
6. Grant Application Guidelines

Memos Prepared By:	Administrative Contact:	Christy McBride, 801-629-8547
	Council Staff:	Amy Sue Mabey, 801-629-8629

Ogden City Council Transmittal

RECEIVED

JUL 11 2016

OGDEN CITY
COUNCIL OFFICE

Date: * Amended* July 6, 2016
To: Ogden City Council
From: Tom Christopoulos, Director, Community & Economic Development
RE: Arts Grants/Public Hearing

Staff Contact: Christy McBride
Requested Timeline:
Recommendation: Approve Arts Advisory Committee and Community Economic Development recommendations for Ogden City Arts grant program
Documents: Ogden City Arts Grants recommendations, Grant Analysis and Report, Proposed Resolution, Arts Advisory Committee review results

Executive Summary

The Ogden City Advisory Committee has conducted the arts grant process including advertising to recruit applicants and reviewing and grading the applications. Ogden City Staff assembled a grant review subcommittee in accordance with Ordinance No. 2015-41 and formed a grading system for the subcommittee in compliance with the Arts Advisory Committee Ordinance allowing each grant application to be measured equally using the grant criteria. The individual scores for each grant were combined then averaged to determine a final overall score for each application. Those scores were used to rank the grants in both the General Support and Project Support categories. The review subcommittee included four members of the Arts Advisory Committee, a representative from City Council staff and representative for Community and Economic Development. The committee's recommendations for disbursement are attached. All of the applications were recommended for funding though few received the requested amount.

The Administration recommends that the City Council approve funding based on the grant review committee's recommendations.

Background

For FY17 \$70,000* was allocated for arts grants. The City Council's role in the grant process is to make a determination that the value of the tangible and intangible public benefits that will result from the proposed grants equal or exceed the monetary value of the grants. The council's determination of value is presumptively correct: "[a] determination of value received, made by the [City Council], shall be presumed valid unless it can be shown that the determination was arbitrary, capricious, or illegal." Utah Code Ann. §10-8-2-(3)(b).

An additional \$5,000 was included in the city budget for arts grants and this revision reflects an even distribution to grantees who did not receive a recommendation for full funding in the original review process

Proposal

The Administration supports the recommendations of the Grant Review Subcommittee and recommends that the City Council fund these grants to promote the public good of Ogden City based on the information presented below.

RESOLUTION NO.

A RESOLUTION OF THE OGDEN CITY COUNCIL AWARDING ARTS GRANTS FOR FY2016-17 AND SETTING FORTH FINDINGS PURSUANT TO UTAH CODE ANNOTATED § 10-8-2 (2002).

WHEREAS, the Ogden City Council in its FY2017 Budget set aside \$70,000 in the Non-Departmental budget to support arts groups and provide additional opportunities to encourage arts development within Ogden;

WHEREAS, on September 1, 2015, the Ogden City Council Adopted Ordinance 2015-41, set forth in Ogden Municipal Code § 3-16-5, establishing criteria for determination of arts grants consistent with Utah Code Ann. §10-8-2 (2002);

WHEREAS, pursuant to Ogden Municipal Code § 3-16-5, the Ogden City arts advisory committee submitted a written study of findings and recommendations to the Ogden City Council for FY 2016-17 arts grants recipients;

WHEREAS, a public hearing was held by the Ogden City Council to determine whether to award arts grants as recommended;

NOW, THEREFORE, the Council of Ogden City hereby finds and resolves, as follows:

- A. Arts Development as a Public Purpose:** The City Council finds that support and promotion of opportunities for arts development within Ogden City constitutes a substantial public purpose of Ogden City which enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden. The promotion of arts development in Ogden City creates tangible and intangible value to Ogden City, and is a proper criteria upon which to base determination of grants pursuant to Utah Code Ann. §10-8-2(3)(2002) (as amended).
- B. Proposed Arts Grant Recipients Promote Public Purpose.** The City Council finds that the proposed uses of arts grant funds by the arts grant recipient's identified herein would substantially support and promote opportunities for arts development within Ogden City and will thus further substantial public purposes of Ogden City as set forth above.
- C. Determination of Value Received.** The City Council finds and determines that the tangible and intangible value received by Ogden City and its citizens as a result of the arts programs carried on by the arts grant recipients and made possible by Ogden City arts grant funds, equals or exceeds the monetary value of the respective arts grants to be awarded.
- D. Arts Grant Recipients.** Based on the foregoing, the City Council hereby resolves to award arts grants to the following nonprofit organizations, in the amounts specified.

General Support

Eccles Community Art Center	\$7,333
Treehouse Children’s Museum	\$6,333
WSU Shaw Gallery	\$5,333
Ogden Friends of Acoustic Music	\$6,333
Chamber Orchestra Ogden	\$4,333
Ogden Symphony Ballet Association	\$3,333
WSU Strings Project	\$1,233
Imagine Ballet Theater	\$3,333

Project Support

Ogden Nature Center – Birdhouses	\$2,334
Ogden Nature Center - Earth Day	\$2,334
Historic 25 th Street – Farmer’s Market	\$2,000
Nurture the Creative Mind – Art Festival	\$4,000
Good Company Theatre	\$9,334
Weber Morgan Health Department	\$1,725
Ogden School Foundation	\$1,833
Ogden Inspired – Kase Johnstun	\$1,833
Traces of the West	\$ 875
Suzanne Storer	\$3,334
St. Anne’s Center/Lantern House	\$1,834
Ogden Opera Guild	<u>\$1,000</u>

Total **\$70,000**

E. Limitation on Use of Arts Grant Funds. Award and usage of arts grant funds are conditioned upon and limited to usage for programs and purposes as previously identified in recipients’ arts grant applications and consistent with rules and regulations promulgated by the Ogden City arts advisory committee. Recipients may be placed under contract to use the arts grant funds for the specified purposes for which the grant was awarded.

APPROVED AND ADOPTED this ____ day of _____, 2016.

CHAIR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM MAB 7/6/16
LEGAL DATE

Ogden City Arts Ogden City Arts Grants Analysis and Report: FY 2017

May 1, 2016

Pursuant to Ogden City Resolution # 2003-14 in support of UT Code Ann §10-8-2 (2002), the Ogden City Arts Advisory Committee (OCAAC) has reviewed twenty arts grant applications from Ogden based arts and cultural organizations requesting funding from Ogden City for FY 2017.

In the interest of proper stewardship, a grant subcommittee comprised of 4 OCAAC members, a representative from City Council Staff and a representative designated from Community and Business Development was convened to consider and determine recommendations per the Arts Committee ordinance. (3-16-5)

Each member of the subcommittee reviewed every application and was asked to base their recommendation for funding on specific criteria included in the grant application guidelines and in the state regulation Ann. 10:8:2(e). These criteria govern the proper disbursement of funds by municipalities to locally based non-profit organizations for general support and to arts organizations and artists for specific projects. The subcommittee rated the merits of each grant application and determined from that information the level of funding to recommend. At the regular meeting of the full committee the subcommittee's recommendations were ratified.

Following this study is the synthesis of the findings from the Grant Review Subcommittee describing how each grant applicant fulfills the required city and state criteria, and stating the recommended levels of funding for each organization and project. Ogden City Arts Advisory Committee members have determined that all twenty grant applicants for FY 2017 fulfill the necessary criteria and merit municipal funding by providing much needed arts enrichment programs to diverse segments of our community, and by promoting arts related educational and developmental opportunities for the residents of Ogden and for its visitors.

The members of the Ogden City Arts Advisory Committee are grateful to live in a community where its City Administration and City Council recognize that supporting the arts means business. Rather than a "charity to be supported" contributing to the arts is an investment in a vibrant, healthy economy. Additionally, the arts connect us to each other and add richness to our lives. Continued and, in fact, increased municipal support ensures that vital arts programming is allowed to grow and nurture another generation of Ogden citizens. We recognize that nationally many valuable arts organizations fail to thrive without community and governmental support. These eleven recommended organizations cover a diverse range of arts activities and serve a wide spectrum of age groups, cultures and needs. After great consideration we request their funding as recommended below.

Respectfully,

Diane Stern
Ogden City Arts Coordinator

Ogden City Arts Grants Recommendations FY 2017

General Support

Organization	Requested	Recommended
Eccles Community Art Center	\$15,000	\$7,333
Treehouse Children’s Museum	\$15,000	\$6,333
WSU Shaw Gallery	\$15,000	\$5,333
Ogden Friends of Acoustic Music	\$20,000	\$6,333
Chamber Orchestra Ogden	\$5,000	\$4,333
Ogden Symphony Ballet Association	\$5,000	\$3,333
WSU Strings Project	\$4,050	\$1,233
Imagine Ballet Theater	\$5,000	\$3,333
Total for General Support Grants FY 2017	\$84,050	\$37,564

Project Support

Ogden Nature Center – Birdhouses	\$3,000	\$2,334
Ogden Nature Center – Earth Day	\$3,000	\$2,334
Historic 25 – Farmer’s Market	\$2,000	\$2,000
Nurture the Creative Mind – Arts Festival	\$4,000	\$4,000
Good Company Theatre-“Pirated!”	\$11,000	\$9,334
Weber Morgan Health Department	\$1,725	\$1,725
Ogden School Foundation	\$2,000	\$1,833
Ogden Inspired	\$2,000	\$1,833
Traces of the West	\$ 875	\$ 875
Suzanne Storer	\$5,000	\$3,334
St. Anne’s Center – Lantern House	\$2,000	\$1,834
Ogden Opera Guild	\$1,000	\$1,000
Total Project Support Grants FY 2017	\$37,600	\$32,436

Total Allocation for FY 2017	Total Requested	Total Recommended
\$65,000	\$121,650	\$70,000

Study of Municipal Funding-State Ann: 10:8:2

**General Support Grant
Eccles Community Art Center
2580 Jefferson Avenue, Ogden 84401**

Annual Budget: \$657,996

Requested Funding: \$15,000 Recommended Funding: \$7,333

City Council Ward: 3 (1, 2, 3, 4 through outreach and education programs)

The purpose of the Eccles Community Art Center is to promote the arts in all forms and to enhance the quality of life within the community by: assisting the local cultural organizations and individual artists to present their work to the public; making quality artistic experiences available to the community regardless of age, race, religion, and income level. Classes are offered year round, with more emphasis on children's classes during the summer months. The center is also used by many community groups for meetings, performance and community gatherings. The art center is the central place for over 30 civic groups. The historic home is opened to the public 6 days a week; 52 weeks a year.

The Eccles Community Art Center has established five Statewide Competitive Exhibits and has partnered with the Weber and Ogden School Districts to exhibit secondary student competitions as well as establishing two events for young artists – the Recycled Art competition and the Chalk Art Fair at Newgate Mall. The center offers classes to the community at reasonable tuition, taught by active artists in the visual, diverse, literary and performing arts. The Eccles Community Art Center provides outreach programs that takes original art packets to schools or places an artist in the classroom in local elementary schools. The Center has established well received community events such as Art in Bloom, Gallery Theater Plays, Guest Artist Performances and the Holiday Home Tour in partnership with the Weber County Heritage Foundation as well as participating in the monthly First Friday Art Stroll.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

Since there is no entrance fee, there is no financial burden to anyone who wishes to visit. The exhibitions are always of high moral quality, and the cultural value is always important. Through the years, we have featured artists who travel and have painted from the various countries they have visited, including Belize, Italy, Spain, Mali and other African countries. The Art Center gives the community a place to see beautiful art. This is aesthetically pleasing. Education and information is always available by the staff and trained docent volunteers. The fact that this is a community art center and all are welcomed contributes to a sense of belonging and place.

Project provides tangible and intangible benefit to Ogden City:

The Ogden First Friday Art Stroll in which the Eccles Community Art Center participates is building Ogden's reputation as an arts community and brings an influx of arts related tourism. The classes offered at the Art Center are offered in a non-competitive and non-grade based setting which allows students to learn at their own pace. With the variety of special events provided by the Eccles Community Arts Center, members of the community should have no difficulty in finding their voice through the arts.

Estimated number of individuals to benefit from project/grant: 32,500 patrons, 737 artists

Study of Municipal Funding-State Ann: 10:8:2

**General Support Grant
Treehouse Children’s Museum
347 22rd Street, Ogden 84401**

Annual Budget: \$983,000

Requested Funding: \$15,000 Recommended Funding: \$6,333

City Council Ward: 1 (1, 2, 3, 4 involvement through outreach programming)

Treehouse Children’s Museum has provide high quality arts based exhibits and interactive learning experiences for families and schools that focus on family literacy and the arts and the humanities. With signature programs that they have developed, including “ParticiPlays” , “Treehouse Troupe” and “Step into a Story”© the Treehouse Children’s Museum offers enrichment to augment public education.

Treehouse is also recognized for its daily visual arts programming centered around children’s literature, and its hand-crafted exhibits that are created in house by staff and volunteers. Over 23,000 students come annually to the Treehouse and the Museum offers two discount family literacy programs each week and provides 300 sponsored memberships to local families with children enrolled in area Head Start programs.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The funding will benefit the citizens of Ogden financially as Treehouse provides low-cost but quality arts programming to families and schools. Treehouse also draws visitors to the area, many of whom come specifically to visit Treehouse, bringing tourist dollars into the community. Aesthetically Treehouse serves as an arts venue with visual displays, as well as permanent exhibits that focus on children’s literature and the arts. Providing outstanding and involving activities for children and families in our community contributes to the moral and civic wellbeing of our City by providing worthwhile, positive experiences for children and parents that encourage participation in the arts and the development of talents and skills. Treehouse also showcases the cultural diversity of Ogden through special exhibits, displays, and programs as we share literature from around the world. Educationally Treehouse provides resources lacking in the schools and enrichment opportunities in theater and the visual arts. Having a facility like Treehouse strengthens the community at large and contributes civic pride.

Project provides tangible and intangible benefit to Ogden City:

Treehouse will provide quality arts programming for literally tens of thousands of visitors, both children and adults, encouraging their involvement in and support of the arts. Children who participate in the arts are much more likely to be participants in and contributors to the arts when they become adults. Support of Treehouse also helps to sustain a family-friendly venue that welcomes families to our community and gives residents and visitors alike a reason to spend time in Ogden. The arts celebrate multiple perspectives and shows that there are many ways to see and interpret the world. The Treehouse Children’s Museum has earned many prestigious awards and is recognized nationally as an outstanding children’s museum providing quality arts experiences. That standing benefits the city in which we are located.

Estimated number of individuals to benefit from project/grant:

168,465 --children and adults annually; 6-8 artists annually plus Treehouse staff artists

Study of Municipal Funding-State Ann: 10:8:2

General Support Grant

**Mary Elizabeth Dee Shaw Gallery – Weber State University
3964 West Campus Drive, Dept. 2001, Ogden, UT 84408-2001**

Annual Budget: \$102,540

Requested Funding: \$15,000 Recommended: \$5,333

City Council Ward: 4

The Mary Elizabeth Dee Shaw Gallery at Weber State University is located inside the Ethel Watis Kimball Visual Arts building. Its mission is to present contemporary art exhibitions and educational programs that provide visitors access to the art of our times. The Shaw gallery aspires to engage a diverse audience, create a sense of community, provide insight into the creative process, challenge visitors to contemplate, discuss and understand the historical social and cultural context of contemporary art. It serves the Department of Visual Art & design, Weber State University and the community of Northern Utah by presenting the work of local, regional and nationally recognized artists, including new work, emerging media and original scholarship. During the academic year it offers regular exhibits and outreach programs in the facility and film screenings at Peery's Egyptian Theater in partnership with the Utah Film Center. In the summer it provides community arts enrichment through its Arts in the Parks program.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The Mary Elizabeth Dee Shaw Galley benefits Northern Utah by providing a safe, morally clean environment for the citizens and children that participate in its activities. Through the Fabulous Fridays program hundreds of school children have the opportunity to visit the gallery, learn about the art and do a hands on project. The gallery offers a unique exhibition program for the whole community free of charge and is a regular participant in Ogden City's First Friday Art Stroll during the academic year. During the summer months it provides free arts education in the parks in cooperation with the free lunch program delivered by Ogden City Schools

Project provides tangible and intangible benefit to Ogden City:

The Shaw Gallery is housed and sponsored by the Department of the Visual Arts at Weber State University. Weber State is a vital part of the city's cultural and educational vision. By supporting the Shaw Gallery the city benefits from the increased cultural and educational offerings the Gallery provides.

Estimated number of individuals to benefit from project/grant: 12,000, 3,300 youth

Study of Municipal Funding-State Ann: 10:8:2

**General Support Grant
Ogden Friends of Acoustic Music
1744 24th Street, Ogden, UT 84401**

Annual Budget: \$100,000

Requested Funding: \$20,000 Recommended Funding: \$6,333

Council Ward: 1

The Ogden Music Festival is a 3-day outdoor music festival held the first weekend on June at Weber County's Fort Buenaventura. Its mission is to provide and promote community with live traditional and contemporary American music experiences. It is rapidly gaining the reputation as the premiere bluegrass and acoustic music festival in Utah. The diverse, multi-genre festival provides exposure to many artists and many types of music including bluegrass, blues, jazz, old time, country, and roots. The venue has the potential to host 3,500 participants.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

Music is known to provide entertainment and a sense of well-being among participants, whether performing, dancing, or listening. As Ogden now ranks among the best places to live and becomes a vital destination for tourists, it becomes evident that entertainment in the form of concerts is needed. The Ogden Music Festival also provides attendees with a sense of community, as Fort Buenaventura becomes a micro-community for the weekend. With many opportunities to learn at the workshop stage, the festival also provides citizens with educational opportunities. Acoustic music has gained a renewed popularity. Festival surveys show overwhelmingly positive comments and demand for the annual June festival and other future OFOAM events.

Project provides tangible and intangible benefit to Ogden City:

In addition to providing entertainment to adult attendees, the youth events offer a unique opportunity for youth to aspire to play instruments. The concerts provide a distraction from the currently popular synthetic, or synthesized musical production taking place that often eliminates the need to master an acoustic instrument. Kids who become involved in arts of all types prove to be successful in many other aspects of their lives. The 2010, 2011 and 2016 festivals included Todd's Musical Petting Zoo, featuring the collection of 200 instruments that Todd Crowley sets out for children of all ages to play. There were young people that spent the entire weekend of the festival at the petting zoo experimenting with different instruments and styles.

*Estimated number of individuals to benefit from project/grant: **5,613 audience members, 75 artists***

Study of Municipal Funding-State Ann: 10:8:2

**General Support Grant
Chamber Orchestra Ogden
5463 S 125 E, Ogden, UT 84405**

Annual Budget: \$39,500

Requested Funding: \$5,000 Recommended Funding: \$4,333

Council Ward: 1 (Union Station)

Chamber Orchestra Ogden is a professional level chamber orchestra based at Union Station. They are a non-profit organization dedicated to being an integral part of the professional music scene in Ogden and the surrounding communities by; providing high quality professional level performances, performing a broad range of music from all musical style periods, giving audience members the opportunity to have enjoyable, diverse musical experiences and striving to musically educate prospective audiences through community outreach.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The programming of Chamber Orchestra Ogden will provide some financial benefit to the businesses of Ogden as patrons attending concerts are likely to make an evening of it and go to dinner or shop. The biggest benefit will be the cultural and educational benefits. COO is a very high quality ensemble that plays at a professional level. Cost of a concert ticket is kept to just \$5.00, making it very affordable for all and at the same time allowing audiences to hear very high quality performances for a fraction of the cost of going to Salt Lake City. The Orchestra strives to be accessible and attempt to provide a bit of the background for the compositions that they perform.

Project provides tangible and intangible benefit to Ogden City:

The projects of Chamber Orchestra Ogden will hopefully add another layer of cultural and musical veneer to the city. The orchestra is an Ogden entity, composed of local musicians, not a group of visiting artists. As they perform downtown their offerings are very accessible for those who might not attend concerts that require much travel. They boast an audience comprised of arts enthusiasts and those new to the classical music scene. They appeal to a broad range of audience members as they perform a very diverse literature of music; everything from Americana to old European masters. As opportunities and funding become available they have hope of performing community outreach.

Estimated number of individuals to benefit from project/grant: 2,000 patrons, 75 artists

Study of Municipal Funding-State Ann: 10:8:2

General Support Grant
Ogden Symphony Ballet Association
638 26th Street, Ogden 84401

Annual Budget: \$937,827

Requested Funding: \$5,000 Recommended Funding: \$3,333

City Council Ward: 3 (1, 2, 3, 4 involvement through outreach programming)

The Ogden Symphony Ballet Association contracts with the UT Symphony & Ballet West to present concerts and Ballets in Ogden. Their educational outreach program provides tickets to high school students at no cost. Community outreach tickets are given through social service agencies to their patrons who would not be able to attend otherwise. During the past year over 1,000 tickets were provided through outreach. "The ride" is offered free of charge to senior citizens living in Weber County. Last year 80 patrons used this service.

Funding from the grant from Ogden City Arts will support educational and community outreach programs and "The Ride" – transportation to and from concerts for seniors living in Weber County. This season's programming includes 17 performances: 5 Masterworks with the Utah Symphony, 4 Symphony Entertainment Series performances, 2 Family series performances, 3 Nutcracker performances and a performance of the "The Little Mermaid", and 2 performances by BYU's dance companies.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

For the citizens of Ogden to be able to experience the performance of these concerts in our city offers access to music and dance of an internationally recognized excellence. Because of generous patrons, corporations, foundations, and government funding, we are able to keep ticket prices affordable and considerably below those charged in Salt Lake City for the same concerts. Our venue features an outstanding auditorium with unmatched sightlines of the performance, comfortable seating, convenient and free parking, and the need to drive to Salt Lake City is eliminated.

This is a great opportunity for those who have never seen a live concert to have the convenience of these concerts right here in Ogden.

Project provides tangible and intangible benefit to Ogden City:

Without the drive to Salt Lake City, citizens of and visitors to Ogden can avail themselves of the opportunity to see and hear two world-class music and dance organizations plus two dance troupes that have performed to world acclaim. Locals and out of town patrons visit shops and restaurants before and after concerts. The economic benefit of having this available in Ogden is great for those wishing to relocate in UT. OSBA arts events involve a network of volunteers, schools, social service agencies, WSU students, a youth guild and a board of directors. All of these involved participants, through their contributions and interaction mentor the next generation of arts involved, volunteer minded community members.

Estimated number of individuals to benefit from project/grant: 17,500 patrons and 425 artists each season

Study of Municipal Funding-State Ann: 10:8:2

**General Support Grant
Strings Project – Weber State University
3950 West Campus Drive, Ogden, UT 84408**

Annual Budget: \$24,688

Requested Funding: \$4,050 Recommended Funding: \$1,233

City Council Ward: 4

The Weber State University Strings Project is one of 26 String Projects that make up the National String Project Consortium. The Consortium is an outgrowth of a program originally begun by the American String Teachers Association. The purpose is to provide students beginning in the 3rd grade with string instrument instruction. No curricular elementary string instruction is provided in area school districts. Secondly the program is designed to employ string music education major students to encourage them to become public school teachers to help alleviate the nationwide shortage of teachers. Costs for the lessons (2 weekly) are extremely affordable to ensure that they are available to the most students. Teaching students from the program travel into the schools to teach music for which they receive a stipend. Performances are held in WSU's Browning Center and the Ogden Amphitheater.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The Project benefits the citizens by providing a safe, morally clean environment for the children that are involved. They study music, which provides a cultural benefit to them, as well as an educational one. By presenting free concerts the Project enables any person in the community to attend with no financial burden. This provides a community cultural and educational benefit as well.

Project provides tangible and intangible benefit to Ogden City:

The Project is housed and sponsored by the Department of the Performing Arts at Weber State University. Weber State is a vital part of the city's cultural and educational vision. By supporting the String Project the city benefits from the increased cultural and educational offerings the Project provides. The Project is one of only 30 in the United States. As a result Ogden is singled out often on a national level at major music and arts conventions. The Project provides a safe and clean after school environment for a portion of the city's young people.

Estimated number of individuals to benefit from project/grant: 660 students and teachers; 2500 audience

Study of Municipal Funding-State Ann: 10:8:2

General Support Grant
Imagine Ballet Theater
2432 Washington Blvd, Ogden, UT 84401

Annual Budget: \$204,400

Requested Funding: \$5,000 Recommended: \$3,333

City Council Ward 1

Imagine Ballet Theater (IBT) was created and organized in 2004 under the vision and direction of Raymond Van Mason, a former Ballet West principal artist. IBT is a pre-professional ballet company which provides professional quality performances to the citizen of Ogden and development opportunities for its youth. Offering ballet classes and the opportunity for performance, in-school lecture demonstrations, the Rocky Mountain Choreography Festival, and school performances at Peery's Egyptian Theater IBT occupies a place in the community that is not duplicated.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

Imagine Ballet Theater

Project provides tangible and intangible benefit to Ogden City:

Imagine Ballet Theater provides access to quality performance and educational outreach to the community and

Estimated number of individuals to benefit from project/grant: 12,000, 3,300 youth

Findings re: General Support Funding

Arts Grant Recommendations: FY 2017

SUMMARY of FINDINGS

It is encouraging for the Ogden City Arts Advisory Committee that over the years of the City's Arts Granting program the applicant pool in the category of General Support continues to grow. We believe that this is a sign of the organizational strength that comes with municipal support. This year a total of seven organizations sought general support for their arts programs and six are recommended for funding. As this pool grows we find that the effect has been a community of arts organizations that are generously collaborating from organization to organization and who continually share their knowledge base, professional best practices and creative experience. This type of collaboration can only serve to grow an interconnected, creative community. On the National stage this type of collaboration is something that is sought, but not always attained. Ogden can be proud of this atmosphere of generous mentorship and collaboration. The continued financial support of the City of Ogden for these organizations provides an important financial base and credibility as they promote their programs to the community and seek funding from private, state and federal funding sources.

General Support Summary

Eccles Community Art Center	\$7,333
Treehouse Children's Museum	\$6,333
WSU Shaw Gallery	\$5,333
Ogden Friends of Acoustic Music	\$6,333
Chamber Orchestra Ogden	\$4,333
Ogden Symphony Ballet Assn.	\$3,333
WSU Strings Project	\$1,233
Imagine Ballet Theater	\$3,333
Total General Support	\$37,564

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant
Ogden Nature Center – Birdhouse Exhibit
966 W. 12th Street
Ogden UT 84408

Project Budget: \$8,000

Request: \$3,000

Recommended: \$2,334

City Council Ward: 2 (1,2,3,4 through outreach programming)

The Ogden Nature Center is a 152 acre nature preserve and outdoor classroom in the heart of urban Ogden. One of our organizational goals includes providing inspiring, cultural, and educational experiences for all populations. This annual Birdhouse Competition brings art and nature together in a unique, fun, and useful way. Visitors consistently make many positive comments on the annual exhibit. The Center's permanent collection grows larger every year, creating a warm and friendly approach to our preserve.

The annual Birdhouse Competition and Exhibit will run from March 20 through June 24, 2017 for members of the community. This competition has become an annual tradition at the Nature Center, encouraging appreciation of the arts through the creation of whimsical birdhouses and inspiring an understanding of birds and wildlife habitat.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The goals of this exhibit are: To encourage artistic approaches to designing birdhouses along with appreciation for practical and sustainable use; To serve as a demonstration of backyard habitats and the attraction of birds in both urban and rural environments; To inspire visitors to use the resources of artists in designing backyard structures; To foster the use of recycled and reclaimed materials; To identify Utah artists who are interested in designing wildlife habitats or other types of environmental art for use here at the Nature Center; develop and inspire community involvement in a nature and art project, especially engaging the youth of Northern Utah and To include new birdhouses in our permanent collection and display

Entries will be received at the Ogden Nature Center and will be displayed along Birdhouse Trail, a 1/8th mile paved path, extending from the parking lot to the Visitor Center.

The Ogden Nature Center will collaborate with Weber State University, Wasatch Audubon Society, and the Eccles Community Art Center as judges for the competition. Participants include professional artists, bird lovers, and children and families who enjoy creating art and habitat for wild birds.

Project provides tangible and intangible benefit to Ogden City:

In addition to the general public, visitors to the exhibit include hundreds of multi-culturally diverse children from Ogden's underserved communities. In total, several thousand visitors will enjoy the birdhouses on exhibit in the spring and early summer alone.

Estimated number of individuals to benefit from project/grant: 16,000

Study of Municipal Funding-State Ann: 10:8:2

**Project Support Grant
Ogden Nature Center – Earth Day Celebration
966 W. 12th Street
Ogden UT 84408**

Project Budget: \$8,000

Request: \$3,000

Recommended: \$2,334

City Council Ward: 2 (1, 2, 3, 4 through outreach programming)

All Earth Day public performances will take place on April 15, 2017 at the Ogden Nature Center. Our goal for this project is to keep our Earth Day Celebration affordable so more families can attend, learn, and enjoy the festivities. We only charge \$2 person for admissions and children under two are free.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The public performances, crafts, and activities encourage citizens to create a greener society through the art poster contest, nature crafts, demonstrations, workshops focused on sustainable practices, live music, earth friendly exhibitors, and dance performances. Individuals and community partners such as Weber State University work closely with the Events Coordinator to ensure a quality experience for all.

The Art Poster Contest inspires children’s artistic expression through promoting their roles as active citizens of the world and allows them to show their understanding through unique works of art.

Close to 27,000 calls for entries will be distributed to local elementary, private, and charter schools in Weber and Ogden School Districts. The top four winners in Kindergarten through sixth grade will be honored at a special awards ceremony before the Earth Day festivities on April 15, 2017. All entries will be on display from April 15 through May 20, 2017.

Families of the art poster contest winners are invited to the awards ceremony and are admitted to our Earth day event free of charge. Most award winners and their families stay and enjoy the day’s activities. Since Ogden City Schools have such a high percentage of underserved and diverse students, and all school children receive an entry form, many of Ogden’s underserved families participate.

Project provides tangible and intangible benefit to Ogden City:

Our Earth Day event highlights works of art from local school children through creative expression of their views about nature, the environment, and their roles as citizens. Local, statewide, and national organizations will help educate the community about green practices through the arts, demonstrations, workshops, and hands-on activities.

Other goals that will serve as signs of success include: The ability to use nature as inspiration for art; Laying the foundation for an environmentally educated citizenry; Building community awareness about the land we live in.

Estimated number of individuals to benefit from project/grant: 2,300

Study of Municipal Funding-State Ann: 10:8:2

**Project Support Grant
Historic 25th Street Foundation – dba Ogden Downtown Alliance
2562 Washington Blvd, Ogden, UT 84401
Ogden UT 84408**

Project Budget: \$4,000

Request: \$2,000

Recommended: \$2,000

City Council Ward: 1

The Mission of the Ogden Downtown Alliance is to increase economic vitality and community vibrancy throughout the Central Business District in Ogden. Using arts, entertainment and cultural experiences to establish place branding and destination marketing in conjunction with focused community programs and events.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The proposal is to build a moveable green space Art Garden for use at the summer time Farmer's Market. The concept is based on the Fractal Garden designed by Legge Lewis Legge. Funds would be used to commission the design and construction of a local variation to be located at the intersection of Lincoln Street and 25th Street during market days. This is the location of the main stage and 50 Adirondack chairs will be placed around it creating the hub for food vendors, and music and allowing people to sit and enjoy the market. The new Music at the Market program features a main stage performances by local performers and groups each Saturday from 11:30 am to 1:30 pm. Additionally, street performers (buskers) have an opportunity to perform at designated locations throughout the market. There is an allowance for both main stage and street performances. The Art Garden will provided and ephemeral arts environment to enhance the whole market experience.

Project provides tangible and intangible benefit to Ogden City:

The Farmers Market runs for 13 weeks during the summer from June 25 to September 19.



Estimated number of individuals to benefit from project/grant: 35,000

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant
Nurture the Creative Mind – Ogden Arts Festival
2501 Wall Avenue, Ogden, UT

Project Budget: \$8,000

Request: \$4,000

Recommended: \$4,000

City Council Ward: 1

Nurture the Creative Mind is a 501 (c)(3) youth non profit that is focused on the establishment of self empowerment and self value through the means of creativity. It has impacted over 10,000 youth since its inception 9 years ago and is dedicated to youth empowerment and the establishment of self-value through the exploration of creativity while developing marketable skills.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The organization's main branch is after school programing, but they also have a scholarship and mentorship program that serves first generation and low income college bound students. They have recently become the management organization for the Ogden Arts Festival.

The targeted audience for the Ogden Arts Festival is the community at large and visitors to Ogden. It will be held in the Ogden Amphitheater, a venue of approximately 6,000 have challenged ourselves to help nurture, cultivate, and grow the art culture within Ogden so we will provide a creative and fun experience for those who have an existing connection to art as well as introduce and create a strong connection for those who currently do not.

Project provides tangible and intangible benefit to Ogden City

This year's Ogden Arts Festival will have a strong array of artistic talents and performances to showcase a wide spectrum of arts in hopes that there would be something for everyone. There will be roaming street performers, theater, dance, and musical performances. There will also be an area dedicated to and for kids. The festival runs June 11 & 12,

Nurture the Creative Mind is also partnering with galleries on Historic 25th street to promote the Arts Festival. Other community partners include 4 local venues (Brewskis, Alleged, Lighthouse, and the Funk-n-Dive) to put together a promotional music series to for the Ogden Arts Festival and the partnering venues. Expect reach through the promotional shows and gallery partnerships is of 2,500 community members.

Estimated number of individuals to benefit from project/grant: 1,300

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant

**Good Company Theatre – “Pirated”
260 25th Street, Ogden, UT**

Project Budget: \$46,500

Request: \$11,000 Recommended: \$9,334

City Council Ward: 1

Good Company Theatre develops and promotes high-quality, eclectic theatrical productions and events forging new relationships between audiences, performers and spaces in the process. Founded in 2012, Good Company Theater with the intent of offer alternative ways of viewing live theater.

Project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

They have now completed three full seasons of fully staged plays and musicals. In addition to their own five scheduled productions each year, they have produced over fifteen cabarets and non-seasonal productions, staged readings and workshops. They have also produced three original shows by local artists, collaborated with local and Salt Lake City agencies and hosted fundraisers and events for service oriented non-profits in Ogden.

Project provides tangible and intangible benefit to Ogden City

The project proposed is a full production with live music (Chamber Orchestra Ogden) of Jim Christian’s original musical “Pirated” to take place in the Ogden Amphitheater. The targeted audience is the general public and the show will run August 12 (special preview) 13, 15, 18, 19, 20 and 22. The production will offer internship opportunities to local young people (ages 17-22) in areas of costume design, lighting design, set design and stage management.

Their marketing campaign will include targeted print media, social media, television and radio. Using a combination of social media analytics and ticket sales analysis as well as a review of media response and ticket sales, they will evaluate the success of the production and the marketing for it.

Estimated number of individuals to benefit from project/grant:3,250

Weber-Morgan Health Department
477 23rd Street, Ogden, UT

Project Budget: \$3,450

Request: \$1,725

Recommended: \$1,725

City Council Ward: 1

The Weber –Morgan Health Department (WMHD) aims to promote, support, develop, finance and/or expand activities and programs consistent with the strategic plan of the Weber-Morgan Health Department in the areas of environmental protection, health care access, health promotion including suicide prevention and violence prevention.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

To promote awareness of suicide and suicide prevention in the community WMHD plans to partner with local junior high and high school in Ogden City School District. Students in partnering schools will create visual arts projects promoting suicide awareness. The artwork will be on display at community Town Hall Meeting. The Town Hall Meeting will also include local resources for suicide and mental health information.

Project provides tangible and intangible benefit to Ogden City

According to the American Foundation for Suicide Prevention, in Utah in 2015 was the leading cause of death for ages 10 to 14. The target audience for the art projects will be youth in Ogden School District and their parents but the Town Hall event will be open to the entire community. The exact nature of the art projects is still in development.

Estimated number of individuals to benefit from project/grant 5,300

Study of Municipal Funding-State Ann: 10:8:2

**Project Support Grant
Ogden School Foundation
1950 Monroe Blvd, room 107, Ogden, UT**

Project Budget: \$5,900

Request: \$2,000

Recommended: \$1,833

City Council Ward: 1

The Ogden School Foundation (OSF) was created in 1980 under the direction of the Board of Education of the Ogden City Schools. Its mission is to enhance educational opportunities for the students of the Ogden City School District. We raise and distribute funds for enhancement programs in the areas of the arts, literacy, technology and math/science.

In the Spring of 2017 the Ogden School District will once again support and coordinate the annual Festival of the Arts. During the spring the Ogden District Festival of the Arts begins in the schools with students creating projects using a variety of mediums. Professional artists also visit up to eight of our schools to give demonstrations in their disciplines. Juried competitions at the schools select winners who are invited to attend the District-wide festival at Union Station where they are once again judged. Cash prizes are awarded to the top seven winners in elementary categories and the top three in secondary school categories

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

Over 75% of the students in the Ogden District come from low income homes and half belong to minority populations. Many of our students do not get any type of “arts” enhancement from home and if the schools do not provide these experiences, they may never be given the opportunity to work in the visual or performing arts. Our students benefit greatly from the Festival of the Arts. The exposure to the visiting artists and having the opportunity to have a student’s work exhibited publically and to receive recognition can literally keep kids in school and change their lives.

Project provides tangible and intangible benefit to Ogden City

During the exhibition at the Union Station, students from the schools give performances. We typically see choirs and dance groups. With the addition of our elementary music project, guitar and ukulele groups have been added to the performance schedule. Readers’ theaters and Storytelling are also popular presentations. Success in the arts can provide the self-esteem necessary to achieve in other areas of education and in life. Involvement in the arts can also keep students coming to school and working in other areas of their education.

The Festival of the Arts program has proven to be very inspirational to our students and certainly helps us fulfill our mission of “enhancing educational opportunities for our students.”

Estimated number of individuals to benefit from project/grant 5,300

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant

**Kase Johnstun & Alison L. McLennan – Ogden Inspired (literary)
2805 Polk Avenue, Ogden UT 84403**

Project Budget: \$6,900

Request: 2,000 Recommended: \$1,833

City Council Ward: 1

Kase Johnstun and Alison McLennan are both local writers, authors, and teachers who are collaborating in response to community requests for writing workshops.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

One six week workshop on Ekphrastic Poetry (poetry inspired by art) will be offered in conjunction with the First Friday Art Stroll. Inspired by any artwork at the First Friday Art stroll chosen by the workshop participants, a poem or poems will be developed, revised, performed and possibly published. Ongoing instruction on poetic craft and revision will be taught and practiced during the workshop. A poetry contest with a cash prize will be open to the whole community. Anyone visiting Ogden who writes a poem inspired by Ogden art is eligible to participate. Contest submissions are not limited to those participating in workshop. Ads will be placed in regional and possibly national publications targeting poets and the general public.

Another six week workshop on short stories will be offered in spring. This workshop will focus on short stories inspired by Ogden’s historic places, people, and legends. The participants will tour these historic places and learn about Ogden history. Ongoing instruction on short story craft and revision will be taught and practiced throughout the workshop. A short story contest with a cash prize will be open to the whole community, as well as, workshop participants in the same process as the poetry contest.

The contests will be judged blind by impartial parties with literary credentials.

20 people are anticipated in each workshop and many more for the public events (50 -100).

Project provides tangible and intangible benefit to Ogden City

The Ogden Inspired writing series will encourage writers to develop work inspired by Ogden art and history. By using Ogden artwork and history as a basis for inspiration, and teaching specific craft elements, emerging writers will generate higher quality material, which resonates with a broader audience. Also, by running writing contests in conjunction with the First Friday Art Stroll and Ogden historic places, more community members will be actively involved in Ogden area arts, literature, lore, and history.

Estimated number of individuals to benefit from project/grant:250

Study of Municipal Funding-State Ann: 10:8:2

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant

Ogden Pioneer Heritage Foundation – Traces of the West

PO Box 150092 Ogden, UT

Project Budget: \$1,750

Request: \$875 Recommended: \$875

City Council Ward: 1

The Ogden Pioneers Days began in 1934, the Ogden Pioneer Heritage Foundation has supported arts events as part of the celebration for the last 30 years. Traces of the West is now in its seventeenth year. The art community and Ogden Pioneers Days Foundation are passionate about showcasing great art and artists. They are committed to making the Traces of the West exhibit one of the premier events in the Western United States.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The Traces of the West strives to bring citizens from the Intermountain West to not only participate and vie the exhibit but to have them join in other Pioneer Day evens including concerts, the parade, the farmer’s market and the rodeo. Community partners include the Eccles Community Art Center and Cowboy Museum at the Union Station.

Project provides tangible and intangible benefit to Ogden City

Aside from the artistic merit of the exhibit and the quality of artists who participate an outreach packet is being developed to go into the schools highlighting the art, history and landscape of the west. The packet will be presented through the Eccles Community Art Center’s Art to Go Outreach program.

Estimated number of individuals to benefit from project/grant 1,200

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant
Suzanne Storer – visual arts, sculptor
1799 Navajo Drive, Ogden, UT

Project Budget: \$10,000

Request: \$5,000

Recommended: \$3,334

City Council Ward: 4

Ms Storer worked many years as a potter and sculptor creating art for the home. Her focus now is on creating sculptures of compassion for public spaces. These sculptures are in high relief and project out from the wall. They are large and more suitable for public spaces or very large homes. Each sculpture is based upon a real person and speaks to our human condition physically, psychologically and emotionally. I make use of all the technical skills I've accrued over 30 years working with clay. These sculptures often compassionately emphasize our positive oh-so-human qualities that can be squashed by our current ways of living.

Proposal is to create high relief artwork for permanent display in the Lantern House/St. Anne's center cafeteria based on interviews with residents of the homeless shelter. Unclear how many are served. Request represents 50% of project budget. Ms. Storer has a piece of artwork already at the center and this proposal has been put together with them seeking input from residents.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

The homeless patrons at Lantern House who dine in the cafeteria. They are a perfect fit for being the recipients of art that compassionately reflects their circumstance. The wall space designated for these sculptures will be a nice fit aesthetically for the size and shape of the work.

Project provides tangible and intangible benefit to Ogden City

It has only been in the last several years that I have made the conscious decision to devote my skills as an artist towards creating works of compassion. These sculptures for the wall at Lantern House will enlarge my own sensibilities towards this end and at the same time, hopefully assist the community in which I have lived and worked for the past 34 years.

Lantern House receiving positive publicity for having installed these sculptures would also be a sign of success.

Estimated number of individuals to benefit from project/grant 1,650

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant
St. Anne's Center – Lantern House
269 W. 33rd Stree, Ogden, UT

Project Budget: \$10,000

Request: \$2,000

Recommended: \$1,834

City Council Ward: 1

St. Anne's Center exists to aid the poor, needy and homeless by providing them food, shelter and critical emergency services. We provide a hand up rather than a hand out. Our goal is to transition residents from shelter to housing; encouraging their sense of independence, self-sufficiency and self-confidence. We are committed to carry out this mission while treating those who come to us with compassion, dignity and respect.

St. Anne's Center is a nonprofit agency providing food, shelter and emergency services to thousands of men, women, and children in crisis. Since opening our door in 1982 the faces of homelessness have changed dramatically. Over the past several years, we have experienced a staggering increasing in the number of families finding themselves homeless. More notably are families that consist of fathers with children and no mother.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

All funds will go towards providing homeless children the opportunity to experience different forms of art. We partner with local artists, dance schools, musicians and other volunteers to provide hands on art projects and musical and dance instruction. Funds will be used towards staff, supplies, equipment and outside services if needed. This program will help homeless children explore natural outlet of emotions they may have while facing new surrounding of being in a shelter.

Project provides tangible and intangible benefit to Ogden City

What is invisible, can be made visible. Homelessness can be invisible but through art it can be seen. Our mission is to help these children develop personal creativity and learn to be seen through art, dance, music and play. To express their emotions on a canvas, dance floor, through and instrument and not hide, feel unwanted or different because of their circumstances

Estimated number of individuals to benefit from project/grant 65

Study of Municipal Funding-State Ann: 10:8:2

Project Support Grant
Ogden Opera Guild
2590 Jefferson Avenue, Ogden, UT

Project Budget: \$2,000

Request: \$1,000

Recommended: \$1,000

City Council Ward: 1

The objectives of the Ogden Opera Guild are to support the growth and expansion of the Utah Opera Company through education, volunteer activities and financial support.

Project enhances the safety, health, prosperity moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden:

Working with the Utah Opera Company the guild annually takes a group of students and chaperones to a dress rehearsal in Salt Lake at the Capitol Theater. The Guild works with Weber State University, the Artistic Director of the Utah Opera, the Dean of Arts & Humanities at Weber State, the principal of St. Joseph's High School and the music faculty there.

Project provides tangible and intangible benefit to Ogden City

A public performance by Utah Opera Resident Artists is presented at Weber State. Exposure to opera is a great value to the education of our students and the quality of life available to us in Ogden.

Estimated number of individuals to benefit from project/grant 65

Findings re: Project Support Funding

Arts Grant Recommendations: FY 2017

SUMMARY of FINDINGS

After reviewing the twelve Project Support applicants for FY 2017 the Ogden City Arts Advisory Committee has unanimously determined that all were worthy of funding based on the merit of the proposal and the value and benefit they will bring to Ogden. As outlined in the studies above, and in compliance with Ogden City’s Resolution governing disbursement of city funds, the twelve projects represent diverse areas of the arts & humanities and further the use of arts in areas of social impact by non-traditional recipients as well as display community partnerships, multiple sources of funding while reaching out to all segments of our community by providing specific projects for arts enrichment and education. Many of these projects are unique to Ogden and not available in other communities, as such they benefit local residents by providing arts experiences here at home, reaching out within our community to groups using arts in new ways and encouraging increased visitors and economic revenue. They encourage home town pride, identity and a sense of place.

Project Support	Requested	Recommended
Ogden Nature Center – Birdhouses	\$3,000	\$2,334
Ogden Nature Center – Earth Day	\$3,000	\$2,334
Historic 25 – Farmer’s Market	\$2,000	\$2,000
Nurture the Creative Mind – Arts Festival	\$4,000	\$4,000
Good Company Theater- “Pirated”	\$11,000	\$9,334
Weber Morgan Health Dept.	\$1,725	\$1,725
Ogden School Foundation	\$2,000	\$1,833
Ogden Inspired	\$2,000	\$1,833
Traces of the West	\$ 875	\$ 875
Suzanne Storer	\$5,000	\$3,334
St. Anne’s Lantern House	\$2,000	\$1,834
Ogden Opera Guild	\$1,000	\$1,000
Total	\$37,600	\$32,436

Ogden City Arts Grant Review Results 2016-17

Ogden City Arts Grants 2016-17															Additional	Revised	
															Funding	Totals	
General Support	Sandy H	Brandi B	Glenn S	Clint	Shane C	Wes	Admin	Total	Average	Total benefitting	\$ per person	% of Annual budget	requested	recommended			
Eccles Community Art Center	35	34	31	34	34	30	34	232	38.6667	32,500	\$ 0.46	2%	\$ 15,000	\$ 7,000	\$ 333	\$ 7,333	
Treehouse Children's Museum	35	36	33	30	29	-	28	191	38.2	168,465	\$ 0.09	2%	\$ 15,000	\$ 6,000	\$ 333	\$ 6,333	
WSU Shaw Gallery	30	33	30	32	33	35	30	223	37.1667	12,000	\$ 0.98	15%	\$ 15,000	\$ 5,000	\$ 333	\$ 5,333	
Ogden Friends of Acoustic Music	25	34	34	35	32	36	25	221	36.8333	5,613	\$ 3.56	9%	\$ 20,000	\$ 6,000	\$ 333	\$ 6,333	
Chamber Orchestra Ogden	30	36	33	30	30	34	27	220	36.6667	2,500	\$ 2.00	11%	\$ 5,000	\$ 4,000	\$ 333	\$ 4,333	
Ogden Symphony Ballet Assn.	30	34	29	34	29	28	28	212	35.3333	17,500	\$ 0.29	1%	\$ 5,000	\$ 3,000	\$ 333	\$ 3,333	
WSU Strings Project	28	30	30	30	28	29	22	197	32.8333	5,900	\$ 0.25	16%	\$ 4,050	\$ 900	\$ 333	\$ 1,233	
Imagine Ballet Theater	20	28	31	30	29	28	24	190	31.6667	24,000	\$ 0.21	2%	\$ 5,000	\$ 3,000	\$ 333	\$ 3,333	
Totals													\$ 84,050	\$ 34,900	\$ 2,664	\$ 37,564	
Project Support										Total benefitting	\$ per person	% of Project budget	requested	recommended			
Ogden Nature Center- Birdhouses	40	-	36	36	36	36	38	222	44.4	16,000	0.19	38%	\$ 3,000	\$ 2,000	\$ 334	\$ 2,334	
Ogden Nature Center-Earth Day	35	-	35	36	34	36	35	211	42.2	2,300	1.3	38%	\$ 3,000	\$ 2,000	\$ 334	\$ 2,334	
Historic 25 - Farmer's Market	35	41	32	34	36	36	36	250	41.6667	35,000	0.06	50%	\$ 2,000	\$ 2,000		\$ 2,000	
NCM - Arts Festival	30	38	33	36	34	32	34	237	39.5	1,300	3.08	7%	\$ 4,000	\$ 4,000		\$ 4,000	
Good Company Theatre	30	37	31	34	34	34	35	235	39.1667	3,250	3.38	24%	\$ 11,000	\$ 9,000	\$ 334	\$ 9,334	
Weber Morgan Health Dept	32	40	34	36	32	30	30	234	39	5,300	0.33	50%	\$ 1,725	\$ 1,725		\$ 1,725	
Ogden School Foundation	32	41	33	32	32	34	29	233	38.8333	4,200	0.48	34%	\$ 2,000	\$ 1,500	\$ 333	\$ 1,833	
Kase Johnstun-Ogden Inspired	30	40	32	32	32	32	34	232	38.6667	250	8	29%	\$ 2,000	\$ 1,500	\$ 333	\$ 1,833	
Traces of the West	32	34	30	32	28	32	30	218	36.3333	1,200	1	69%	\$ 875	\$ 875		\$ 875	
Suzanne Storer	25	32	31	34	27	24	29	202	33.6667	1,650	3.03	50%	\$ 5,000	\$ 3,000	\$ 334	\$ 3,334	
St. Anne's Center/Lantern House	23	30	29	34	32	22	27	197	32.8333	65	33.33		\$ 2,000	\$ 1,500	\$ 334	\$ 1,834	
Ogden Opera Guild	22	36	31	27	25	27	24	192	32	134	8.33	50%	\$ 1,000	\$ 1,000		\$ 1,000	
Total													\$ 37,600	\$ 30,100	\$ 5,000	\$ 32,436	
				Reviewers	Ogden City Arts admin												
				Sandy Havas	Diane Stern												
				Brandi Bosworth													
				Clint Spencer										\$ 34,900		\$ 37,564	
				Shane Osguthorpe										\$ 30,100		\$ 32,436	
				Wes Whitby										\$ 65,000		\$ 70,000	
				Glenn Symnes													

City of Ogden Arts Grant History
Fiscal Years 2006-2017

General Support	Total Requested FY06-		Total Granted and		FY'17		FY'16		FY'15		FY'14		FY'13		FY'12		FY'11	
	FY17		FY17		Requested	Recommended	Requested	Granted										
Chamber Orchestra Ogden	\$ 9,000.00	\$ 4,000.00	\$ 5,000.00	\$ 4,333.00	\$ 4,000.00	\$ 4,000.00												
DaVinci Academy	\$ 5,850.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Eccles Community Art Center	\$ 53,000.00	\$ 42,833.00	\$ 15,000.00	\$ 7,333.00	\$ 7,000.00	\$ 7,000.00												
Egyptian Theater Foundation	\$ 5,000.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -												
Foursite Film Festival	\$ 38,000.00	\$ 22,000.00	\$ -	\$ -	\$ -	\$ -												
Imagine Ballet Theater	\$ 72,000.00	\$ 26,733.00	\$ 5,000.00	\$ 3,333.00	\$ -	\$ -												
Nurture the Creative Mind	\$ 8,000.00	\$ 6,500.00	\$ -	\$ -	\$ -	\$ -												
Ogden Dinosaur Park	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Ogden Friends of Acoustic Music	\$ 72,000.00	\$ 42,193.00	\$ 20,000.00	\$ 6,333.00	\$ 20,000.00	\$ 16,860.00												
Ogden Symphony Ballet Association	\$ 55,000.00	\$ 45,283.00	\$ 5,000.00	\$ 3,333.00	\$ 5,000.00	\$ 5,000.00												
Redemption Art	\$ 5,000.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -												
Treehouse Children's Museum	\$ 101,138.00	\$ 75,633.00	\$ 15,000.00	\$ 6,333.00	\$ 12,000.00	\$ 12,000.00												
Utah Musical Theater	\$ 10,000.00	\$ 2,300.00	\$ -	\$ -	\$ -	\$ -												
WSU - Shaw Gallery	\$ 27,000.00	\$ 5,333.00	\$ 15,000.00	\$ 5,333.00	\$ 12,000.00	\$ -												
WSU - String Project	\$ 9,050.00	\$ 3,873.00	\$ 4,050.00	\$ 1,233.00	\$ 5,000.00	\$ 2,640.00												
Project Support																		
America Dream Foundation	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Chamber Orchestra Ogden	\$ 8,000.00	\$ 5,500.00	\$ -	\$ -	\$ -	\$ -												
DaVinci Academy	\$ 35,825.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Eccles Community Art Center	\$ 6,000.00	\$ 6,250.00	\$ -	\$ -	\$ -	\$ -												
Egyptian Theater Foundation - Friday Concerts	\$ 9,900.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -												
Egyptian Theater Foundation - M.O.V.I.E.	\$ 3,990.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Egyptian Theater Foundation--Kids Act Up	\$ 1,500.00	\$ 900.00	\$ -	\$ -	\$ -	\$ -												
Egyptian Theatre Foundation	\$ 8,496.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -												
Good Company Theater - "High Hopes"	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	\$ 7,000.00												
Good Company Theater - "Pirated"	\$ 22,000.00	\$ 9,334.00	\$ 11,000.00	\$ 9,334.00	\$ 11,000.00	\$ -												
Historic 25th Street Foundation	\$ 4,500.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,500.00	\$ -												
Imagine Ballet Theater	\$ 16,450.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -												
Mary Elizabeth Dee Shaw Gallery--WSU	\$ 1,000.00	\$ 1,700.00	\$ -	\$ -	\$ -	\$ -												
National String Project Consortium	\$ 5,000.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -												
Nurture the Creative Mind	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -												
Ogden Arts Festival at Union Station	\$ 48,000.00	\$ 35,000.00	\$ -	\$ -	\$ -	\$ -												
Ogden Eccles Conference Center	\$ 2,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -												
Ogden Friends of Acoustic Music	\$ 24,000.00	\$ 11,000.00	\$ -	\$ -	\$ -	\$ -												
Ogden Inspired	\$ 2,000.00	\$ 1,833.00	\$ 2,000.00	\$ 1,833.00	\$ -	\$ -												
Ogden Nature Center	\$ 16,000.00	\$ 14,000.00	\$ -	\$ -	\$ -	\$ -												
Ogden Nature Center/Birdhouse Project	\$ 5,000.00	\$ 4,334.00	\$ 3,000.00	\$ 2,334.00	\$ 2,000.00	\$ 2,000.00												
Ogden Nature Center/Earth Day Poster Contest	\$ 10,396.00	\$ 9,334.00	\$ 3,000.00	\$ 2,334.00	\$ 2,000.00	\$ 2,000.00												
Ogden Opera Guild	\$ 9,135.00	\$ 9,400.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00												
Ogden School Foundation	\$ 17,700.00	\$ 17,300.00	\$ 2,000.00	\$ 1,833.00	\$ -	\$ -												
Palette Club of Ogden	\$ 3,000.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -												
Pioneer Heritage Foundation	\$ 2,000.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -												
Project Success Coalition/ Juneteenth Festival	\$ 23,000.00	\$ 11,400.00	\$ -	\$ -	\$ -	\$ -												
St. Anne's Center	\$ 3,600.00	\$ 2,000.00	\$ 2,000.00	\$ 1,834.00	\$ -	\$ -												
Suzanne Storer			\$ 5,000.00	\$ 3,334.00														
Traces of the West	\$ 875.00	\$ 875.00	\$ 875.00	\$ 875.00														
United Way of Northern Utah	\$ 3,500.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -												
Utah Film Center	\$ 16,000.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Weber/Morgan Health Department	\$ 2,225.00	\$ 2,225.00	\$ 1,725.00	\$ 1,725.00	\$ 500.00	\$ 500.00												
WSU String Project	\$ 32,000.00	\$ 23,400.00	\$ -	\$ -	\$ -	\$ -												
Development Support																		
Ars Visualis L3C (d/b/a Whitespace)	\$ 10,200.00	\$ 3,000.00	\$ -	\$ -	\$ -	\$ -												
Beehive Theatre Company	\$ 20,000.00	\$ 4,500.00	\$ -	\$ -	\$ -	\$ -												
Foursite Film Festival	\$ 4,400.00	\$ 700.00	\$ -	\$ -	\$ -	\$ -												
Foursite Film Festival	\$ 6,000.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Good Company Theater	\$ 13,585.00	\$ 9,500.00	\$ -	\$ -	\$ -	\$ -												
Imagine Ballet Theater	\$ 4,000.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -												
Junction City Theatre Company	\$ 8,100.00	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -												
Movement Coalition	\$ 6,800.00	\$ 1,800.00	\$ -	\$ -	\$ -	\$ -												
Ogden Chamber Orchestra	\$ 4,000.00	\$ 1,800.00	\$ -	\$ -	\$ -	\$ -												
Ogden Friends of Acoustic Music	\$ 6,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -												
Ogden Repertory Theater	\$ 12,000.00	\$ 5,200.00	\$ -	\$ -	\$ -	\$ -												
Mini Grant																		
Richard Milner	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -												
Totals	\$ 818,265.00	\$ 506,466	\$ 121,650	\$ 70,000	\$ 91,000	\$ 60,000												

Note 1: Column highlighted in yellow represents the current year's Administration recommendations, and are not yet final.
 Note 2: Please be aware that Organizations may be represented in multiple categories over the years represented.
 Note 3: Beehive Theatre Company was renamed Junction City Theatre Company in 2010.

THE OGDEN CITY ARTS GRANTS PROGRAM

GRANT APPLICATION GUIDELINES – Read this carefully!

Ogden City Arts Advisory Committee

OGDEN CITY ARTS, a Citizen Advisory Committee of Ogden City, is given the authority to recommend grant funds provided by Ogden City in Fiscal Year 2016 to support arts organizations and artists in Ogden City and to provide access to the arts for the people of Ogden City.

OGDEN CITY ARTS provides all persons with equal access to programs without regard to race, religion, gender, national origin, disability, age, or sexual orientation.

The OGDEN CITY ARTS GRANTS PROGRAM, funded through an annual appropriation from Ogden City, makes direct grants to individuals and organizations that contribute to the cultural life of our community. OGDEN CITY ARTS GRANTS support projects in every art form, for both well-established institutions and emerging artists and arts projects. The OGDEN CITY ARTS GRANTS PROGRAM is competitive. The award of these grants is made at the sole discretion of OGDEN CITY.

All grants are made on a yearly basis, and new applications must be submitted each year.

All grant applications require at least a 1:1 cash funding match. In-kind contributions are not allowable as a portion of the required match, although they will be considered by the committee when reviewing applications as evidence of commitment to the applicant and project by others.

Please read carefully the Legal Assurances on the last page of the application before signing the application. In the event that a grant is awarded, these assurances become part of the legally binding contract between the applicant and OGDEN CITY ARTS.

Grants are made in two areas: **GENERAL SUPPORT GRANTS** and **PROJECT GRANTS**.

GENERAL SUPPORT GRANTS

GENERAL SUPPORT GRANTS offer general, and project support to Ogden City's established arts organizations which have developed a broad range of programming and have contributed extensively to the cultural life of the city. GENERAL SUPPORT GRANTS assist arts organizations with general operating expenses and the continuation or expansion of arts programming for the people of Ogden.

ELIGIBILITY

In order to be eligible for a GENERAL SUPPORT GRANT, the applicant must:

- Be a nonprofit, 501(c)(3) tax-exempt arts organization for at least three years, whose primary purpose is arts programming, support, or services.
- Be based in Ogden City.
- Have a record of professional management and programming.

- Show determination to present professional quality arts experiences as evidenced by paid performers, fair honoraria to artists, staff, etc. Guidelines
- Applicants for GENERAL SUPPORT are limited to requests of no more than 15% of their preceding year's total operating budget.
- GENERAL SUPPORT GRANTS are awarded on a yearly basis. Services must be performed within a twelve-month (grant year) period beginning no earlier than July 1 and ending by June 30 of each year.
- Applicants for GENERAL SUPPORT must make two free admission tickets available to OGDEN CITY ARTS for on-site evaluations of program activity.
- Applicant must submit copy of IRS 501© tax exemption letter with application.
- Recipients of other OGDEN CITY ARTS GRANTS during the same grant year are ineligible for GENERAL SUPPORT GRANTS.
- Only completed forms will be reviewed. Applications submitted that are determined to be incomplete at the time of application may be ruled ineligible for funding.
- GENERAL SUPPORT GRANTS must be matched with cash on at least a 1:1 ratio. Matching funds may be anticipated at time of application but must be received and obligated by the ending date of the grant as indicated in the application. In kind services and goods may not be used in the match.

PROJECT SUPPORT GRANTS

PROJECT SUPPORT GRANTS are available to nonprofit organizations for specific arts projects and programs that have been determined to be of value to the community. Exhibits, concerts, performances, festivals, shows, workshops, and readings are among projects eligible for funding through PROJECT SUPPORT GRANTS. Projects may also include consultant assistance related to improving the quality or management of arts or cultural programs, such as program planning, marketing, facility design, fundraising, long-range planning, and board development.

ELIGIBILITY

In order to be eligible for a PROJECT SUPPORT GRANT, the applicant must:

- Request support only for arts projects.
- Have a record of professional management and programming.
- Show determination to present professional quality arts experiences as evidenced by paid performers, fair honoraria to artists, staff, etc.
- Be based in Ogden City.
- PROJECT SUPPORT GRANTS must be matched with cash on at least a 1:1 ratio. Matching funds may be anticipated at time of application but must be received and obligated by the ending date of the grant as indicated in the application. In kind services and goods may not be used in the match.

- Applicants for PROJECT SUPPORT are limited to requests of no more than 25% of their project budget
- In addition to project budget information, applicants for PROJECT SUPPORT GRANTS must include in their application the organization's total estimated current fiscal year budget, showing all revenue and expenditures anticipated.
- Service must be performed within a period beginning July 1st, and ending by June 30th of the fiscal year. A request for an extension on the completion date for a project may be requested and will be granted at the sole discretion of Ogden City Arts.
- Applicants for PROJECT SUPPORT GRANTS must make two free admission tickets available to OGDEN CITY ARTS for on-site evaluations of program activity.
- Only completed applications will be reviewed. Applications submitted that are determined to be incomplete at the time of application may be ruled ineligible for funding.

REVIEW CRITERIA

The following criteria are considered during the review and approval process for applications in both categories:

- Artistic quality.
- Ability to administer and implement the project, including the development of a realistic budget.
- Projected income that reflects cash and in-kind match from a broad range of sources.
- Constituency served and number of people served through this project.
- Sound organizational planning and fiscal management.
- Community impact as evidenced by community support, public profile, types of programs, and services offered.
- Payment of professional fees to artists.
- Programs and services open to the public and not restricted to members only.
- Access for underserved and general populations (e.g., disabled, minority, senior, at risk youth, lower income, rehabilitative, etc.).
- Demonstration of professional community relations and support for artists and the arts community as it relates to this project.
- Completeness and clarity of application.

Major changes in scope, budget, or schedule must be submitted in writing and approved.

TAX EXEMPTION

As verification of tax exemption, GENERAL SUPPORT GRANT applicants must submit with their application a copy of their Internal Revenue Service letter granting 501(c)(3) federal tax exempt status or a Utah Non profit charter.

Non profit charter information:

Articles of Incorporation Nonprofit form:

<http://corporations.utah.gov/pdf/incnonprofit.pdf>

Fax/email cover sheet: <http://corporations.utah.gov/pdf/FaxCoverLetter.pdf>

Email address: corpucc@utah.gov

CONFIRMATION OF AWARD

Upon receipt of the OGDEN CITY ARTS notification of award, the grantee must confirm acceptance of the grant by returning the **Request for Release of the Grant Funds**.

PAYMENT OF GRANT FUNDS

50% of the grant award will be paid after receipt of the Request for Release of the Grant Funds and the Summary of Standards forms from the Grant recipient.

The final 50% payment will be made to all grantees upon completion of the project/season and receipt of the Final Report form at OGDEN CITY ARTS. Grantees should be aware that the final 50% payment will be available not less than two weeks following receipt of the Final Report form. In case of non-compliance with the conditions of the grant, OGDEN CITY ARTS reserves the right to refuse payment of the grant.

ON-SITE REVIEW

All grantees will be required to submit to OGDEN CITY ARTS the dates, times, and locations of their project or events. Every effort will be made by OGDEN CITY ARTS, Grants Committee, and staff members to evaluate grantees. Grantees will be requested to admit reviewers to their projects/ events free of charge.

DOCUMENTATION

The grantee shall give credit to OGDEN CITY CORPORATION in promotion, publicity, advertising, and programs. Copies of these materials should accompany the Evaluation Report form.

All grant recipients are required to document their projects and submit such documentation with their Final Report. Documentation should consist of photographs and/or video and a written description

FINAL REPORT

All grant recipients are required to submit a FINAL REPORT form to OGDEN CITY ARTS within thirty (30) days of project/season completion and no later than July 30, 2015. Grantees must request an extension in writing by June 30, 2015 if their projects have not been completed. **Please read through this form before initiating your project and create assessment tools that relate to it.** The form will be mailed to grantees with the notice of the grant award. Copies can also be requested from the Ogden City Arts.

INSURANCE

OGDEN CITY ARTS strongly encourages all applicants to pursue on their own some form of insurance coverage, both for project participants and for audience members, as a good business practice.

CANCELLATION

In cases where documents are not submitted in a timely manner, OGDEN CITY ARTS may, without notice, withhold or cancel grant funds. This includes the SUMMARY OF STANDARDS form and the FINAL REPORT form.

ACUMULATED DEFICIT

An organization that has sustained, increased, or failed to reduce an operating or capital budget deficit must demonstrate that it has made a significant effort to address this deficit. A deficit elimination plan, reviewed and approved by the organization's governing body, must accompany the application.

OGDEN CITY ARTS FUNDING LIMITATIONS

OGDEN CITY ARTS cannot fund:

1. Projects that do not demonstrate a broad base of funding from sources other than OGDEN CITY ARTS.
2. Projects completed prior to application date.
3. Travel or programming outside of Ogden.
4. Tuition for college/university study in the U. S. and abroad.
5. Deficits.

HOW TO APPLY

All applicants, but especially first-time applicants, are invited and strongly encouraged to contact the Arts Director of OGDEN CITY ARTS. Late applications will not be reviewed. For further information about the grants program, or if you have questions regarding preparation of your application, please call or write:

Diane Stern, Ogden City Arts Coordinator (801) 629-8719 dianestern@ogdencity.com

Robin McCaul, Associate Ogden City Arts Coordinator (801)629-8718 robinmccaul@ogdencity.com

Download application to your desktop, fill it out completely and email to arts@ogdencity.com or mail to: Ogden City Arts, 2549 Washington Boulevard, Suite 915 Ogden, Utah 84401 to arrive BEFORE the deadline.

PUBLIC HEARING

In compliance with Utah State Code 10-2-8, a public hearing must be conducted prior to awarding grant funds to selected applicants. Therefore, applicants may be requested to attend a public hearing that will be held in conjunction with an Ogden City Council meeting. A notice of date and time will be sent to all applicants at least two weeks prior to the hearing.

FAQs

Who evaluates the grants applications?

Applications are first reviewed by the Grants Committee, composed of OGDEN CITY ARTS ADVISORY COMMITTEE sub-members with a representative from the Community and Business Development office and a City Council member. Recommendations for funding are submitted to the full membership for final approval.

Those recommendations then go to the Ogden City Director of Community and Business Development for approval.

They then go to the City Council in a work session for their review and recommendations

Based upon City Council's advice, the awards are amended as necessary by the Ogden City Arts Advisory Committee and are presented in a public hearing held in conjunction with a normal City Council meeting. The hearing date will be determined by the Ogden City Council. Applicants will be notified of the public hearing two weeks prior and are encouraged to attend for input to the City Council and City Administration. However, attendance is not mandatory.

Does submitting additional printed materials with my application improve my chances for getting a grant?

No -- supplementary materials that are not specifically requested will not be mailed to the review committee.

When will the awards be announced and delivered to the successful grantees?

After the City Council has approved the awards, the successful grantees will be mailed a packet with a Letter of Agreement and a Request for Release of Funds form.



City Council Meeting COUNCIL STAFF REVIEW

FY2017 BUDGET AMENDMENT (\$1,257,015)

– Revenue

- *Grant Funds from Administrative Office of the Courts (\$3,015)*
- *Developer Loan Repayment and Interest (\$643,000)*
- *RDA Loan Repayment and Interest (\$342,000)*
- *Retained Earnings from Sanitary Sewer Utility (\$269,000)*

--Appropriations

- *Machinery and Equipment – Cameras (\$3,015)*
- *Loan to RDA for Future Property Purchase (\$912,00)*
- *HELP Program (\$342,000)*

--Transfers

- *Quality Neighborhoods Funds to RDA (\$1,000,000)*
- *Contingency Funds to Professional and Technical- General Fund Financial Model (45,000)*

DETERMINATION: **Adopt or Not Adopt Ordinance**

Executive Summary

The Council will consider an Ordinance that authorizes budget amendments totaling \$1,257,015. The budget amendment recognizes revenue from a small grant and funds for a repayment of a loan from the RDA and a Developer. The budget amendment also transfers funds from contingency funds to pay for the General Fund Financial Model, transfers loan funds to the RDA for future property purchases, and transfers the Quality Neighborhoods funds to the RDA.

Background

During the fiscal year, the Council entertains requests for budget adjustments to allow for the following:

1. Entering grant or other special purpose revenues into the budget prior to expenditure.
2. Making mid-course corrections to avoid budget overruns.
3. Forwarding encumbrances from the previous fiscal year.
4. Other items dealing with special circumstances or opportunities.



City Council Meeting COUNCIL STAFF REVIEW

The Uniform Fiscal Procedures Act for Utah Cities requires that a public hearing be held on all budget adjustments where the budget of one or more funds is increased. (Utah Code Ann. §10-6-127.) Notice of the public hearing must be given seven (7) days prior to the hearing. (Utah Code Ann. §10-6-113.) For year-end adjustments, the hearing must be held before June 30.

September 7, 2016

A transmittal outlining the Administration's request for a budget adjustment was received.

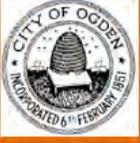
September 13, 2016

The City Council reviewed the proposed budget amendment prior to the regular meeting. The Council set a public hearing on the proposed budget amendment for October 4, 2016.

Proposal

The proposal is to amend the FY2017 budget to provide for additional revenues in the amount of \$1,257,015 not previously anticipated and to appropriate the additional funds for various expenditures. A summary of the Revenues and Appropriations is shown below:

Summary of Revenues			Notes
Fund/ Source	Amount	Total	
General Fund			
Miscellaneous Grants	\$ 3,015		Cameras - Admin Office of Courts
Sub-Total		\$ 3,015	
Sanitary Sewer Utility Fund			
Interest Income	\$ 93,000		From Developer Loan
Loan Repayment Proceeds	\$ 550,000		From Developer Loan
Use of Retained Earnings	\$ 269,000		For Transfer to RDA (Loan)
Sub-Total		\$ 912,000	
Major Grants Fund			
Interest Income	\$ 2,000		From RDA Loan
Loan Repayment Proceeds	\$ 340,000		From RDA Loan
Sub-Total		\$ 342,000	
TOTAL		\$ 915,015	



City Council Meeting COUNCIL STAFF REVIEW

Summary of Appropriations			Notes
Fund/ Source	Amount	Total	
General Fund			
Machinery and Equipment	\$ 3,015		Cameras - Admin Office of Courts
Contingent	\$ (45,000)		
Professional and Technical	\$ 45,000		
Sub-Total		\$ 3,015	
Sanitary Sewer Utility Fund			
Loan	\$ 912,000		Loan to RDA
Sub-Total		\$ 912,000	
Major Grants Fund			
Quality Neighborhoods Funds	\$ (1,000,000)		
Transfer to RDA for QNI	\$ 1,000,000		For Transfer to RDA
HELP Program	\$ 342,000		HELP Program
Sub-Total		\$ 342,000	
TOTAL		\$1,257,015	

The loan to the RDA will facilitate future property purchases. The Quality Neighborhoods Funds are being transferred to the RDA because those funds were meant to fund housing developments associated with QNI that may be assisted with other RDA funds or development agreements with the RDA.

Question

Please review the proposed budget amendment and highlight the revenues and expenditures.

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

OGDEN CITY TRANSMITTAL

Date: September 1, 2016
To: Ogden City Council
From: Lisa Stout, Comptroller
RE: BUDGET OPENING – FY 2017 INTERFUND LOANS AND QN TRANSFER

Staff Contact: Lisa Stout, Comptroller, ext. 8713
Recommendation: Set public hearing and adopt ordinance
Documents: - Ordinance
- Schedule A (Revenue)
- Revenue Detail Schedule
- Schedule B (Appropriations)
- Appropriation Detail Schedule

Executive Summary

This proposed action is to recognize the appropriations of new revenue or expected activities by Ogden City.

The City has been awarded one time funds for surveillance cameras at the Justice Court. This is a State of Utah technology grant the Justice Court receives annually. The FY17 award is in the amount of \$3,015. This ordinance recognizes this revenue and an appropriation in the General Fund for Machinery and Equipment at the Justice Court.

The City is also proposing a transfer from the General Fund Contingency account to the Management Services Department professional and technical account in the amount of \$45,000, this budget is to pay for the Fiscal Sustainability Plan developed for the City's General Fund. This transfer does not increase the overall City budget, but moves this budget from Non-Departmental to Management Services.

The Sanitary Sewer fund loaned \$550,000 in FY12 to a developer for improvements in the CBD area. The terms of the loans required repayment of principal and interest to the City by July 2016. The repayment of this loan is pending and the City is proposing a budget opening to recognize the receipt of these funds in the amount of \$550,000 with interest earnings of \$93,000 in the Refuse fund. The City is proposing the entire amount of \$550,000 principal and \$93,000 interest then be appropriated, with an additional \$269,000 from fund balance, for a total of \$912,000. This \$912,000 is being proposed as a loan from the Sanitary Sewer fund to the Redevelopment Agency for use in the purchase of property by the RDA. The loan agreement will come to the City Council for their approval, in connection with this budget opening.

The Quality Neighborhoods program has been funded by the City Council for FY17, in the amount of \$1,000,000. This budget is currently in the City's Major Grants fund. The City is proposing transferring the \$1,000,000 from the Major Grants fund to the Redevelopment Agency's Housing fund. This transfer does not increase the overall City budget, but allows for the City to transfer these funds to the RDA.

The City loaned \$340,000 out of the HELP program to the Redevelopment Agency in FY16. The terms of this loan required the Agency to repay the City in July 2016. The City is proposing a budget opening in the Major Grants fund to recognize the repayment of this loan principal in the amount of \$340,000 and interest in the

amount of \$2,000. Additionally, an expenditure appropriation of \$342,000 is proposed to increase the funding in the HELP program so these funds can be returned to this program.

Background

Council action is required to appropriate.

Proposal

Review and adopt ordinance.

Fiscal Impact

An increase to the City Budget of \$1,257,015.

ORDINANCE NO. 2016-49

AN ORDINANCE OF OGDEN CITY AMENDING THE BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017 BY INCREASING THE ANTICIPATED REVENUES FOR A GROSS INCREASE OF \$1,257,015 FROM SOURCES AS DETAILED IN THE BODY OF THIS ORDINANCE; AND INCREASING THE APPROPRIATIONS FOR A GROSS INCREASE OF \$1,257,015 AS DETAILED IN THE BODY OF THIS ORDINANCE; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

WHEREAS, after due consideration, the Council of Ogden City has approved the proposed modifications as described herein.

The Council of Ogden City hereby ordains:

SECTION 1. Anticipated revenues, transfers and adjustments for the 2016-2017 budget altered, increased and decreased. The anticipated revenues, transfers and adjustments for the various funds of the 2016-2017 budget are hereby changed as hereinafter set forth, with net adjustments of \$1,257,015, as detailed in Schedule "A", which is attached hereto and made a part by reference.

SECTION 2. Appropriations from the 2016-2017 budget altered, increased and decreased. The appropriations for various funds of the 2016-2017 budget are herein altered, increased and decreased by net adjustments of \$1,257,015, as follows:

Appropriations increased since June 30, 2016 as detailed in Schedule "B", which is attached hereto and made a part hereof by reference.

SECTION 3. Effective date. This ordinance shall become effective immediately upon posting after final passage.

PASSED, ADOPTED AND ORDERED POSTED by the Council of Ogden City, Utah, this ____ day of _____, 2016.

CHAIR

ATTEST:

Tracy Hansen, City Recorder

Transmitted to the Mayor on _____

Mayor's Action: ____ Approved ____ Vetoed

Michael P. Caldwell, Mayor

ATTEST:

Tracy Hansen, City Recorder

Posting Date: _____

Effective Date: _____

Approved as to Form: MAB 9-8-16
 Legal Date

OGDEN CITY
BUDGET OPENING - FY 2017 INTERFUND LOANS AND QN TRANSFER
REVENUE SCHEDULE
SCHEDULE "A"

<u>Account Title</u>	<u>Account Number</u>	<u>Amount</u>
<u>GENERAL FUND</u>		
MISCELLANEOUS GRANT & DONATIONS REVENUE	1000-1-37003	\$ 3,015
SUB TOTAL GENERAL FUND		\$ 3,015
 <u>SANITARY SEWER FUND</u>		
INTEREST INCOME	5110-1-61000	\$ 93,000
LOAN REPAYMENT PROCEEDS	5110-1-85000	\$ 550,000
USE OF RETAINED EARNINGS	5110-1-83003	\$ 269,000
SUB TOTAL REFUSE FUND		\$ 912,000
 <u>MAJOR GRANTS FUND</u>		
INTEREST INCOME	7130-1-61000	\$ 2,000
LOAN REPAYMENT PROCEEDS	7130-1-85000	\$ 340,000
SUB TOTAL MAJOR GRANTS FUND		\$ 342,000
 TOTAL REVENUE BUDGET		 \$ 1,257,015

OGDEN CITY
BUDGET OPENING - FY 2017 INTERFUND LOANS AND QN TRANSFER
REVENUE DETAIL SCHEDULE

<u>Item Title</u>	<u>Description</u>	<u>Amount</u>
GENERAL FUND		
MISCELLANEOUS GRANT & DONATIONS REVENUE	Administrative Office of the Courts one time funds for surveillance cameras.	3,015
SUB TOTAL GENERAL FUND		\$ 3,015
SANITARY SEWER FUND		
INTEREST INCOME	The City loaned funds to a developer in fiscal year 2016, in the amount of \$550,000. The terms of the note required the developer to repay the City July 2016, with interest. This recognizes the interest income from this loan.	\$ 93,000
LOAN REPAYMENT PROCEEDS	The City loaned funds to a developer in fiscal year 2016, in the amount of \$550,000. The terms of the note required the developer to repay the City July 2016, with interest. This recognizes the principal repayment of this loan.	\$ 550,000
USE OF RETAINED EARNINGS	The City is proposing an interfund loan to the Redvelopment Agency for the purchase of property in the amount of \$912,000. The repayment of a developer loan is being proposed to fund the majority of the interfund loan. Use of Retained Earnings in the amount of \$269,000 would need to be appropriated to fund the total interfund loan.	\$ 269,000
SUB TOTAL REFUSE FUND		\$ 912,000
MAJOR GRANTS FUND		
INTEREST INCOME	The City loaned funds to the RDA in fiscal year 2016, in the amount of \$340,000. The terms of the note required the RDA to repay the City July 31,2016, with interest. These funds will be budgeted in the HELP program to be loaned again based on the terms of the HELP program.	\$ 2,000
LOAN REPAYMENT PROCEEDS	The City loaned funds to the RDA in fiscal year 2016, in the amount of \$340,000. The terms of the note required the RDA to repay the City July 31,2016, with interest. These funds will be budgeted in the HELP program to be loaned again based on the terms of the HELP program.	\$ 340,000
SUB TOTAL MAJOR GRANTS FUND		\$ 342,000
TOTAL REVENUE BUDGET		\$ 1,257,015

OGDEN CITY
BUDGET OPENING - FY 2017 INTERFUND LOANS AND QN TRANSFER
APPROPRIATION SCHEDULE
SCHEDULE "B"

<u>Account Title</u>	<u>Account Number</u>	<u>CIP #</u>	<u>Amount</u>
<u>GENERAL FUND</u>			
MACHINERY AND EQUIPMENT	1000-1-01-200150-34000		\$ 3,015
CONTINGENT	1000-1-01-300300-14412		(45,000)
PROFESSIONAL AND TECH	1000-1-01-200100-13406		<u>45,000</u>
SUB TOTAL GENERAL FUND			\$ <u>3,015</u>
<u>SANITARY SEWER FUND</u>			
LOAN TO REDEVELOPMENT AGENCY	5110-1-09-855603-51000		<u>\$ 912,000</u>
SUB TOTAL REFUSE FUND			\$ <u>912,000</u>
<u>MAJOR GRANTS FUND</u>			
Quality Neighborhoods Funds	7130-1-06-550406-14610		\$ (1,000,000)
Transfer to RDA for Quality Neighborhoods	7130-1-09-550406-52000		\$ 1,000,000
HELP program	7130-1-06-550408-14880		<u>\$ 342,000</u>
SUB TOTAL MAJOR GRANTS FUND			\$ <u>342,000</u>
TOTAL APPROPRIATIONS			\$ <u><u>1,257,015</u></u>



City Council Meeting COUNCIL STAFF REVIEW

PROPOSED REZONE OF PROPERTY AT 17TH AND WALL AVENUE

COUNCIL

DETERMINATION: Approve/not approve amendment

PLANNING COMMISSION

RECOMMENDATION: Approval of the amendment (8-0)

Executive Summary

The petitioner, Richard Coleman, has submitted a petition to rezone his property at 127 17th Street from the existing M-1 zone to the C-3 zone. As part of its recommendation, the Planning Commission added the property on the corner of 17th and Wall Avenue to the petitioner's request for rezone. The proposal would rezone the two large parcels on the southeast corner of the intersection from M-1 to C-3. The Commission's recommendation was made with a vote of 8-0.

Background

The petitioner, Mr. Richard Coleman, has submitted a petition to rezone his property located at 127 17th Street from M-1, Limited Manufacturing, to C-3, Regional Commercial. Mr. Coleman has indicated that he wishes to rezone the property to increase the commercial options available on the property. Because Mr. Coleman's property is not directly on the corner of 17th and Wall Avenue, the Planning Staff and Planning Commission felt that the parcel on the corner, owned by Harbertson Family, LLC, should be rezoned as well. The rezone is consistent with the community and corridor plans that cover the area and is consistent with the actions taken on the west side of Wall Avenue with the recently approved Gibson Community Plan and rezones.

September 20, 2016

The Council reviewed the proposed rezone at the work session of September 20, 2016. No changes were made to the proposal as a result of the review.

Current Proposal The current proposal is to rezone two large parcels on the southeast corner of 17th Street and Wall Avenue from M-1 to C-3.

Planning Commission

The Planning Commission reviewed the proposal at the meeting of August 3, 2016 and forwarded a recommendation of approval to the Council with a vote of 8-0. The Commission made its recommendation with the finding that the rezone is consistent with the Mountain View Community Plan and

OGDEN CITY COUNCIL TRANSMITTAL

DATE: August 9, 2016
TO: Ogden City Council
THRU: Mark Johnson, CAO
FROM: Tom Christopulos, CED Director
RE: Petition # 2016-7 to rezone from M-1 to C-3 the properties at the southeast corner of 17th St. and Wall Ave
STAFF CONTACT: Greg Montgomery, Planning Manager
REQUESTED TIMELINE: September 6, 2016

RECEIVED

AUG 23 2016

**OGDEN CITY
COUNCIL OFFICE**

RECOMMENDATION: Approval of the proposed amendment to the zoning map

DOCUMENTS: Ordinance, Staff report

DISCUSSION

Mr. Richard Coleman, the owner of the Coleman Knitting Mills at 127 17th St. petitioned to rezone the Coleman Knitting Mills property from M-1 to C-3. The applicant for the rezone was represented by Mr. Scott Coleman, the applicant's son, who briefly introduced the proposal. The purpose of the request is so that the company could have additional commercial opportunities at that location.

Staff expanded the proposed zoning to include the Harbertson Family LLC property, which included 3 buildings at the corner of 17th St. and Wall Ave. This C-3 zoning would coincide with the C-3 zoning that recently took place across the street to the west as part of the Gibson Community Plan implementation. There are 3 businesses that currently reside on this parcel (Marpitih Puti Martial Arts, Transmission Specialists, and J and J Auto Body. All 4 of these businesses are permitted in the C-3 zone, so there is not a new issue of incompatibility.

Staff spoke in support of the application, focusing on the direction from the General Plan as support for the proposed zone change.

PLANNING COMMISSION ACTION

The Planning Commission reviewed this item on August 3, 2016 and a motion was made and seconded to recommend approval of the proposed rezone. The motion was based upon the finding that this rezone is consistent with the Mountain View Community Plan and that there are changing conditions in this portion of Ogden City to consider the zone change in creating additional options for development and it will not adversely affect the Zoning Ordinance.

PLANNING COMMISSIONERS VOTE

	<u>Yes</u>	<u>No</u>
Blaisdell.....	X	
Holman.....	X	
Graff.....	X	
Schade	X	
Herman.....	X	
Patterson.....	X	
Wright.....	X	
Southwick.....	X	

CONCERNS OF CITIZENS

None

STAFF RECOMENDATION

Approval of the proposed zone change

ORDINANCE NO. 2016-55

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE ZONING MAP OF OGDEN CITY, AS ADOPTED BY SECTION 15-3-3 OF THE OGDEN MUNICIPAL CODE, TO RECLASSIFY AS REGIONAL COMMERCIAL ZONE (C-3) PROPERTY HERETOFORE CLASSIFIED AS LIMITED MANUFACTURING ZONE (M-1), GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 17TH STREET AND WALL AVENUE, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

WHEREAS, the Ogden City Planning Commission, after notice and public hearing as required by law, reviewed a proposal to rezone from Limited Manufacturing Zone (M-1) to Regional Commercial Zone (C-3) property generally located at the southeast corner of 17th Street and Wall Avenue in implementation of the Mountain View Community Plan, and has recommended to the City Council that such property be rezoned as proposed.

WHEREAS, the Ogden City Council has determined that the proposed rezoning is necessary for the implementation of the Mountain View Community Plan and will be in the best interests of the City to rezone such property.

The Council of Ogden City hereby ordains:

SECTION 1. Zoning Map amended. The Zoning Map of Ogden City, as adopted by Section 15-3-3 of the Ogden Municipal Code, is hereby amended to reclassify as Regional Commercial Zone (C-3) property heretofore classified as Limited Manufacturing Zone (M-1), generally located at the southeast corner of 17th Street and Wall Avenue, and more particularly described in the drawing attached hereto as Exhibit A and made a part hereof by reference.

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

PASSED, ADOPTED AND ORDERED POSTED by the Council of Ogden

City, Utah this ____ day of _____, 2016.

CHAIR

ATTEST:

Tracy Hansen, City Recorder

TRANSMITTED TO THE MAYOR ON: _____

MAYOR'S ACTION: ____ APPROVED ____ VETOED

Michael P. Caldwell, Mayor

ATTEST:

Tracy Hansen, City Recorder

POSTING DATE: _____

EFFECTIVE DATE: _____

APPROVED AS TO FORM: _____

LEGAL

DATE

MPH 8/4/16

EXHIBIT A

PART OF THE SW.1/4
SECTION 20, T.6N., R.1W., S.L.B. & M.

127

TAXING UNIT: 25, 390

IN OGDEN CITY
SCALE 1" = 100'



SEE
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Report by John Mayer

Agenda Name: PUBLIC HEARING TO REZONE FROM M-1 TO C-3 THE
PROPERTIES AT THE SOUTHWEST CORNER OF 17TH AND
WALL AVENUE

Petitioner/ Developer: Mr. Richard Coleman
127 17th St.
Ogden, UT 84404

Requested action: Approval is requested to amend the zoning map by rezoning specific properties from M-1 to C-3 as described in the Mountain View Community Plan

Planning Staff's Recommended Action

Approval of rezoning the designated properties to C-3 as proposed

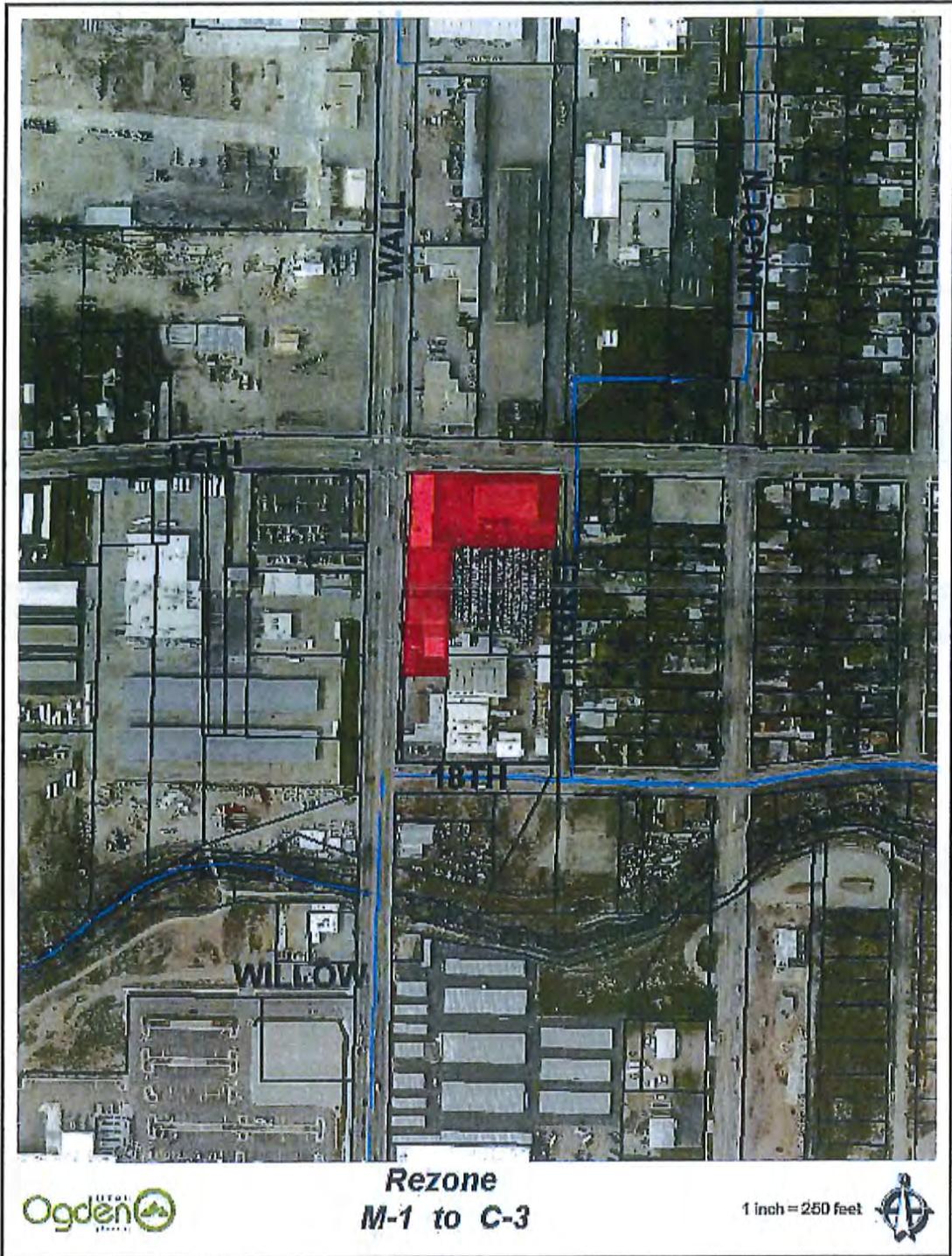
Planning Commission's determination for action

1. There are / *are not* changing conditions to this portion of Ogden City to consider a zone change
2. Rezoning to C-3 is / *is not* consistent with the Mountain View Community Plan and zoning policies.

Past History

September 2002 – Approval of the site plan for the Coleman Knitting Mills building.

Vicinity Map



Description of request

Mr. Coleman, the owner of Coleman Knitting Mills wishes to rezone the Coleman Knitting Mills property shown on the attachment from M-1 (Limited Manufacturing Zone) to C-3 (Regional Commercial). The purpose of the request is so that the company could have expanded commercial opportunities at this location. Coleman Knitting Mills is in the business of producing and warehousing textiles. The commercial zoning would permit sales of their product at this location. The C-3 zoning would coincide with the commercial zoning to the west that occurred as part of the Gibson Community Plan implementation. Staff has included the Marpithi Puti martial arts building, the Transmission Specialists and J and J Auto Body in the zoning as these businesses are all part of the same property owned by the Harbertson Family LLC.

What Planning Commission reviews

The Commission is required to review any change to the zoning map and hold a public hearing when a change to the map is proposed. This is a legislative action and the main area of focus is the promotion of achieving the goals of the general plan and maintaining general public health, safety, and welfare. Review includes the potential impacts to all portions of the city this rezone may affect.

Upon review by the Planning Commission, the Planning Commission recommendation will be sent to the City Council for their review, input, deliberation and final action.

Factors for consideration of action

1. Consistency with General Plan

The Planning Commission should first consider the general plan goals, objectives and strategies that are identified in the General and Community Plans that pertain to this zone change. Below are the sections of the Mountain View Community Plan that pertain to this rezone request.

14.I **Commercial Corridors – “Many of the businesses along the eastern side (Wall Avenue) are of a commercial type use and under the present M-1 zoning are non conforming”.**

Most of the existing uses in the area will be conforming under the C-3 zone. From a “use “standpoint these four businesses will conform to the C-3 zoning as well. The (Merpatih Puti) building on the corner of 17th St and Wall has been non-conforming as to setbacks under the M-1 zone. It will be conforming under the C-3 zoning.

14.I.2.C Review land uses with allowed uses to determine the amount of nonconformity along Wall Ave. If excessive consider amending the Wall Avenue Corridor Plan to consider rezoning the eastern side of Wall Avenue from M-1 to C-3. Upon evaluation of the existing land uses and the pending zoning changes, stemming from the Gibson Community to the west, it is appropriate that these properties be rezoned to C-3. The adjoining land uses to the west are now zoned C-3. This will foster the emerging node of commercial land uses in the area.

2. Compliance with land use policies

The Planning Commission will also need to consider the implications of the Zoning Code (Title 15 of the Municipal Code) and how it pertains to the rezoning of the properties. Staff has reviewed the General Plan to consider the policy implications for the rezone in this area.

8.E.2 Zoning should reflect the prevailing character of an overall district or neighborhood to the largest extent possible, with consideration being given to the use and characteristics of individual properties. Districts determined to be in transition may be given special consideration. It is hoped that the new zoning (C-3) will usher in quality commercial land uses that will assist in lifting up the types of commercial uses that will ultimately benefit the area. The C-3 zoning will reflect the prevailing character of the area, as a tire store and grain inspection office are located across the street to the north. To the east (across Pingree Ave there are residential land uses. The commercial zoning will likely be a better transitional zone to those residences than the M-1. To the west is the UTA bus lot. Commercial land uses are compatible with that type of storage and maintenance facility. All the current uses (knitting mills, martial arts studio, transmission specialists and auto body can be accommodated in the C-3 zone. In fact these are all permitted uses without the fencing requirement that some of these uses have in the M-1.

8.E.13 The intensity and location of commercial zoning should be based on market patterns, circulation, traffic counts and space requirements considerations. Space requirements for expansion of existing commercial uses also should be taken into consideration. The intensity and traffic volumes in this area are to the level that commercial zoning is merited. The uses and structures included in the rezoning proposal can be accommodated under the proposed C-3 zoning.

8.E.13 Commercial zonings should be located on collector and arterial streets, avoiding local streets that serve residential zones. Wall Avenue is an arterial and 17th Street is a collector. Based upon its adjacency to this street, this corner is an appropriate node for C-3 zoning. The increased commercial zoning at this node is the appropriate location given the built out nature of development at 12th Street to the north. This will assist in making the connection to further development in the downtown. There are certain uses that are appropriate for the C-3 but not the CBD.

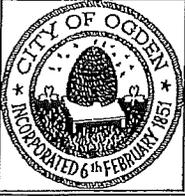


OGDEN CITY PLANNING COMMISSION
August 3, 2016 AGENDA ITEM- H

The proposed rezone from M-1 to C-3 would continue to make the existing businesses (Coleman Knitting Mills, Transmission Specialists, J and J Auto Body and Merpatih Puti School of Martial Arts) conforming as to zoning and would not negatively impact any of the existing adjacent land uses. The zoning ordinance provides the regulations that regulate and control the permitted and conditional uses within the commercial zones. As described above, the M-1 zoning is a limited manufacturing zone, whereas the C-3 Zone is characterized by more traditional commercial land uses. As the existing businesses consider expanding their businesses to include a direct sales component, that activity can be calibrated to meet their existing parking.

Attachments

1. Petition and letter
2. Proposed rezone area and photos of the area being considered for this rezone
3. Plat page
4. Notice



Petition to Amend Ogden City Zoning Map

Ogden City Development Services
2549 Washington Blvd. Suite 240
(801) 629-8930

Please print legibly and complete all areas:

The following checklist will help you prepare your petition for a rezone request. To help you understand the possibility of rezoning, review the Community Plan to determine whether your request is consistent with options given in the Community Plan for the property involved.

Petition Checklist

- Review request with a Planner. Planner is to accompany petitioner when filing with City Recorder's office.
- Submit a plat from Weber County Recorder's office highlighting the property for which the rezone is being requested
- Provide a copy of the legal description of the property involved
- Pay the appropriate fee at the City Recorder's office, as outlined below (please check one):
 - \$550 - Standard fee
 - \$800 - If a development agreement is required
 - \$1175 - If a plan amendment is required to consider the rezoning

Petitioner Contact Information

Name: Richard Coleman

Address: 127 17th

City: Ogden State: Ut Zip: 84404

Phone: 801-621-2072 E-mail Address: dick@colemanknittingmills.com

Petition to Rezone

I (we) the undersigned property owner(s) do respectfully request that the Ogden City Zoning Map be amended by rezoning the property located at 127 17th Street

(address)

Parcel #: 12-127-0001; _____; _____

From M-1 to C-3 Submittal date: 6-1-16

Proposed use of rezoned property, if granted: More Future options for use in a C-3

Petitioner's name Richard Coleman
(please print)

Petitioner's signature [Signature]

Petition number: 2016-7
 Filed in the office of the City Recorder
 By Richard Coleman
 Date 06-01-16
 Fee \$550.00 Check # VISA

PAID!!
 002-00328261
 \$ 550.00
 JUN 01 2016 107 PM

Mayer, John

From: Scott Coleman <scottaly8699@gmail.com>
Sent: Wednesday, July 20, 2016 10:57 AM
To: Mayer, John
Cc: dick
Subject: Re-zoning of the Coleman Knitting Mills Building

Hi John,

Hope you're doing well. Thank you for your discussing the re-zoning application that my folks and I submitted several weeks ago regarding thier building located at 127 17th Street

As requested, here is a quick outline of why would we like to re-zone the building:

1. We want to support the overall master plan of the area by seeing the zone changed from M-1 to C-3. We believe that the C-3 Zone will bring improved development which will hopefully revitalize the entire area along wall avenue
2. As for future use of our existing building, the C3 zone allows for great diversity of any new or future business that may want to occupy our building

If you have any further questions prior to the meeting please get a hold of me. Thanks John.

Respectfully,

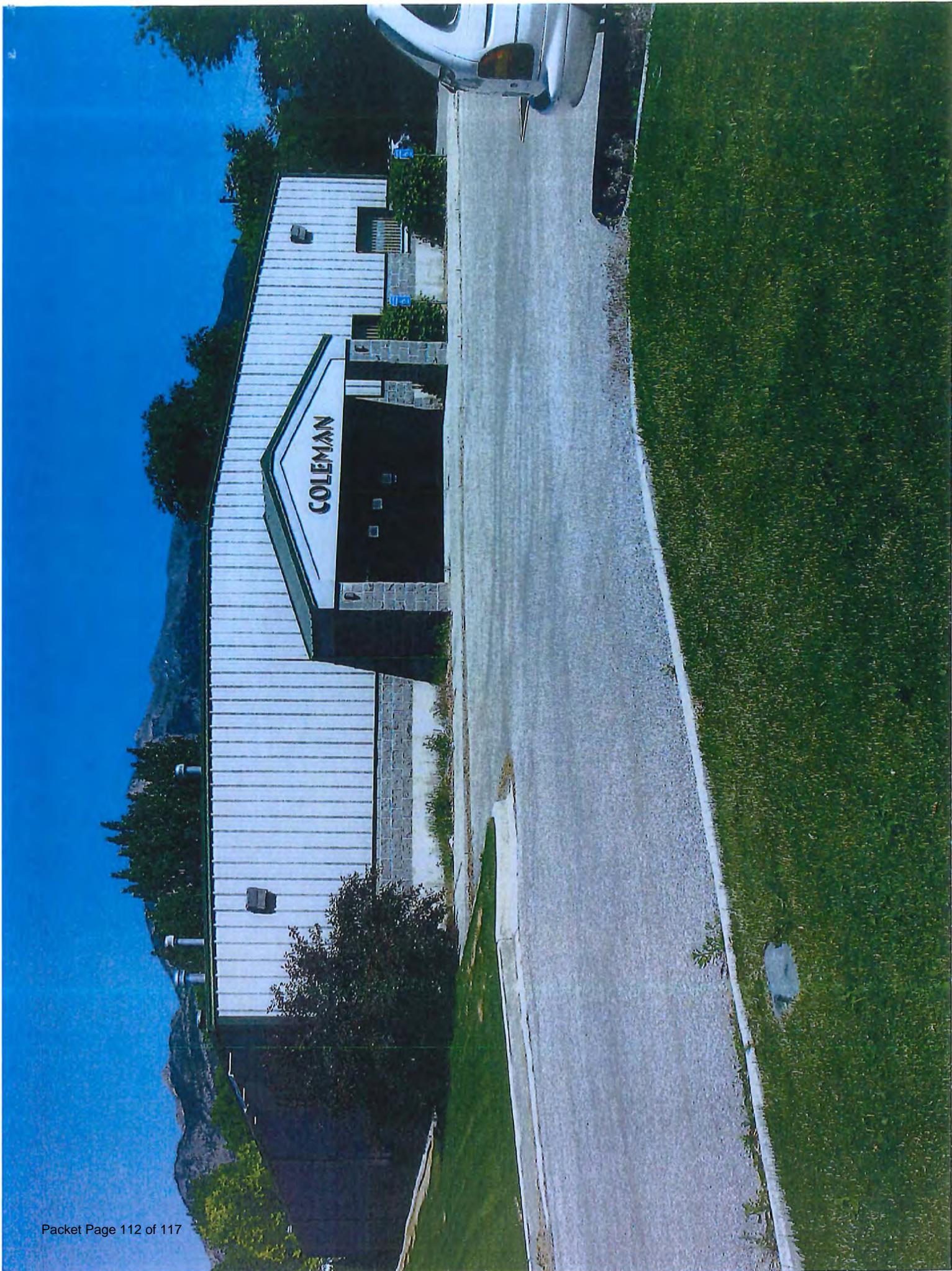
Scott Coleman
801-391-4963
scottaly8699@gmail.com



**Rezone
M-1 to C-3**

1 inch = 250 feet



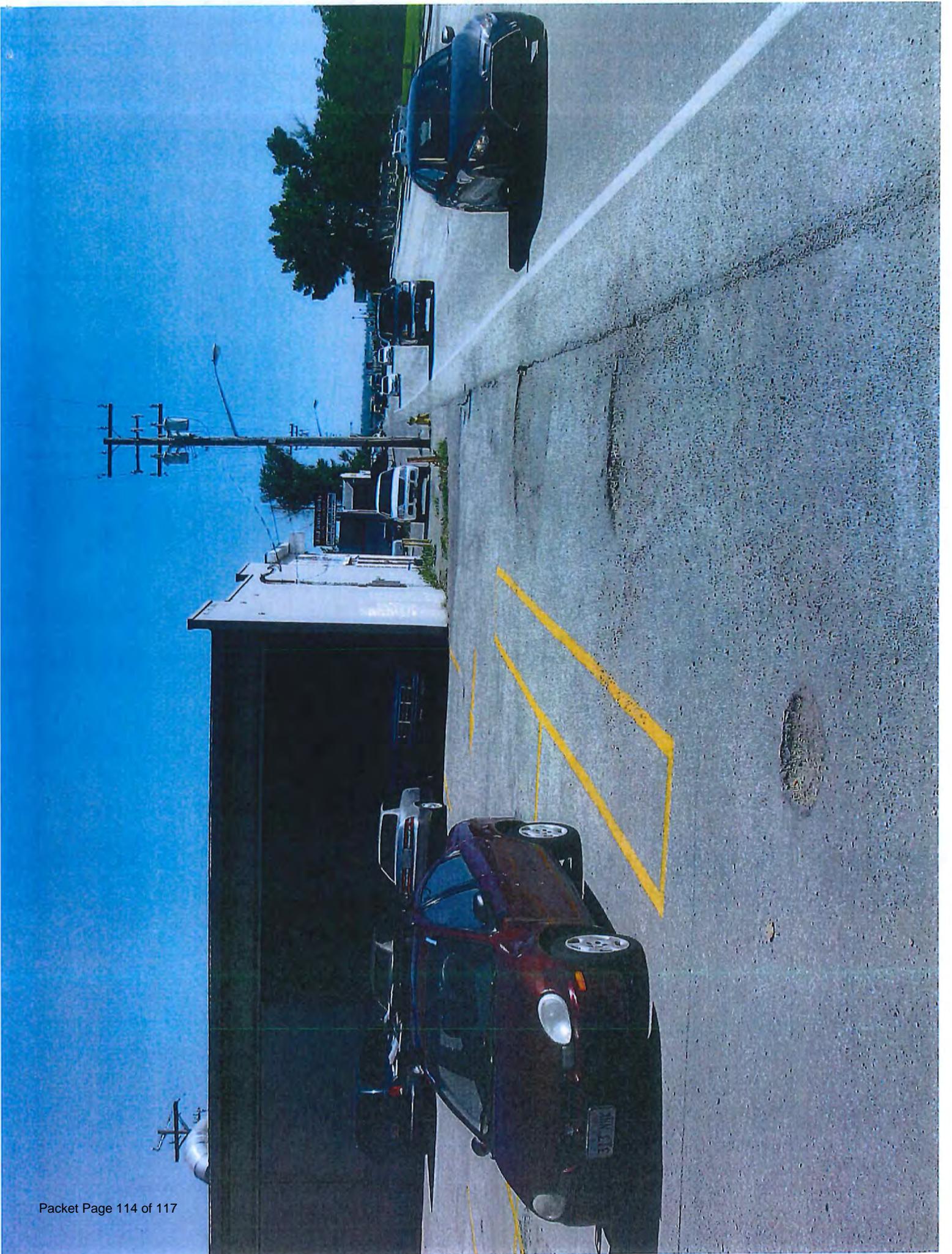


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SPECIALISTS**
801-941-7135

1740



PART OF THE SW.1/4
SECTION 20, T.6N., R.1W., S.L.B. & M.

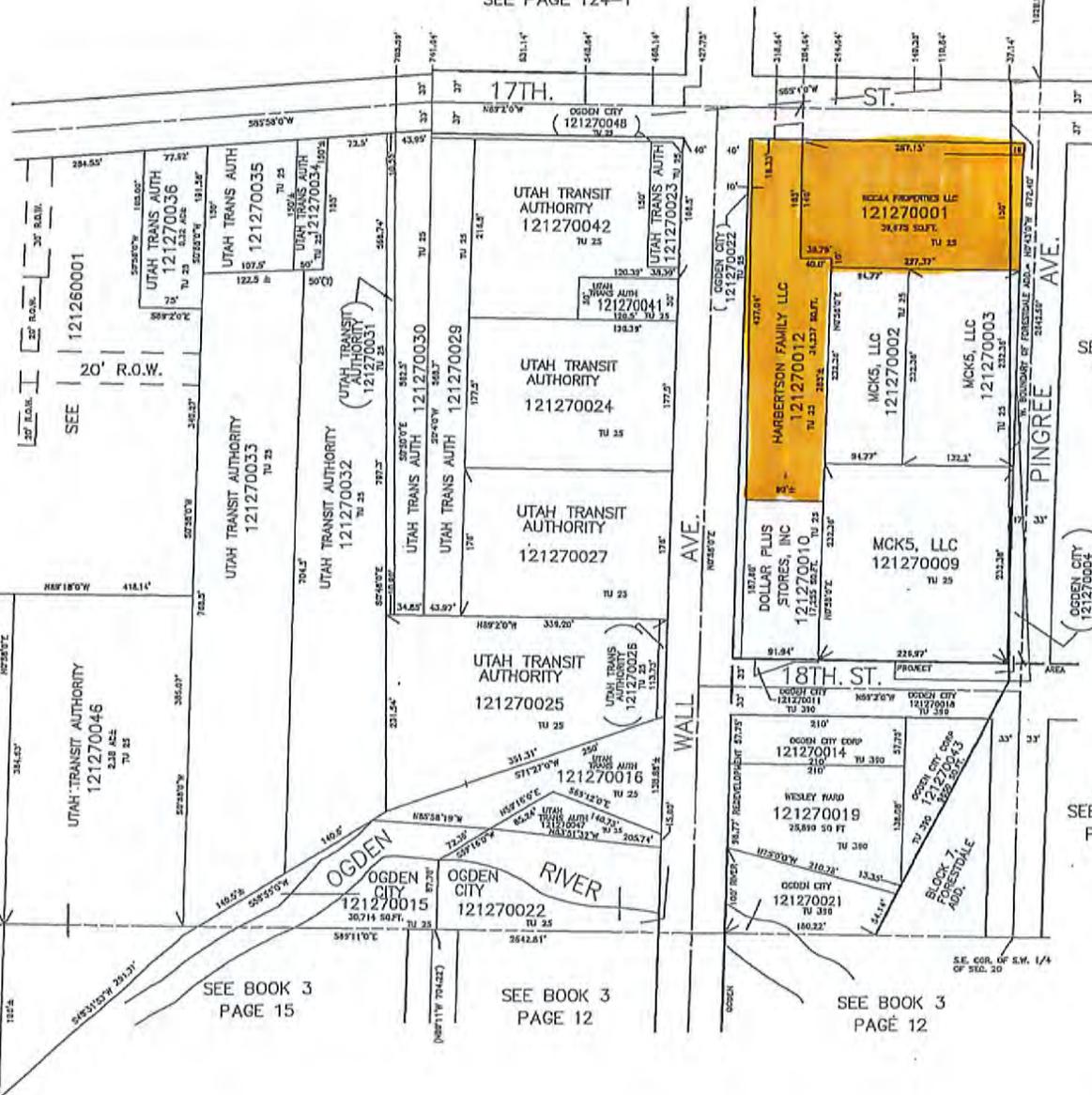
TAXING UNIT: 25, 390

IN OGDEN CITY

SCALE 1" = 100'

SEE PAGE 124-1

N.E. COR. OF SW. 1/4
OF SEC. 20



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