

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 p.m. on June 6, 2013.**

AGENDA ITEMS:

Page

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

Minutes of Layton City Council Budget Work Meeting – March 4, 2013	1
Minutes of Layton City Council Strategic Planning Work Meeting – April 25, 2013	8

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

A. Recognition of Community Emergency Response Team (CERT) Graduates	15
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4. CONSENT ITEMS: (These items are considered by the City Council to be routine and will be enacted by a single motion.

If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

A. Request to Modify Existing Sprint Spectrum Wireless Communication Facility – Resolution 13-26.....	16
1925 North Fort Lane (Layton City Public Works Building)	
B. First Amendment to the 2002 Treatment Contract between Layton City and North Davis Sewer District.....	35
Resolution 13-28	
C. Plat Amendment Request – Villas on Main – 1425 North Main Street.....	44
D. Community Development Block Grant (CDBG) Support for the Have a Heart Program to Construct One Home ..	53
Resolution 13-29 – 415 West Weaver Lane	

5. PUBLIC HEARINGS:

A. Community Development Block Grant (CDBG) Consolidated Plan 2013-2017 and Annual Action Plan	65
2013-2014 – Resolution 13-27	

6. PLANNING COMMISSION RECOMMENDATIONS:

7. NEW BUSINESS:

8. UNFINISHED BUSINESS:

9. SPECIAL REPORTS:

10. CITIZEN COMMENTS:

ADJOURN:

Notice is hereby given that:

- A Work Meeting will be held at 5:30 p.m. to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

D R A F T

**MINUTES OF LAYTON CITY
COUNCIL BUDGET WORK MEETING**

MARCH 4, 2013; 8:07 A.M.

MAYOR AND COUNCILMEMBERS

PRESENT:

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON,
JORY FRANCIS AND SCOTT FREITAG**

STAFF PRESENT:

**ALEX JENSEN, STEVE GARSIDE, TRACY
PROBERT, BILL WRIGHT, TERRY COBURN,
TERRY KEEFE, ALLEN SWANSON, KEVIN
WARD, JIM MASON, DAVE PRICE AND THIEDA
WELLMAN**

The meeting was held at Fire Station 51, 530 North 2200 West, Layton, Utah.

BUDGET DISCUSSION

Alex Jensen, City Manager, welcomed everyone and indicated that Councilmember Bouwhuis would be a little late. He welcomed Allen Swanson, who was sitting in for Chief Keefe for the morning session. Alex said Chief Keefe was representing the Chiefs of Police at the State Legislature. He said Chief Keefe had been selected Chief of the Year for Utah. Alex said Chief Keefe was the voice of law enforcement in the State and was well respected.

Alex recognized Steve Garside and indicated that Steve was here in place of Gary Crane who was vacationing in Hawaii with his family.

Alex expressed appreciation for Tracy Probert and all the work done by Finance Department Staff in preparing for the budget. He said Staff tried to put together a responsible budget going forward that was moderately conservative but kept the City moving forward. Alex said some cities had spent down their fund balance at the beginning of the economic slowdown and were now in trouble. He said it was wise to keep a healthy fund balance. Alex said there were sufficient revenues to move the City forward, but it was important to look broadly across the entire City. He said the leadership of the Mayor and Council set the tone for everything that happened in the City and the City had very good Department Directors that bought into the philosophy that if it was needed to spend it, but if it wasn't needed don't spend it. Alex said he was grateful for the Mayor and Council for what they did; he wouldn't trade Layton's elected officials for any in the State.

D R A F T

Alex said Staff would move through the information as quickly as possible, and a break for lunch was scheduled at 11:30 or 12:00 p.m.

Tracy Probert, Finance Director, reviewed the budget calendar and discussed proposed dates for additional budget meetings.

Tracy indicated that the 2012 calendar year was pretty good for the City; it didn't fall into the national trends. He indicated that national economists felt that the 2014 fund year would be a much better year with stronger growth. Tracy indicated that anticipated federal budget cuts to Hill Air Force Base would have a direct impact on the City. He mentioned the impact that would be felt with the end of the payroll tax holiday.

Tracy reviewed a summary of the general fund budget. He indicated that Staff was estimating that general fund revenues would be \$27,720,000, which was slightly more than what was budgeted last year and a little less than what was actually received last year. Tracy indicated that \$450,000 had been budgeted for merit increases and new personnel requests included reinstating a CSI technician position that had been frozen, a part time support services secretary in the Police Department, a part time shop mechanic and a few temporary seasonal type workers. He said \$589,000 was budgeted for capital equipment and purchases. He said total expenditures were \$28,760,000, which was approximately \$1,000,000 over revenues.

Alex mentioned the impact increased costs of funding retirement for the employees had had on the budget over the last few years. He said it was anticipated that those increases would continue for the next couple of years. Alex explained funding for a salary survey and the merit increases.

There was discussion about funding for UTOPIA operations.

Tracy indicated that the unassigned fund balance as of June 30, 2012, was \$5,348,000. In the 2013 fund year budget it was budgeted to use \$924,000 of that fund balance, but as the City moved through the budget year an estimated \$700,000 in additional revenue was realized and there should be savings in expenditures of approximately \$400,000. He said instead of using the \$924,000, approximately \$180,000 would be added to the fund balance. Tracy said the 2013 fund year budget should end with approximately \$5,500,000 in fund balance; using approximately \$1,040,000 in this budget along with \$383,000 in additional projects with no other funding source, the fund balance was estimated to be \$4,100,000, or

D R A F T

14.79% at the end of the 2014 year. He said State law required a minimum of 5% fund balance and a maximum of 18%.

There was discussion about a bill in the legislature this year that would raise the maximum amount to 25%.

Tracy reviewed information about general fund expenditures and how the budget was divided among the various departments. He indicated that 70.5% of the general fund budget went toward employee compensation.

Tracy reviewed wage and retirement costs over the past few years. He reviewed information about the health plan reserves.

Alex explained the philosophy for having a \$1,500,000 reserve target for the health plan reserve.

Council and Staff discussed the health plan and rates paid by employees, and a possible rate increase if claims continued to go up.

Tracy reviewed information about increasing fuel costs over the past few years. He indicated that since 2010, fuel costs had exceeded the budget every year.

Council and Staff discussed pros and cons of investing in alternative fuel sources.

Tracy indicated that the salt and sand costs were much higher than what was budgeted; \$60,000 was budgeted and costs were at \$199,633. He explained the increase in the UTOPIA reserve commitment, which was 2% per year.

The meeting suspended at 9:10 a.m.

The meeting reconvened at 9:26 a.m.

Tracy reviewed source information for general fund revenues. He indicated that sales tax made up 41.4% of general fund revenues. Tracy indicated that with this much of the revenue coming from sales tax, it was important to have a conservative budget because sales tax revenues could fluctuate drastically based on the economy, which the City had experienced over the past few years. He indicated that property tax

D R A F T

made up 24.6% of revenue, franchise tax was 3.5%, and municipal energy tax was 12.3%.

Alex said it was interesting that the State Legislature continued to try and contract the cities' abilities to generate revenues in these areas.

There was discussion about the sales tax distribution formula.

Tracy reviewed historical data on general fund revenues. There was discussion about things that would impact general fund revenues this next year.

Tracy reviewed monthly sales tax revenue information for the current year. He indicated that sales tax revenue for November was down, but through December sales tax revenue was up 4.05% over the prior year. Tracy reviewed historical sales tax revenue data.

There was discussion about the impact commercial development in surrounding communities had on sales tax revenues.

Tracy reviewed sales tax revenue data for various categories of retailers. He reviewed information about the impact of local spending.

Tracy reviewed historical information relative to property tax revenue. He said the increase in property tax revenue was because of growth, not tax increases. Tracy discussed franchise tax revenue and telecommunication tax revenue. He indicated that telecommunication tax revenue continued to decline; the decline was attributed to a decrease in the number of home phones. Everyone was going away from land lines to cell phones.

Tracy indicated that municipal energy tax had increased over the years because of the increase in power and natural gas costs; fee-in-lieu fees were down, which had to do with car purchases; and Class C Road funds were flat, but expenses for new roads were much higher than Class C Road fund revenues.

Tracy said building permit revenues were up significantly in 2012 and 2013, but Staff felt that that was a little bit of a bubble because of all the multi-family units that were being constructed. He said Staff anticipated that the trend line for building permits would be more in line with 2010 and 2011 revenues.

Tracy reviewed information about Layton City's unassigned fund balance compared to other cities in the

D R A F T

area. He displayed a graph of the City's fund balance history.

Council and Staff discussed fund balance levels in the various funds.

Tracy reviewed information about proposed and City Manager approved general fund capital projects.

Alex explained a proposed project to improve the stairs and railing for the front of the City Center building. He explained a back-up system proposed by the IT division. Alex said the Police Department was proposing some new Code Enforcement vehicles and improvements to some workstation areas.

Alex explained the purchase of an asphalt roller and trailer to help with maintenance of the roads. He discussed some additional equipment that was budgeted in the capital improvements fund that would help with road maintenance.

Council and Staff discussed conditions of some of the streets in the City. They discussed some of the proposed capital projects.

Tracy reviewed information about proposed capital improvement projects.

Council and Staff discussed some of the proposed projects. They discussed future realignment of the intersection of Church Street and Antelope Drive. They discussed commercial development on the west side of the City and future road construction in that area. There was discussion about traffic and parking problems near the schools on the west side of the City.

Tracy provided information about a proposed change in credit card fees. He said after completing an analysis, Staff determined that a \$75 fee paid by a credit card was costing the City \$1.19 in credit card fees; a \$50,000 fee paid with a credit card cost the City \$190. Tracy said in October there was a building permit of \$80,000 that was paid with an American Express card. At a 2.15% fee the City lost \$1,700 in credit card fees on that transaction. In October there was \$227,000 paid with American Express; the City lost just under \$5,000 in credit card fees. Tracy said in calendar year 2012 there was \$3,493,981 paid with Visa credit cards at 1.85%, which was a loss of \$55,000 in fees.

Tracy said the City collected about \$1,100,000 in North Davis Sewer District impact fees that were paid with credit cards, which cost the City about \$15,000. He said Staff was recommending that American Express credit cards no longer be accepted, and that a credit card surcharge fee of 1 ½ to 2% be charged

D R A F T

on transactions over \$75. Tracy said Staff was recommending that the fee not be charged on City sponsored recreational activities. He said Staff was still working on internet transactions.

The meeting suspended at 11:39 a.m.

The meeting reconvened at 1:08 p.m.

Tracy said Staff was asked to look at current trends and forecast that forward. He presented information from 2004 to 2017. Tracy said revenues had been up the last couple of years, but at current trends expenditures would begin to be higher than revenues. He said Staff had a few options for the Council to consider to increase revenues going forward.

Tracy presented information about a street lighting fee. He explained current costs for street lights, and proposed future projects.

Alex explained the savings the City would experience in fees from Rocky Mountain Power if the City owned the street light poles. He discussed the cost of purchasing the poles from Rocky Mountain Power.

Tracy presented information about property tax rates and what a 5% or 10% increase would do to revenues.

Council and Staff discussed different philosophies for raising or not raising property taxes.

Tracy said North Davis Sewer District had indicated that their rates would be going up \$1.50 this coming year, and the two following years. He said those rate increases would be passed on to residents.

Tracy presented information about different scenarios for increasing revenues, including a street lighting fee and a property tax increase. He discussed the impact going forward through 2017. Tracy explained concerns with relying completely on increased sales tax revenues. He presented information about the effects of imposing a UTOPIA telecom fee.

Council and Staff discussed the advantages and disadvantages of imposing a UTOPIA fee or increasing property taxes. They discussed the impact the UTOPIA debt had on the general fund budget.

Alex said department directors had been asked to present information to the Mayor and Council about

D R A F T

their individual departments and capital projects that were directly related to their departments.

The meeting suspended at 2:45 p.m.

The meeting reconvened at 3:00 p.m.

Information from the various departments was presented.

Alex indicated that the budget presentation would be put in the Council's Dropbox. He asked Council to get back to Staff with any questions. Alex said updated information would be provided at future budget meetings.

Discussion suggested that Council would like to take a future meeting to discuss their policy objectives.

Alex said Staff would schedule the next strategic planning meeting for that.

The meeting adjourned at 5:20 p.m.

Thieda Wellman, City Recorder

D R A F T

**MINUTES OF LAYTON CITY
COUNCIL STRATEGIC PLANNING
WORK MEETING**

APRIL 25, 2013; 6:11 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON,
JORY FRANCIS AND SCOTT FREITAG**

STAFF PRESENT:

**ALEX JENSEN, BILL WRIGHT, KENT
ANDERSON, PETER MATSON, BRANDON
RYPIEN AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Pro Tem Francis opened the meeting and indicated that Mayor Curtis was running a little late. He turned the time over to Alex Jensen, City Manager.

Alex indicated that Staff intentionally left the agenda open for Council discussion. He said Staff would take notes of the discussion and follow up on any direction given by the Council. Alex said Staff didn't intend to provide any direction, but would provide input if the Council wanted them to do that.

Councilmember Freitag said after talking with the Mayor last evening, he suggested that every Councilmember be given some time to present their ideas.

Mayor Pro Tem Francis suggested 20 minutes each.

ITEMS FOR DISCUSSION:

COUNCIL DISCUSSION ON THE FUTURE VISION OF LAYTON CITY

Councilmember Brown said she didn't come with anything specific. She mentioned a conversation she had with the Mayor about Marvin Goldstein, an entertainer, and his willingness to do a benefit concert for an organization in Layton City. Councilmember Brown said she and the Mayor had discussed doing something for the Boys and Girls Club.

D R A F T

Councilmember Brown mentioned a scholarship program they had that would pay for underprivileged kids to register for sports.

Alex said they could use some funding. He said Dave Thomas' band did a concert to benefit the Boys and Girls Club in the past.

There was discussion about the City paying the \$4,500 to cover the cost for Mr. Goldstein and how the City would want to market the event. Discussion suggested that proceeds should first go to pay back the \$4,500.

Councilmember Brown mentioned buying a table at the Boys and Girls Club extravaganza in October at the Davis Conference Center.

Councilmember Freitag said in preparation for this meeting, he had asked his family what they would like to see in Layton City. He said most things mentioned by his family were recreational things. Councilmember Freitag said his family spent time at the recreation center in Clearfield, and they spent a lot of money doing recreational things in other cities. He mentioned Boondocks in Kaysville, Lagoon in Farmington and the facilities in downtown Ogden. Councilmember Freitag mentioned the amount of time and money his family spent at indoor soccer events. He suggested that the City make an effort to recruit these types of things to Layton.

Councilmember Freitag discussed what other cities were doing for recognition; Ogden and sports; Farmington and their new retail area; Salt Lake City and retail; and Sandy with retail and office space. He said Layton used to be the place people came to, but now people were going other places. What could the City do to change that, or what were we doing to change that?

Councilmember Freitag said there had been talk about reimagining the City; what was the City doing about that. He asked what the feeling was when you came into Layton. Councilmember Freitag said at a minimum, he thought that there should be a wall along I-15 near the trailer court area on Main Street. He also suggested additional landscaping and a general clean up along I-15.

Councilmember Freitag mentioned the internet and what the City was doing particularly with promoting

D R A F T

UTOPIA. He suggested having places in the City where Wi-Fi could be made available through UTOPIA so that people could get used to using it and the advantages of the speed.

Councilmember Brown mentioned a place she had visited in Washington that was a standalone hotel with a water park attached. She suggested recruiting something like that, which drew people from outside the area.

Councilmember Flitton said branding was also very important. He mentioned Ogden and their outdoor recreation branding.

Councilmember Bouwhuis said for years Layton was known for restaurant row. He discussed whether that needed to be carried on or if there needed to be a redirection. Councilmember Bouwhuis asked how the City would structure itself to drive these things forward. How do we get more tenants in East Gate? He said the City had to be attractive. Councilmember Bouwhuis suggested that the City had to convince the Mall to clean up their fence line and increase their visibility.

Councilmember Bouwhuis said structurally the City had to try and overcome the perception that we were putting things on the backs of people such as the west Layton Village idea. How did the City work with the citizens going forward? Councilmember Bouwhuis suggested that maybe the Economic Development Staff needed to be increased.

Councilmember Flitton said he would like to see the City invest in putting a label on Layton that would stick; maybe it would take hiring a consultant. He mentioned things that Ogden and Farmington had done. Councilmember Flitton said restaurant row wouldn't hold up forever. He said Layton was stalemating right now. Councilmember Flitton said Layton was the largest commercial center between Ogden and Salt Lake City and the City was losing ground. He suggested being more involved with social media. Councilmember Flitton said we needed to invest in the City.

Councilmember Flitton asked what it would take to get the Garn/Durbano property going. He said the City couldn't be everything to everyone but with a consultant we could maybe come up with some type of identity. Councilmember Flitton reminisced about the Verdland Park area and the change that was made many years ago to develop Commons Park, and the great change that was for the City.

D R A F T

Councilmember Francis said he had 4 things he would like to discuss. He said he had been thinking a lot about a SWOT analysis from the community development aspect of the City. Councilmember Francis said a SWOT analysis would help the City identify strengths, weaknesses, opportunities and threats. He suggested looking at everything from traffic; how to maximize sales tax revenue; and location.

Councilmember Francis said this was similar to what Councilmember Flitton mentioned. He said maybe the City was to the point of having someone from the outside look at the City. Councilmember Francis suggested hiring a firm to help with a SWOT analysis. He suggested starting with a new logo and a strategy for forming a comprehensive plan.

Bill Wright, Community and Economic Development Director, said the City had received \$2,500 from EDCUtah that could be used.

Councilmember Francis said the recently formed technology committee was moving forward. He said the City had doubled its likes on Facebook. Councilmember Francis mentioned having a contest for the youth to name the dragon feature of the new splash pad.

Councilmember Bouwhuis said, long term, the City would need to have staffing to do these things.

Council discussed the technology committee and what types of information they would be sending out. Discussion suggested that it would be important to provide information on many different items such as employees, residents, parks, police, etc.

Councilmember Francis said he understood that there was a lot of money sitting at the County for municipalities to revamp their buildings to solar energy. He said approximately 4 million dollars was available that no one was using. Councilmember Francis said he heard that it could cut the power bill by 30%.

Councilmember Francis mentioned the train station and suggested that it be utilized in some way as a museum. He mentioned that the Arts Council needed additional space and suggested that maybe the museum could be moved to the train station. Councilmember Francis said since the train station was a museum, it made a lot of sense to make the train station a museum and have it open to the public.

D R A F T

Councilmember Brown said exhibit space in the museum was bigger than both floors of the train station.

Councilmember Freitag said the City needed a new public safety building; the arts council building wasn't a solution.

Council discussed having a retail component at the train station and bringing a train element or downtown element of the museum to the train station, but keeping the main museum where it was currently located. They discussed a toy store with trains as a retail component. There was discussion about tying the military and train station together in that area, and they discussed the property across the street from Veterans Park.

Councilmember Freitag suggested that part of the analysis should be about why people were leaving Layton; what were they going after; was it certain food, shopping, sports, etc. He said there was a need for retail on the west side of the City.

Council discussed the federal vote on taxing internet sales and the impact that could have on City revenue.

Bill said it was anticipated that the State would get an additional 88 million dollars a year; Layton would likely get an additional 2 to 3 million dollars a year.

Councilmember Freitag suggested that the City should be putting Facebook links on all emails sent from the City. He said information could be electronically pushed back out to people. Councilmember Freitag said clipping newspaper articles didn't benefit anyone. He said information the Council was receiving from the newspaper through Staff was old news.

Council discussed an article in the Standard Examiner quoting UDOT about connecting Antelope Drive to Highway 89.

Alex mentioned the interchange improvements at Antelope Drive and Hill Field Road.

Mayor Curtis arrived at 7:50 p.m.

D R A F T

Councilmember Freitag asked what the strategy was when the paper put out incorrect information.

Alex said the information might be wrong, depending on the Council's decision. He said he didn't think this should be argued in the press, but he would have a discussion with UDOT in private.

Councilmember Freitag said he didn't agree with Alex; other people were having an impact on Layton and he thought it would be advantageous for the City to meet with the editorial board of the paper. He said based on the relationship with the editorial board, the City could have an influence on what was written in the paper.

Alex said he thought the City had a pretty good relationship with the paper. He said the City also had an effective relationship with UDOT.

Councilmember Francis suggested feeding the paper some public relations information from the technology committee.

Alex said the City could do a better job of managing its story, and pushing information out to the citizens. He said all of those pieces needed to be done better. Alex said Lynn Arave was doing a good job writing articles and pushing out informational type pieces very quickly to the internet.

Councilmember Freitag suggested having Mr. Arave come to a Council meeting and put out articles based on information from the meeting.

Alex mentioned some of the articles that had recently been put out.

Councilmember Freitag said a public relations person could help the Council in responding to citizens.

Alex asked for input from Councilmember Freitag on how he would envision a public relations person doing that. He said Staff could formulate a response and push that information out to the Council for review and approval, and then Staff could respond to the citizen.

Discussion suggested that the Council would need to respond within 3 hours for it to be effective.

D R A F T

Alex said Lynn Arave could write on anything the Council wanted and suggested that the Council feed Mr. Arave article ideas.

Councilmember Brown said the articles that were coming out were very good.

Councilmember Francis said the technology committee could come up with a lot of good ideas.

Alex asked what the Council would like Staff to do moving forward.

Discussion suggested the City should look at hiring a consultant to help with rebranding and a SWOT analysis.

Alex said Staff would move forward with that and cast a wide net. He asked if the Council wanted to include other stakeholders; business owners, prominent people in the community, etc.

Consensus was to include other stakeholders.

Alex asked Council to think about people that could be involved.

Alex gave Council a brief update on a replacement for the Executive Assistant position.

There was discussion about Councilmember Freitag's recent permanent appointment as the Salt Lake City 911 Director.

The meeting adjourned at 8:57 p.m.

Thieda Wellman, City Recorder

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 3A

Subject: Recognition of Community Emergency Response Team (CERT) Graduates

Background: The Layton Citizen Corps CERT Outreach program teaches CERT classes several times a year for citizens interested in learning basic skills regarding how to take care of themselves, their families and their neighbors after a disaster situation. The course has been developed by FEMA, and is overseen locally by the Fire Department. It includes instruction on potential hazards, fire suppression, disaster first-aid, urban search and rescue, disaster psychology, terrorism and a mock disaster exercise to practice newly acquired skills. These students have completed all of the required training sessions, a mock disaster and a final exam.

Alternatives: N/A

Recommendation: N/A

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4A

Subject: Request to Modify Existing Sprint Spectrum Wireless Communication Facility – Resolution 13-26 – 1925 North Fort Lane (Layton City Public Works Building)

Background: On October 7, 1996, Sprint Spectrum, L.P. entered into a Lease Agreement with Layton City for certain real property. Global Signal Acquisitions (GSA) owns and operates a cell tower located on the leased property. The Lease Agreement requires that any upgrades or modifications to the site be approved in writing by the City. Sprint has asked GSA to request approval for the upgrades or modifications to the cell tower from the City on its behalf. GSA has inspected the existing conduit and has determined that there isn't sufficient room for the proposed fiber path. GSA desires to install fiber in a new conduit within the existing easement by trenching/boring and is requesting approval from the City to do so.

Alternatives: Alternatives are to 1) Adopt Resolution 13-26 approving the installation of fiber to the cell tower site; 2) Adopt Resolution 13-26 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-26 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-26 approving the installation of fiber to the cell tower site and authorize the Mayor to sign the necessary documents.

RESOLUTION 13-26

A RESOLUTION APPROVING A REQUEST TO MODIFY AN EXISTING WIRELESS COMMUNICATION FACILITY LOCATED AT APPROXIMATELY 1925 NORTH FORT LANE (PUBLIC WORKS), LAYTON, UTAH, PURSUANT TO AN AGREEMENT WITH SPRINT SPECTRUM L.P.

WHEREAS, Sprint Spectrum L.P. (hereinafter "Sprint") leases certain real property from the City located at approximately 1925 North Fort Lane (Public Works), Layton, Utah, which contains a wireless communication facility (hereinafter "Cell Tower"); and

WHEREAS, Global Signal Acquisitions II, LLC (hereinafter "GSA") owns and operates the Cell Tower equipment located on the property leased by Sprint; and

WHEREAS, Sprint has authorized GSA to contact the City and request consent to modify the Cell Tower; and

WHEREAS, the conditions of the above noted lease between Sprint and the City are contained in an Agreement dated October 7, 1996; and

WHEREAS, Exhibit E of the Agreement (attached hereto as Exhibit A) requires written approval from the City for any alterations to be made to the Cell Tower; and

WHEREAS, GSA has inspected the existing conduit and has determined that there isn't sufficient room for the proposed fiber path; and

WHEREAS, GSA desires to install fiber in a new conduit within the existing easement by trenching/boring; and

WHEREAS, the Layton City Council deems it to be in the best interest of the City to approve the request by Sprint.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. The City approves the request to modify the Cell Tower located at approximately 1925 North Fort Lane, Layton, Utah (Public Works).
2. The Mayor is authorized to sign any appropriate documents required to provide approval of the request.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ____ day of June, 2013.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

For! _____
GARY R. CRANE, City Attorney



Crown Castle
5350 N.48th Street, Suite 305
Chandler, AZ 85226

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May 6, 2013

LAYTON CITY CORPORATION
437 Wasatch Drive.
Layton, UT 84041

VIA UPS

Re: Lease Agreement dated October 17¹, 1996 ("Lease") -BU#880546
Site Name: Public Works- 1923 N. Fort Lane, Layton, UT 84041
Consent for Modification / App #184468, Sprint-Fiber

Dear Layton City Corporation:

Pursuant to an agreement between Sprint Spectrum L.P. ("Sprint") and Global Signal Acquisitions II LLC ("GSA"), GSA subleases and/or otherwise operates the tower site that is subject to the Lease on behalf of Sprint. GSA is a Crown Castle company. GSA and its subsidiaries own and operate shared wireless communication facilities.

In order to better serve the public, minimize the amount of towers in an area where a Lease is located, and/or improve the financial viability of a site, GSA plans to modify Sprint's equipment at the wireless communication facility.

SCOPE OF WORK: The proposed fiber path will run within the existing easement, as shown on Sheets T-1 and T-2, but will require new conduit and trenching/boring (existing conduit has been evaluated and there is no room for the fiber run).

Sprint has authorized GSA to contact you and request consent to the "modifications / fiber". Pursuant to Exhibit E of your Lease, Sprint is required to obtain your consent. If Owner does not respond in writing within ten (10) days following the request; such request will be deemed to have been approved by Owner. Therefore, GSA, on behalf of Sprint, respectfully requests your consent to this application.

Please indicate your consent by executing this letter where indicated below and return one original of same to me at the address indicated above. A self-addressed stamped envelope is included for your convenience.

If you have any questions concerning this request, please contact me at 480-734-2430 or curtis.kozall.contractor@crowncastle.com.

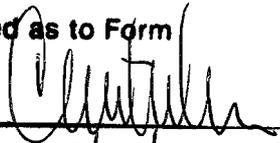
Yours truly,

Curtis Kozall

Curtis Kozall-Real Estate Specialist

Agreed and accepted this ____ day of _____, 20__

(Lessor's signature)

Approved as to Form
By 
Date 5/21/13

NO.	DATE	REVISIONS	BY: CMO	APPROV
1	JUL 10 10	ISSUED FOR ZONING	DAL	
2	F 1 11	ISSUED FOR PERMITTING	DAL	

GENERAL NOTES:
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAYTON ORDINANCES.
 2. FOR SPECIFICATIONS, SEE SUPPLEMENTARY SPECIFICATIONS DOCUMENTS & TECHNICAL SPECIFICATIONS FOR DESCRIPTION.

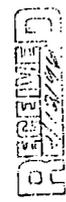
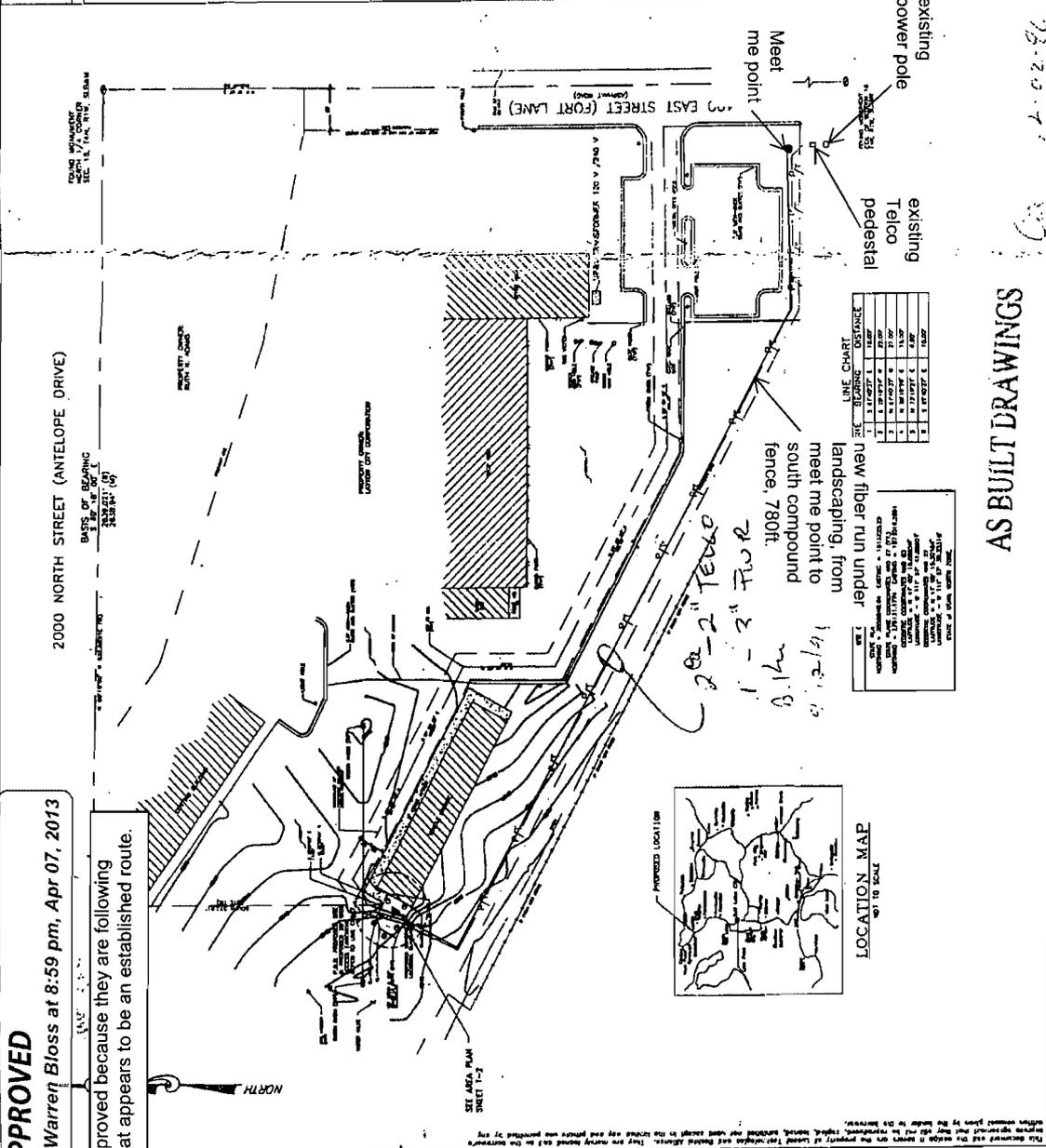
LEGAL DESCRIPTION:
 PROPOSED SITE DESCRIPTION:
 COMMERCIAL PLAZA, WEST 1/2 OF SECTION 10, T4N, R10E, S10E, LAYTON CITY, UTAH. THE PROPERTY IS BOUND BY 2000 NORTH STREET TO THE NORTH, 1325 EAST STREET TO THE EAST, AND THE WEST 1/2 OF SECTION 10 TO THE WEST.

PROPOSED ACCESS EASEMENT DESCRIPTION:
 A PERMANENT ACCESS EASEMENT FOR THE PURPOSE OF ACCESSING THE PROPERTY FROM THE WEST 1/2 OF SECTION 10, T4N, R10E, S10E, LAYTON CITY, UTAH.

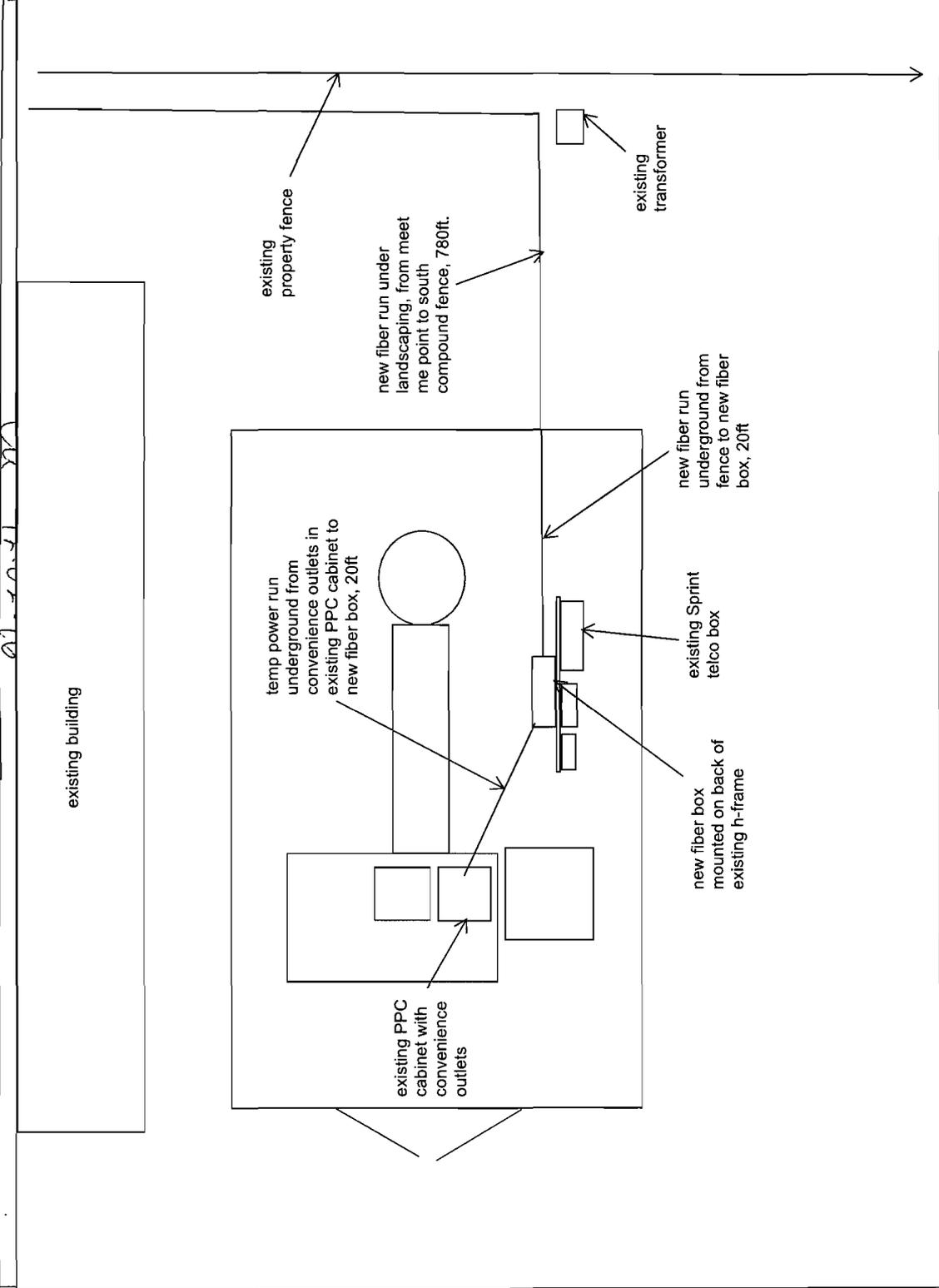
PROJECT INFORMATION:
 PROJECT NAME: SPRINT SPECTRUM
 BUILDING ADDRESS: 1325 EAST STREET, LAYTON, UTAH 84040
 PROJECT NUMBER: 96-196

PROJECT DIRECTOR:
 OWNER: SPRINT SPECTRUM
 DESIGNER: LUCENT TECHNOLOGIES AND BECEL ALLIANCE
 ARCHITECT: 24 ENG. SERVICES INC.
 LAND SURVEYOR: HILLER ASSOCIATES, INC.

GENERAL DRAWINGS:
 E-1 COVER SHEET
 E-2 ANAL. PLAN & ELEVATIONS
 E-3A CIVIL EQUIPMENT LAYOUT
 E-3B CIVIL DETAILS
 E-3C CIVIL DETAILS
 E-3D CIVIL DETAILS
 E-3E CIVIL DETAILS
 E-3F ELECTRICAL DETAILS
 E-3G ELECTRICAL DETAILS
 E-3H MONOPOLE ANTENNA



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RECEIVED

<p>96-196</p> <p>G & A</p> <p><small>GENERAL AND ALLIANCE CONSULTING ENGINEERS AND ARCHITECTS SALT LAKE CITY, UTAH</small></p>	<p>LUCIENT TECHNOLOGIES AND BECHTEL ALLIANCE</p> <p>SPRINT SPECTRUM PCS INSTALLATION PROJECT</p>	<p><small>SITE INFORMATION</small></p> <p>NEW PUBLIC WORKS</p> <p>1225 NORTH 400 WEST (OFF DMS)</p> <p>UNTION CITY, UTAH</p> <p>SITE 164 C</p>	<p><small>DESIGN TYPE</small></p> <p>OUTDOOR EQUIPMENT & MONOPOLE ANTENNA</p>	<p><small>SHEET TITLE</small></p> <p>AREA PLAN & ELEVATIONS</p>	<p><small>SHEET NUMBER</small></p> <p style="font-size: 2em; text-align: center;">T-2</p>	<p><small>REV.</small></p> <p style="font-size: 2em; text-align: center;">1</p>	<p><small>DATE</small></p> <p>7/17/1996</p>	<p><small>PLT DATE</small></p> <p>7/17/1996</p>
--	--	---	--	--	---	---	---	---

No.	DATE	REVISIONS	BY	CHKD	APVLD
1	12/15/95	ISSUED FOR PERMITTING			
2	10/15/95	ISSUED FOR ZONING			

NO.	DATE	ISSUED FOR PERMITTING	BY	CHKD	APVS
1	JUL 1996		DL		

G & A
 GEORGE AUST ADAMS
 CIVIL ENGINEERING INC.
 5617 LAUREL CANYON LANE
 96-196

LUCCENT TECHNOLOGIES AND BECHTEL ALLIANCE
SPRINT SPECTRUM
PCS INSTALLATION PROJECT

SITE INFORMATION
 NEW PUBLIC WORKS
 1925 NORTH 400 EAST (PORT LAND)
 LAYTON CITY, UTAH
 SITE 164 C

DESIGN TYPE
 OUTDOOR EQUIPMENT
 &
 MONOPOLE ANTENNA

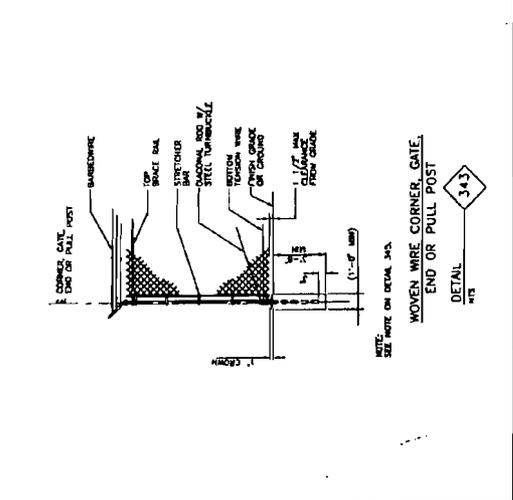
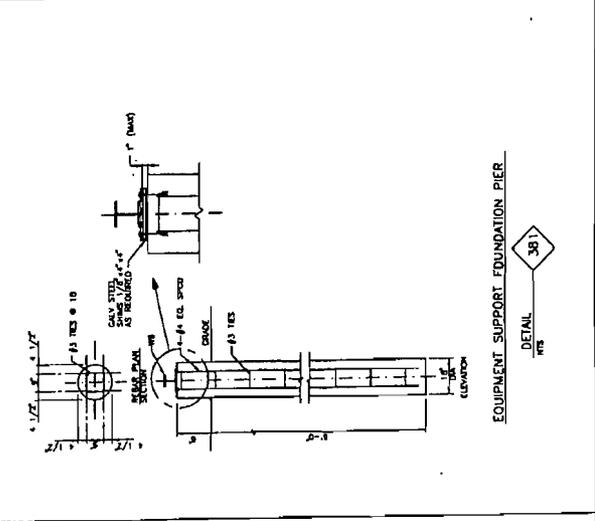
SHEET TITLE
 CIVIL DETAILS

SHEET NUMBER
 C-3030

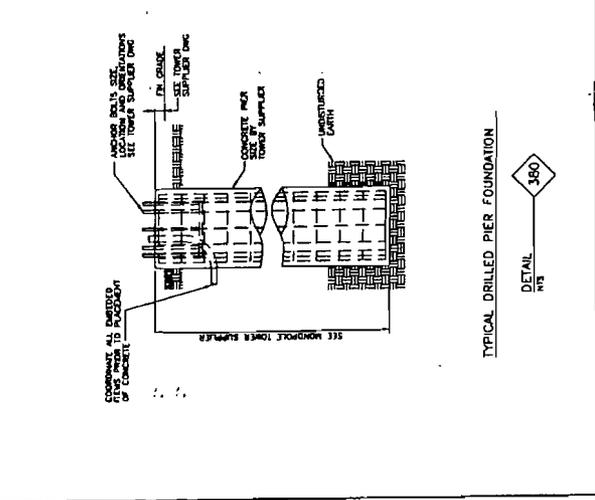
REV.
 7/13/1996 - 11:38

NOTES:
 (METAL FENCING PER ASTM F-417, STEEL GALV. PER ASTM F-100)
 1. GATE POSTS, CORNER, END OR PULL POST: 3" X 4" SQUARE (2.375" O.D.)
 2. LINE POSTS: 2" (2.125" O.D.) SCHEDULE 40 PIPE, 3.15 LBS./LIN. FOOT
 3. GATE FRAME: 1 1/2" (1.875" O.D.) PIPE, 2.75 LBS./LIN. FOOT PER ASTM-F100A
 4. TOP AND BOTTOM RAILS: 1 1/2" (1.875" O.D.) PIPE, 3.75 LBS./LIN. FOOT
 5. FABRIC: 12 GA. GALV. STEEL W/ 2" MESH, CONFORMING TO ASTM-A975
 6. 1/2" WIRE MESH WITH 1" ON GALVANIZED STEEL AT POSTS AND RAILS
 7. TORSION WIRE: 7 GA. GALVANIZED STEEL
 8. BARBED WIRE: DOUBLE STRAND 13-1/2" O.D. TWISTED WIRE TO MATCH
 WITH FABRIC TO 10' FT. THIRD STRAND TO APPROXIMATELY 2'
 9. CENTER: 1 1/2" O.D. ROLLER ROD BY MORGAN TYPE G60H
 10. LOCAL ORDINANCE OF BARBED WIRE: FORMER REQUIREMENT SHALL BE
 COMPLIED IF REQUIRED
 11. HEIGHT - IF VERTICAL - 1' BARBED WIRE VERTICAL DIMENSION

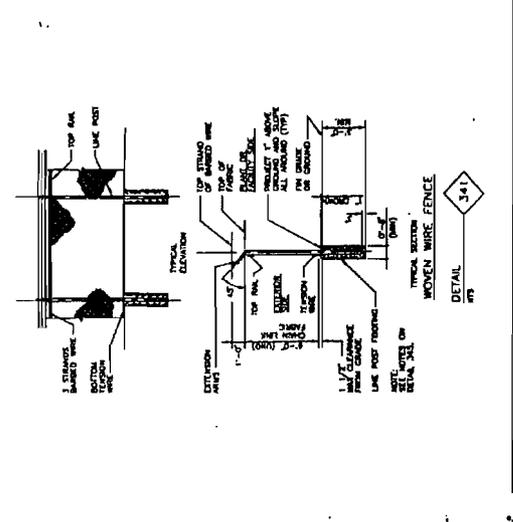
TYPICAL WOVEN WIRE FENCING NOTES
 DETAIL 345
 WTS



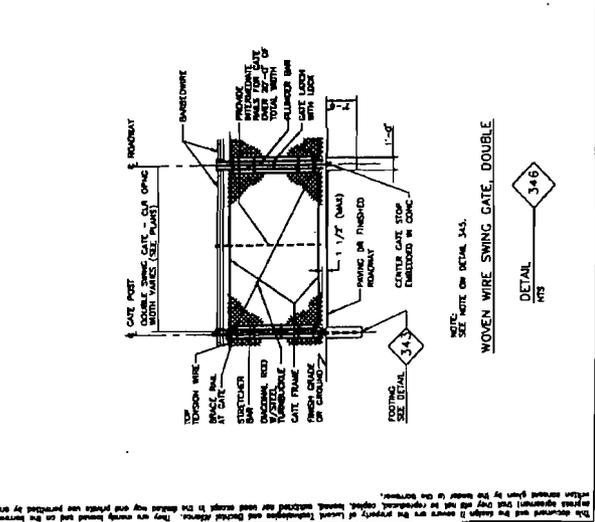
TYPICAL WOVEN WIRE CORNER, GATE, END OR PULL POST
 DETAIL 343
 WTS



TYPICAL DRILLED PIER FOUNDATION
 DETAIL 380
 WTS



TYPICAL WOVEN WIRE FENCE
 DETAIL 341
 WTS



TYPICAL WOVEN WIRE SWING GATE, DOUBLE
 DETAIL 346
 WTS

RECEIVED

NO.	DATE	REVISIONS
1	JUL 1996	ISSUED FOR PERMITTING
2		
3		
4		
5		
6		
7		
8		
9		
10		

G&A
 CONSULTING AND ARCHITECTURE
 1000 WEST 1000 SOUTH
 SALT LAKE CITY, UTAH
 96-196

LUCENT TECHNOLOGIES AND BECHTEL ALLIANCE
SPRINT SPECTRUM
PCS INSTALLATION PROJECT

SITE INFORMATION
 NEW PUBLIC WORKS
 1925 NORTH 400 EAST (FOUR LANE)
 LAYTON CITY, UTAH
 SITE 164 C

DESIGN TYPE
 OUTDOOR EQUIPMENT
 &
 MONOPOLE ANTENNA

SHEET TITLE
 EQUIPMENT LAYOUT
 AND GROUNDING

SHEET NUMBER
 E-5010

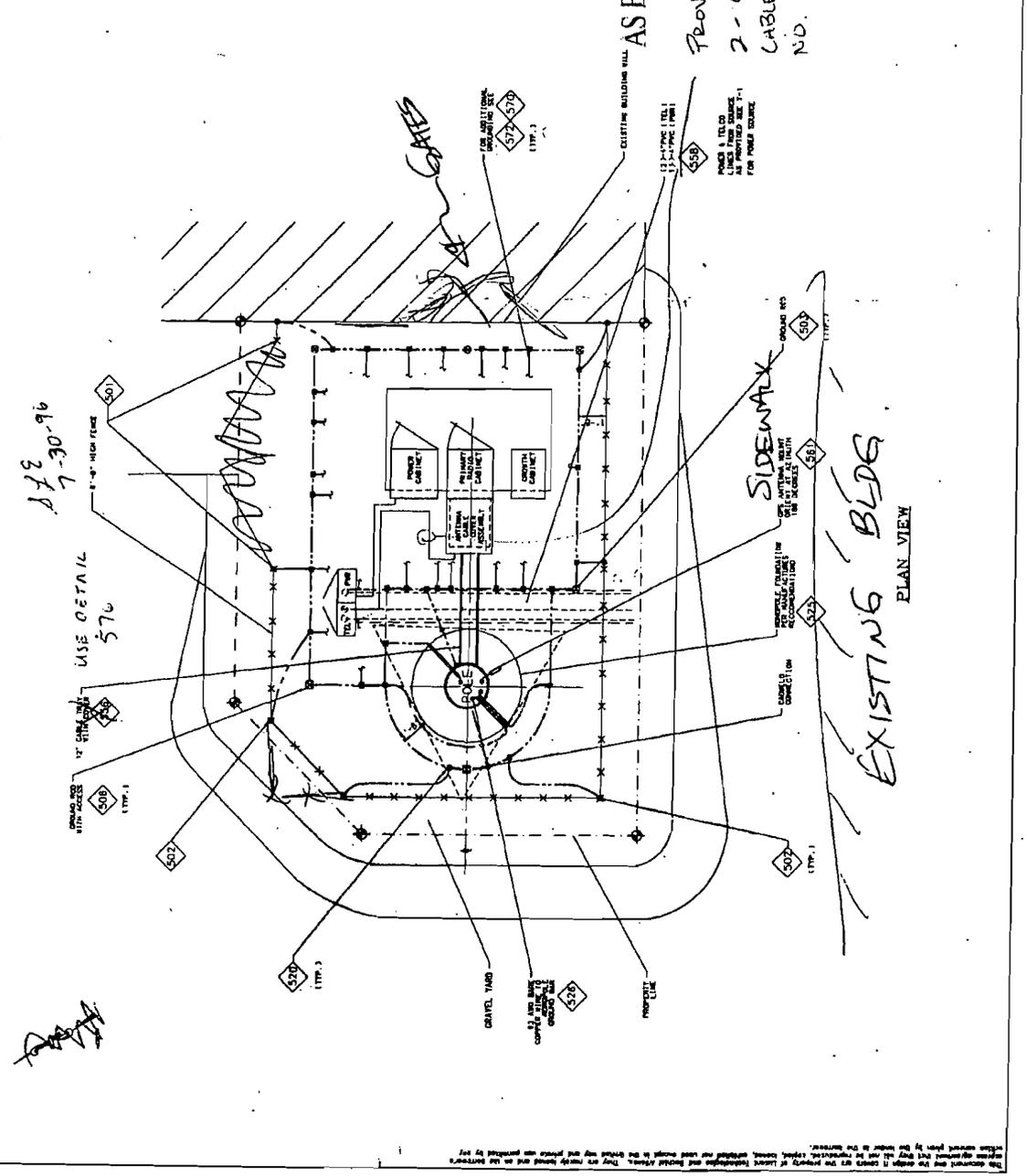
PLOT DATE: 7/17/1996 - 1:02

GENERAL NOTES:

- FOR ELECTRICAL SYMBOLS AND ABREVIATIONS SEE 500 ON DRAWING E-307
- CONDUIT NOTES:
 ALL CONDUIT SHALL BE 1/2" RIGID PVC UNLESS OTHERWISE NOTED.
 ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.
 ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.
 ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.
- CAUTION: AT ALL TIMES THE CONTRACTOR MUST MAINTAIN A SAFE WORKING DISTANCE FROM ALL LIVE ELECTRICAL EQUIPMENT AND WIRING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES HAVING JURISDICTION OVER THE PROJECT AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES HAVING JURISDICTION OVER THE PROJECT.

AS BUILT DRAWINGS

PROVIDE & INSTALL
 2 - GR / 24 AWG PHONE
 CABLES. GENERAL CABLE
 NO. 7043690.
 B. Kim
 5/5/96



RECEIVED

REV					
DATE	ISSUED FOR	REVISION	BY	CHKD	APPRD
7/17/1996	FOR PERMITTING				

G & A
COMMERCIAL AND INDUSTRIAL
ELECTRICAL SERVICE CORP.
SALT LAKE CITY, UTAH

96-196

LUCCENT TECHNOLOGIES AND BECEL ALLIANCE

SPRINT SPECTRUM

PCS INSTALLATION PROJECT

SITE INFORMATION

NEW PUBLIC WORKS
1925 NORTH 400 EAST (PORT LANE)
LAYTON CITY, UTAH
SITE 164 C

DESIGN TYPE

OUTDOOR EQUIPMENT & MONOPOLE ANTENNA

SHEET TITLE

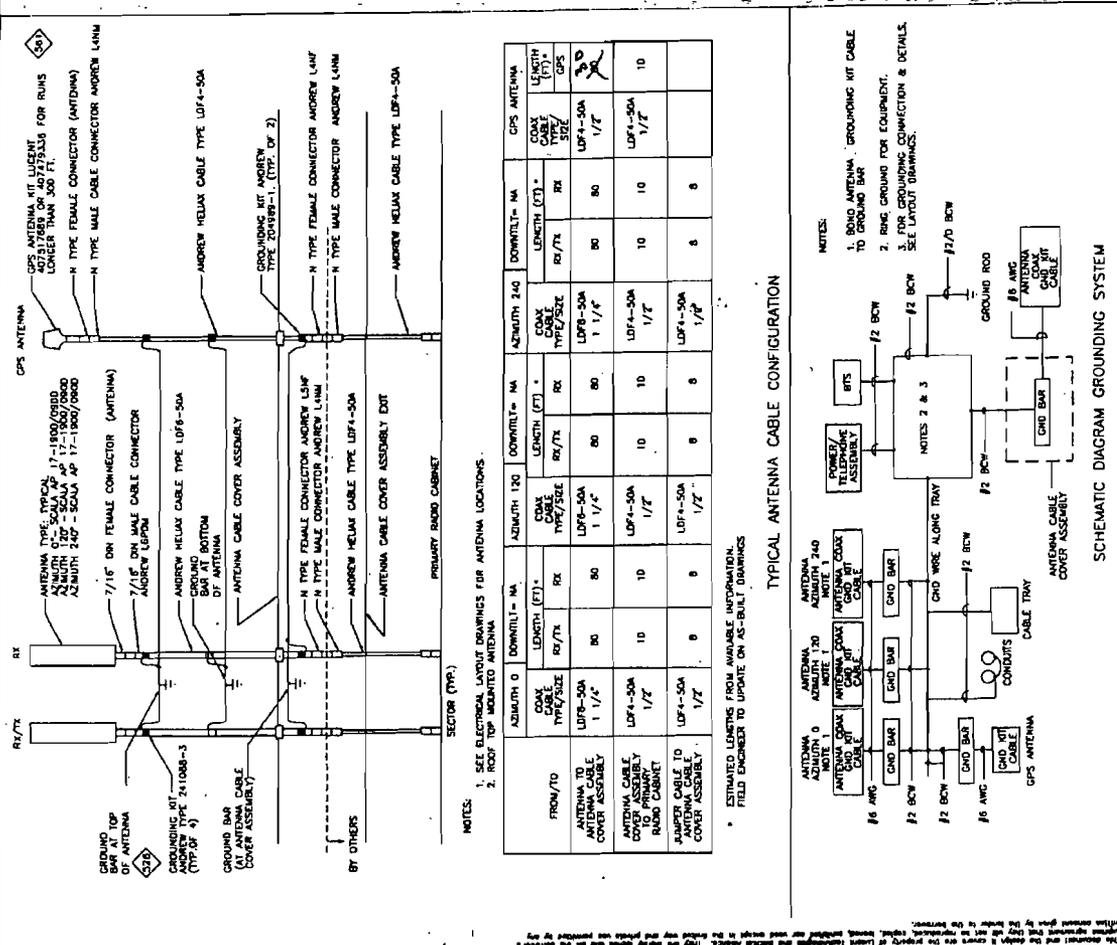
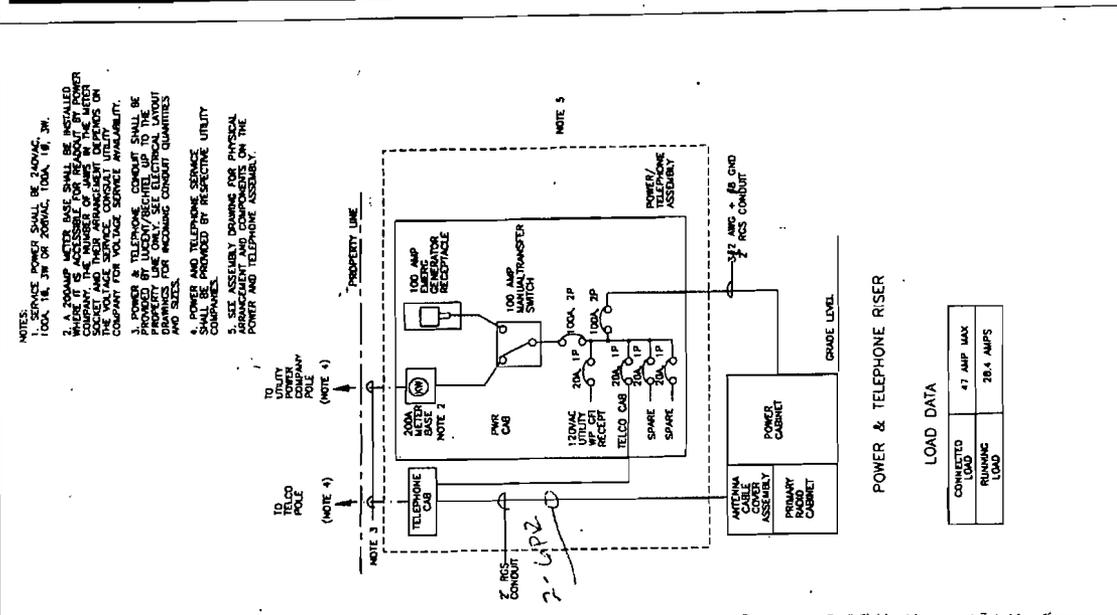
POWER & ANTENNA SCHEMATICS

SHEET NUMBER

REV.

E-5050

PLAT DATE: 7/17/1996 - 054



SECTOR (TYP.)

FRONT/O	DOWNWIRE= 1Ø	DOWNWIRE= 1Ø	DOWNWIRE= 1Ø	DOWNWIRE= 1Ø	GPS ANTENNA
ANTENNA TO COVER ASSEMBLY					
LF78-50A	LF78-50A	LF78-50A	LF78-50A	LF78-50A	LF78-50A
1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"
80	80	80	80	80	80
92/7X	92/7X	92/7X	92/7X	92/7X	92/7X
10	10	10	10	10	10
LF74-50A	LF74-50A	LF74-50A	LF74-50A	LF74-50A	LF74-50A
1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"
10	10	10	10	10	10
92/7X	92/7X	92/7X	92/7X	92/7X	92/7X
8	8	8	8	8	8
LF74-50A	LF74-50A	LF74-50A	LF74-50A	LF74-50A	LF74-50A
1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"	1 1/2"
8	8	8	8	8	8

NOTES:

1. SEE ELECTRICAL LAYOUT DRAWINGS FOR ANTENNA LOCATIONS.
2. ROOF TOP MOUNTED ANTENNA.

ESTIMATED LENGTHS FROM AVAILABLE INFORMATION. FIELD ENGINEER TO UPDATE ON AS-BUILT DRAWINGS.

DATE	ISSUED FOR ZONING	ISSUED FOR PERMITTING	REV.
01-15-96	DL	DL	T-21
02-15-96			1
03-15-96			
04-15-96			
05-15-96			
06-15-96			
07-15-96			
08-15-96			
09-15-96			
10-15-96			
11-15-96			
12-15-96			



96-195
 GORDEL AND ASSOC.
 3000 WEST 1000 S.
 SALT LAKE CITY, UTAH

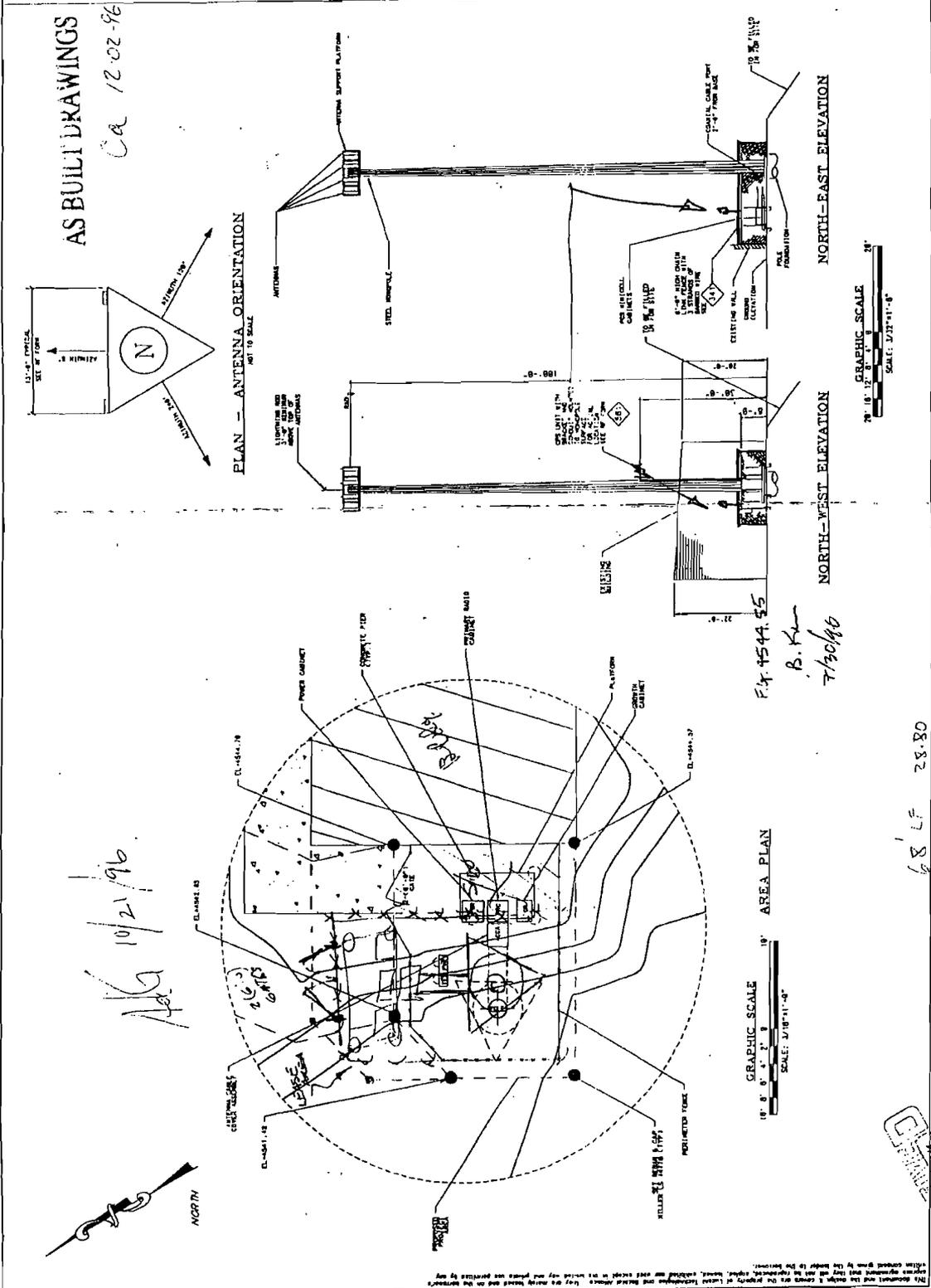
LUCCENT TECHNOLOGIES
 AND BECHTEL
 ALLIANCE
 SPRINT
 SPECTRUM
 PCS INSTALLATION
 PROJECT

SITE INFORMATION
 NEW PUBLIC WORKS
 1825 NORTH 400 EAST (PORT LAKE)
 LAYTON CITY, UTAH
 SITE 164-C

DESIGN TYPE
 OUTDOOR EQUIPMENT
 MONOPOLE ANTENNA

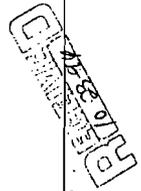
SHEET TITLE
 AREA PLAN
 & ELEVATIONS

SHEET NUMBER
 T-21
 PLOT DATE: 7/17/1996 - 1:01



24
 24
 16
 4

E 7 33 64



From: (480) 734-2430
Layton City Corporation

Origin ID: OGDA



437 WASATCH DR
LAYTON, UT 84041



J13111302120326

Ship Date: 08MAY13
ActWgt: 1.0 LB
CAD: 104924220/INET3370

Delivery Address Bar Code



Ref # 1094.6680

RMA #
Return Reason:

SHIP TO: (480) 734-2430

BILL SENDER

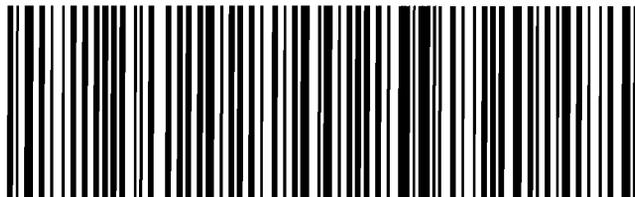
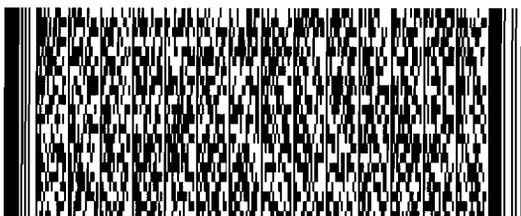
Curtis Kozall
Crown Castle
5350 N 48th Street
Suite 305
Chandler, AZ 85226

RETURNS MON-FRI
STANDARD OVERNIGHT

TRK# 7997 1030 2819

0221

85226
AZ-US



518G1/9983/93AB

1. Select the 'Print' button to print 1 copy of each label.
2. The Return Shipment instructions, which provide your recipient with information on the returns process, will be printed with the label(s).
3. After printing, select your next step by clicking one of the displayed buttons.

Note:To review or print individual labels, select the Label button under each label image above.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Return Shipment Instructions



FedEx® Return Shipment Instructions

FedEx appreciates your business! Please find instructions below to help you prepare your return.

Prepare Your Package With Care.

- Pack items in a sturdy box using cushioning materials to keep them secure.
- Remove or black out any old shipping labels, including the original shipping barcode.
- Seal the box with shipping tape.
- Affix the return label to the outside of the box.

Ship Your Return Package By:

- Including it with your regularly scheduled pickup.
- Dropping it off at any FedEx location.
 - Go to fedex.com and click the Locations link to find the closest drop off location.
 - Call **1.800.GoFedEx 1.800.463.3339** to find the closest drop-off location.
- Scheduling a pickup by calling **1.800.GoFedEx 1.800.463.3339**. Request a "Return Manager" or "PRP" pickup for labels with "G" or an "Express Return" pickup for labels with "E".
- Scheduling a pickup by going to fedex.com and selecting schedule a pickup from ship menu.

* Please note: FedEx Express[®], FedEx Ground[®] and FedEx Express[®] Freight pickups must be scheduled separately.

Helpful Hints

- When you call to schedule a pickup, FedEx may request some numbers printed below the large bar code on the return-shipping label, so have the label with you.
- It is not necessary to provide a FedEx account number for a return pickup.
- For more information about how to ship your return package, go to fedex.com/returns.

Special Instructions (200-character limit):

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4B

Subject: First Amendment to the 2002 Treatment Contract between Layton City and North Davis Sewer District – Resolution 13-28

Background: The City owns and operates a sewer collection system. The City's system is a collection system only and does not provide treatment for waste water collected by the system. The North Davis Sewer District (District) has a trunk line system and treatment plant designed and operated for the purpose of collecting and treating waste water. The City has had a contract with the District since approximately 1954, the provisions of which allowed the District to collect waste water from the City's system and transport it to the District's treatment plant. A new contract was negotiated and adopted in 2002. The new contract addressed issues which had arisen and/or were not covered by the original contract. This amendment to the Treatment Contract extends the effective date of the 2002 Treatment Contract.

Alternatives: Alternatives are to 1) Adopt Resolution 13-28 adopting and approving the First Amendment to the 2002 Treatment Contract between Layton City and North Davis Sewer District; 2) Adopt Resolution 13-28 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-28 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-28 adopting and approving the First Amendment to the 2002 Treatment Contract between Layton City and North Davis Sewer District and authorize the Mayor to sign the necessary document.

RESOLUTION 13-28

A RESOLUTION ADOPTING AND APPROVING THE FIRST AMENDMENT TO TREATMENT CONTRACT WITH NORTH DAVIS SEWER DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, North Davis Sewer District (the "District") is a Local District organized and existing pursuant to and in accordance with the laws of the State of Utah; and

WHEREAS, Layton City (the "City") owns and operates a sewer collection system (the "System"); and

WHEREAS, the System is a collection system only and does not provide treatment for waste water collected by the System; and

WHEREAS, the District has a trunk line system and Treatment Plant designed and operated for the purpose of collecting and treating waste water; and

WHEREAS, the City has had a contract with the District since approximately 1954 under the terms and provisions of which the District collects waste water from the System and transports it to the District Treatment Plant; and

WHEREAS, the parties negotiated a new contract to replace the 1954 contract, which new contract was adopted in 2002; and

WHEREAS, this First Amendment to Treatment Contract addresses issues which have arisen and/or were not covered by the 1954 contract; and

WHEREAS, the parties are now desirous of adopting a first amendment to the 2002 Treatment Contract;

WHEREAS, the City Council of Layton City finds it to be in the best interest of its citizens to adopt the amendment to the 2002 Treatment Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the first amendment to the 2002 Treatment Contract entitled "First Amendment to Treatment Contract" between the North Davis Sewer District and Layton City, which is attached hereto and incorporated herein by this reference, be approved.
2. That the Mayor be authorized to execute said agreement.

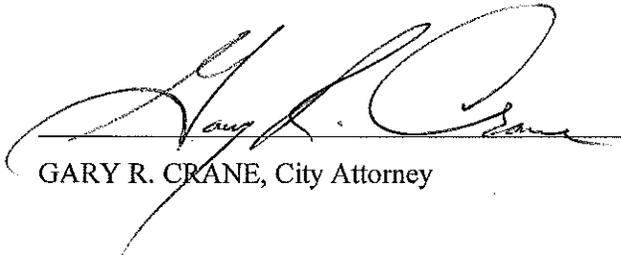
PASSED AND ADOPTED by the City Council of Layton, Utah, this ____ day of _____, 2013.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY R. CRANE, City Attorney

**FIRST AMENDMENT
TO
TREATMENT CONTRACT**

THIS FIRST AMENDMENT TO TREATMENT CONTRACT, (hereinafter referred to as the "Amendment"), made and entered into this ____ day of January, 2013 by and between North Davis Sewer District, a Utah Local District, of 4252 West 2200 South, Syracuse City, Davis County, State of Utah (hereinafter referred to as the "District"), and Layton City, a municipal corporation of 437 North Wasatch Boulevard, Layton City, Davis County, State of Utah (hereinafter referred to as the "City"), as follows:

RECITALS

1. That the District is a Local District organized originally in 1954 and now operating and existing in Davis and Weber Counties, State of Utah, in accordance with and pursuant to the provisions of Title 17B, Chapter 1 and Title 17B, Chapter 2a, Part 4, "Improvement District Act," Utah Code Annotated, 1953.
2. That the City is a Municipal Corporation organized and existing pursuant to and in accordance with the laws of the State of Utah.
3. That the District owns and operates a system for the collection, treatment and disposition of sewage (the "System") which System is operated for the benefit of the City, other municipal corporations and entities and the residents and inhabitants within the boundaries of the District.

4. That on or about the 7th day of November, 2002 the District and the City entered into a contract known as the Treatment Contract which has remained in full force and effect since that time.

5. That the Parties now desire to adopt a First Amendment to the Treatment Contract for the purpose of amending Section Seven to extend the duration of the original Treatment Contract.

NOW, THEREFORE, in consideration of the premises set forth herein and other good and valuable consideration the Parties hereby adopt this First Amendment to Treatment Contract, as follows:

**FIRST AMENDMENT
TO
TREATMENT CONTRACT**

Section One: INCORPORATION OF RECITALS

All of the above and foregoing Recitals are incorporated into and made a part of this Amendment.

**Section Two: REPLACEMENT OF SECTION SEVEN OF
TREATMENT CONTRACT**

Section Seven of the 2002 Treatment Contract is hereby superseded, replaced and amended to read as follows:

“Section Seven: DURATION

This Contract shall take effect from and after the original date of the Treatment Contract and shall continue in full force and effect until the latest to occur of:

- (a) Midnight on December 31, 2062;
- (b) Five years after the District has fully paid or otherwise discharged all of its bonded indebtedness;
- (c) Five years after the District has abandoned, decommissioned, or conveyed or transferred all of its interest in its facilities and improvements; or
- (d) Five years after the facilities and improvements of the District are no longer useful in providing the service or benefit of the facilities and improvements, as determined under the Agreement governing the sale of the service or benefit.

Upon written request of the City, this Contract may be reviewed every five years for the purpose of addressing any service issues.”

Section Three: REAFFIRMATION OF TREATMENT CONTRACT

Except as specifically modified and amended herein, all of the other terms and provisions of the 2002 Treatment Contract shall remain in full force and effect as written.

IN WITNESS WHEREOF, the Parties hereto, acting in each case under authority of a proper ordinance or resolution thereunto enabling, have caused this First Amendment to Treatment Contract to be duly executed in several counterparts, each of which shall constitute an original, all as of the effective day and year first above written.

LAYTON CITY, a Municipal Corporation

STEVE CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

(SEAL)

NORTH DAVIS SEWER DISTRICT,
a Utah Local District

Chairman, Board of Trustees

ATTEST:

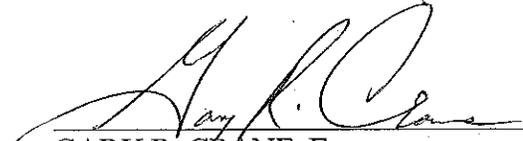
KAIL J. SANFORD, Clerk
Board of Trustees

(SEAL)

Approved as to form and
compatibility with State Law.

Approved as to form and
compatibility with State Law.

FELSHAW KING, Esq.
Attorney for District



GARY R. CRANE, Esq.
Layton City, Attorney

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of January, 2013, personally appeared before me _____ and KAIL J. SANFORD, who being by me duly sworn did say, each for himself and herself, that he, the said _____, is the Chairman of the Board of Trustees of the North Davis Sewer District, and that she, the said Kail J. Sanford, is the Clerk of the North Davis Sewer District, and that the within and foregoing instrument was signed on behalf of the said North Davis Sewer District by authority of the Board of Trustees of the said North Davis Sewer District and said _____ and Kail J. Sanford each duly acknowledged to me that the said North Davis Sewer District executed the same and that the seal affixed is the seal of the said North Davis Sewer District.

(SEAL)

NOTARY PUBLIC
Residing at:
My Commission Expires:

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of January, 2013 personally appeared before me STEVE CURTIS and THIEDA WELLMAN, who being by me duly sworn did say, each for himself and herself, that he, the said Steve Curtis, is the Mayor of Layton City, Davis County, State of Utah, and that she, the said Thieda Wellman, is the City Recorder of Layton City, Davis County, State of Utah, and that the within and foregoing instrument was signed on behalf of the said City by authority of the City Council of said City and said Steve Curtis and Thieda Wellman each duly acknowledged to me that the said City executed the same and that the seal affixed is the seal of the said City.

NOTARY PUBLIC
Residing at:
My Commission Expires:

(SEAL)

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4C

Subject: Plat Amendment Request – Villas on Main – 1425 North Main Street

Background: The applicant is requesting an amended plat approval to include .96 acres that was recently approved for rezoning to R-M2 PRUD (Planned Residential Unit Development) by the Council. The additional .96 acres has to be included as one lot for the entire development in order for the project to maintain cohesiveness with density and site amenities.

Alternatives: Alternatives are to 1) Approve the Plat Amendment for Villas on Main subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny the Plat Amendment.

Recommendation: On May 14, 2013, the Planning Commission voted unanimously to recommend the Council approve the Plat Amendment for Villas on Main subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II

Handwritten signature of Kem Weaver, Planner II, written over a horizontal line.

Date: June 6, 2013

Re: Plat Amendment Request

Location: 1425 North Main Street

Zoning: R-M2 (Medium Density Residential with the PRUD overlay)

Background:

The applicant is requesting an amendment to the one lot subdivision plat for Villas on Main planned residential unit development (PRUD). The original plat contained 5.67 acres. With the recently rezoned parcel of .96 acres from C-H (Highway Regional Commercial) to R-M2 PRUD the one lot subdivision has been increased to 6.63 acres.

Based on the total acreage being used for the density bonuses and the use of site amenities, the plat cannot be two lots and has to remain as a one lot subdivision. If the plat consisted of two lots the .96 acres could not stand on its own merit and support 24 units. The .96 acres has to combine with the entire project to meet density requirements.

Staff Recommendation:

Staff recommends approval of the plat amendment subject to meeting all Staff requirements as outlined in Staff memorandums.

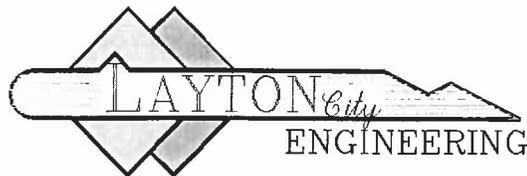
Engineering

Planning

Fire

Planning Commission Action: On May 14, 2013, the Planning Commission voted unanimously to recommend the Council grant approval of the plat amendment subject to meeting all Staff requirements as outlined in Staff memorandums.

The Planning Commission asked for public comment. No public comment was given.



MEMORANDUM

TO: Bryce Thurgood, brycethurgood@msn.com
Steve Bott, sbott@pinnacle-eng-svy.com

CC: BUILDING/COMMUNITY DEVELOPMENT DEPARTMENT
FIRE DEPARTMENT

FROM: Stephen Jackson, Staff Engineer

DATE: May 3, 2013

**SUBJECT: VILLAS ON MAIN AMENDED SUBDIVISION SITE PLAN AND
DEDICATION PLAT – 1st SUBMITTAL**

I have reviewed the site plan received in engineering on April 22, 2013 and the dedication plat received on April 29, 2013 for the Villas on Main Amended Subdivision located at 1475 North Main Street. The plans and plat have been stamped "Approved as Corrected." The following comments and corrections must be addressed prior to scheduling a pre-construction meeting.

Five (5) plan sets, signed and stamped by a professional engineer must be submitted to the Layton City Engineering Department prior to scheduling a pre-construction meeting.

Payback

1. There is a payback for the storm drain line installed in Laytona Drive in 2010 which provides a storm drain outfall line for this development. Per the payback agreement, the required payback amount is \$7,829.20 per acre. Based on the 0.96 acre site, the payback amount is \$7,516.03.

General

1. The existing lateral shown for the VFW property south of the manhole is actually located 15.6 feet north/east of the manhole with RIM 4423.10 and FL 4412.75 according to the attached video report. The location of the line must be verified and a minimum 15 foot wide private utility easement established for the sewer lateral located on the Villas on Main property. A copy of the easement must be submitted for review prior to recording. The easement must address the access, ownership, and maintenance of the sewer lateral and sewer main.
2. An access, ownership, and maintenance agreement for the utilities stubbed to the RAYZAN L.C. property east of the proposed site must be established. The agreement must at a minimum address the sewer lateral and storm drain pipe being stubbed to the property. If a future water service is needed for the RAYZAN L.C. site from the Villas on Main property,

the agreement should address the water service so as to avoid having to complete a separate agreement in the future. A copy of the agreement must be submitted for review prior to recording.

Dedication Plat

1. If a private utility easement is established for the sewer lateral to the VFW property, the easement must be shown on the plat.
2. The book and page number of the recorded 30 foot ingress/egress easement must be included on the plat.
3. The book and page number of the recorded storm drain easement must be included on the plat.

Water

1. Layton City will own and maintain the meters and meter boxes and the developer will own and maintain water laterals and water system in the development. The proposed water meters must be located in landscape areas as shown.
2. The water exaction requirement for the development is 5.0 acre feet. This is based on 24 units and 9,935 sq. ft. of landscape area for the development. Layton City accepts water shares from Davis Weber Canal Company, Kays Creek Irrigation, and Holmes Creek Irrigation. The water stock certificates must be submitted before scheduling the pre-construction meeting.

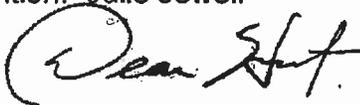


Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
FAX: (801) 546-0901

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal 

RE: Villas on Main Amended Subdivision @ 1425 North Main Street

CC: 1) Engineering
2) Steve Bott, sbott@pinnacle-eng-svy.com
3) Bryce Thurgood, brycethurgood@msn.com

DATE: May 6, 2013

I have reviewed the site plan submitted on April 29, 2013 for the above referenced project. The Fire Prevention Division of this department has no further comments or concerns with this amended subdivision and **recommends granting final approval.**

These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and may have their requirements. This review by the Fire Department must not be construed as final approval by Layton City.

DBH/Villas on Main Amended:kn
Plan # S13-057, District #51
Project Tracker #LAY 1304231384



CITY COUNCIL

June 6, 2013

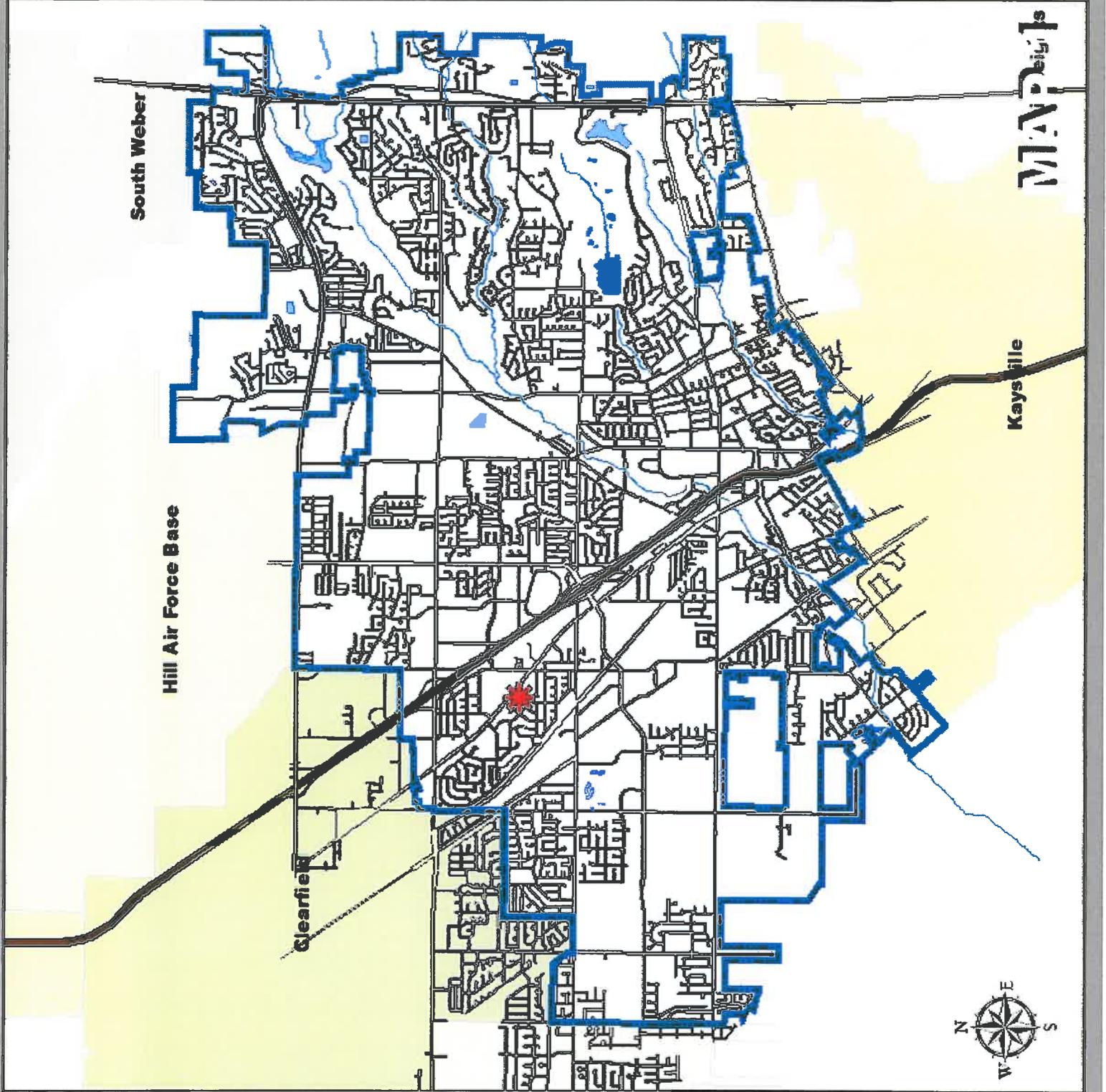
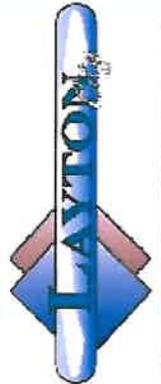
Villas on Main PRUD Plat Amendment

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet



CITY COUNCIL

June 6, 2013

Villas on Main PRUD Amended Plat

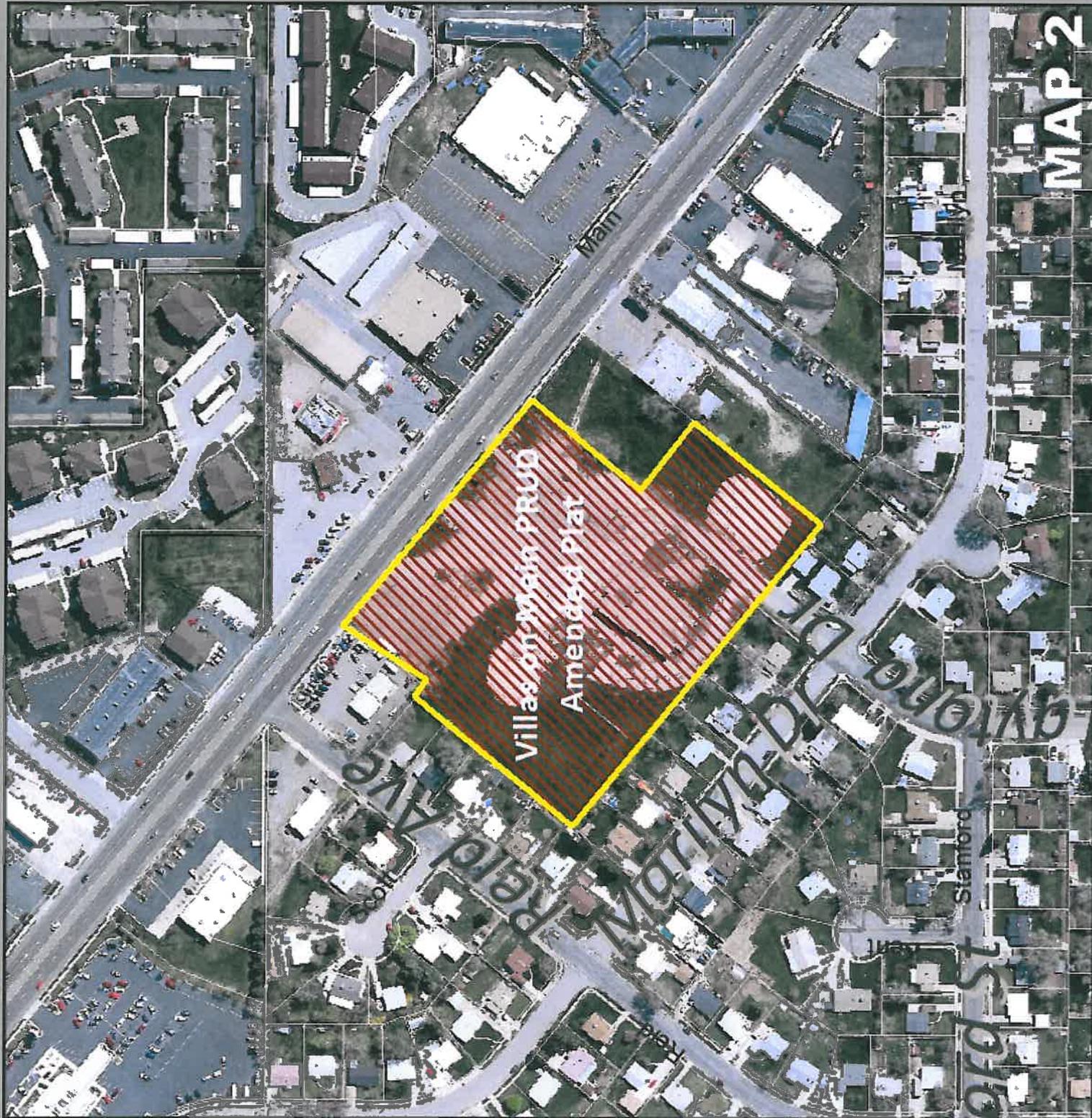
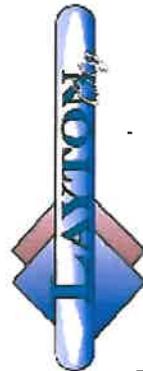
Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area



1 inch = 220 feet



**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4D

Subject: Community Development Block Grant (CDBG) Support for the Have a Heart Program to Construct One Home – Resolution 13-29 – 415 West Weaver Lane

Background: Staff has been working with the Davis School District to provide houses to low to moderate income home buyers through the CDBG program. On August 30, 2012, the Council approved a Grant Agreement and Land Sale and Construction Agreement with the Davis School District (District) for the construction of two homes on West Weaver Lane. The District has completed the home located at 425 West Weaver Lane, however, due to unforeseen circumstances, the District will be unable to construct a home on 415 West Weaver Lane this coming CDBG Program Year 2013-2014. The District intends to restart the program beginning CDBG Program Year 2014-2015. To continue with the program as designed, Staff identified the Have a Heart program as a similar CDBG eligible program that constructs homes for needy families.

Have a Heart is an independent 501(c)(3) non-profit organization, and is in a partnership between the Northern Wasatch Association of Realtors and the Northern Wasatch Home Builders Association. Have a Heart constructs and sells homes to needy families at a substantially discounted price. This is made possible by builders and subcontractors donating their supplies, services and labor hours. The Association of Realtors also donates services and commissions.

Have a Heart would like to build one of their homes on the lot located at 415 West Weaver Lane. The home design and color scheme would be approved by the Layton City Community and Economic Development Director and the CDBG Administrator. Have a Heart would then sell the home to a low to moderate income home buyer, verified by the Layton City CDBG Administrator.

Through the attached Grant Agreement and Warranty Deed, the City will provide a building lot to Have a Heart. The funds used to pay for the lot were budgeted in the CDBG 2012-13 Annual Action Plan.

Alternatives: Alternatives are to 1) Adopt Resolution 13-29 entering into the Grant Agreement and the Warranty Deed with Have a Heart; 2) Adopt Resolution 13-29 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-29 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-29 entering into the Grant Agreement and Warranty Deed with Have a Heart.

RESOLUTION 13-29

A RESOLUTION ADOPTING AND APPROVING AN AGREEMENT AND EXECUTING A WARRANTY DEED WITH HAVE A HEART.

WHEREAS, Layton City and Have a Heart are desirous to construct one (1) home for a low to moderate income family; and

WHEREAS, The City will provide a Community Development Block Grant purchased lot to Have a Heart for the construction of the home; and

WHEREAS, The City will assist Have a Heart in finding a low to moderate income home buyer to purchase the completed house; and

WHEREAS, The City desires to enter into an agreement and execute a Warranty Deed to accomplish this purpose; and

WHEREAS, The City Council of Layton City finds it to be in the best interest of the City to enter into such agreement and execute a Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. To provide one (1) low to moderate income family with an affordable house, the City will enter into the agreement entitled "GRANT AGREEMENT," and execute a "WARRANTY DEED," which agreement and deed are attached hereto and incorporated by this reference.
2. These documents between Have a Heart and Layton City are adopted and approved.
3. The Mayor is hereby authorized to execute the agreement and Warranty Deed.

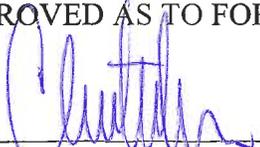
ADOPTED by the City Council of Layton, Utah this ____ day of _____, 2013.

ATTEST:

J. STEPHEN CURTIS, Mayor

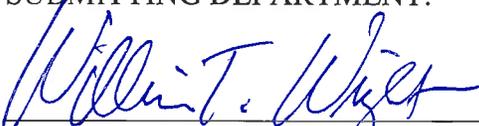
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

FOR: 

GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



WILLIAM T. WRIGHT, Director
Community and Economic Development

GRANT AGREEMENT

CONTRACT PARTIES: This Agreement is made by and between **LAYTON CITY CORPORATION**, a municipal corporation of the State of Utah, hereinafter “City”, and **HAVE A HEART**, an independent 501(c)(3) non-profit organization hereinafter “SUBRECIPIENT.”

WHEREAS, the parties are desirous of entering into an agreement for the City to provide certain grant monies to SUBRECIPIENT to purchase one building lot set forth in Exhibit B so that one house can be constructed;

NOW, THEREFORE, in consideration of the mutual promises and considerations set forth below, the parties agree to the following:

TERMS

1. PURPOSE: To provide funding for the purchase of one building lot associated with building one affordable house.

2. CONTRACT TERM: The term of this Agreement shall run from the date of this Agreement to June 30, 2014.

3. SCOPE OF SERVICES: SUBRECIPIENT shall provide those services and allocate funds accordingly as set forth in Exhibit “A”, Scope of Work, which is attached hereto and by this reference incorporated herein.

4. ACTIVITIES FUNDED: The City shall, from its Community Development Block Grant (hereinafter “CDBG”) funding, provide funding for the services described in Exhibit “A”, Scope of Work.

5. BUDGET: The City shall not provide any funds for services as contemplated by the terms of this Agreement. The basis for said compensation is set forth in Exhibit "B" which is attached hereto and by this reference incorporated herein. Nothing herein shall require the City to use any other funding source other than CDBG funds, to satisfy its commitment under this Agreement.

6. ADMINISTRATIVE REPRESENTATIVE: The designated representatives of the parties for purposes of administering this Agreement shall be:

CITY: Community Development Block Grant Administrator
Department of Community and Economic Development
437 N. Wasatch Dr.
Layton, UT 84041

SUBGRANTEE: Executive Director
Have a Heart
5703 S. 1475 E. Suite 1
South Ogden, UT. 84403

7. STATEMENTS: SUBRECIPIENT shall submit a report to the Department of Community Development every six (6) months detailing their progress in building the home. The first report shall be submitted six (6) months from the date of this Agreement.

8. VERIFICATION OF SERVICES: SUBRECIPIENT shall maintain thorough records of all business transactions and shall give City and United States Department of Housing and Urban Development (hereinafter "HUD"), through any authorized representatives, access to and the right to verify, inspect, and examine all records, books, papers or documents to all SUBRECIPIENT operations funded in whole or in part under this Agreement. The right to verify, inspect and examine all records as described herein shall extend for a period of five (5) years following the termination of this Agreement.

9. INFORMATION: Subject to all Federal, State and local laws, ordinances and regulations, the City and HUD shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, materials, or other information prepared under or in conjunction with this Agreement.

10. REPORTS: On or before July 31, 2014, SUBRECIPIENT shall submit to the City a yearly report on project performance on forms acceptable to the City.

11. AUDIT: SUBRECIPIENT shall provide the City with a copy of a financial audit of the program funded under this Agreement immediately upon availability. Said audit shall be prepared by a qualified auditor who is licensed as a certified public accountant.

12. CONFLICT OF INTEREST: SUBRECIPIENT shall establish safeguards to prohibit its employees, board members, advisors and agents from using positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties. SUBRECIPIENT shall disclose to the City any conflict of interest or potential conflict of interest described above, immediately upon discovery of such conflict.

13. ETHICAL STANDARDS: SUBRECIPIENT represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the City's conflict of interest ordinance; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance.

14. INDEPENDENT CONTRACTOR: For the purpose of this Agreement, it is understood that the parties are independent contractors and no employee or agent of the respective parties is, for any purpose of this Agreement, an employee or agent of the other.

15. INDEMNIFICATION: SUBRECIPIENT agrees and covenants to indemnify and hold the City, its officers, employees and agents, harmless of and from any and all claims of loss, damages or injury sustained by any person or damage or injury sustained by any person or damage to property and all expenses, including reasonable attorney's fees incurred or thereby arising from the performance of the SUBRECIPIENT's principals, staff, agents, contractors or employees under the provisions of this Agreement. SUBRECIPIENT agrees that said indemnification shall extend to any claim asserted against the City, its officers, employees and agents, by HUD as a result of this Agreement or the grant made pursuant hereto, regardless of the fault or non-fault of SUBRECIPIENT in connection with such claim. The foregoing notwithstanding, the SUBRECIPIENT shall not be obligated to indemnify the City for any damages which are caused by or result from the fault of the City or its agents, officers or employees.

16. FEDERAL REGULATIONS: SUBRECIPIENT shall administer this Agreement in compliance with all applicable federal, Utah State, and Layton City laws, ordinances, and regulations, or their successors or replacements, including but not limited to the following federal regulations, or their successors or replacements, which are incorporated herein by reference:

- a. 570.601 Public Law 88-353 and Public Law 90-284; affirmatively furthering fair housing; Executive Order 11063.
 - (a) The following requirements apply according to sections 104(b) and 107 of the Act:
 - (1) Public Law 880352, which is title VI of the Civil Rights Act of 1964, (42 U.S.C. 2000d et seq.), and implementing regulations in 24 CFR part 1.
 - (2) Public Law 90-284, which is the Fair Housing Act (42 U.S.C. 3601-3620).
 - (b) Executive Order 11063, as amended by Executive Order 12259 (3CFR, 1959-1963Comp., p. 652; 3 CFR, 1980 Comp., p. 307)(Equal Opportunity in Housing), and implementing regulations in 24 CFR part 107, also apply.
- b. Section 109 of the Housing and Community Development Act of 1974, as amended, and the regulations issued pursuant thereto [24 CFR Section 570.601 and 570.602];
- c. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and implementing regulations issued at 41 CFR Chapter 60 (Equal Opportunity in Employment);
- d. The Age Discrimination Act of 1975, as amended, [Pub. L. 94-135] and implementing regulations when published for effect [24 CFR Part 146];
- e. Section 504 of the Rehabilitation Act of 1973 [Pub. L. 93-112], as amended and implementing regulations when published for effect [24 CFR Part 8];
- f. The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing, regulations at 24 CFR Part 10 and 24 CFR Part 570.606;
- g. The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- h. Executive Order 11988 relating to the evaluation of flood hazards and executive Order 11288 relating to the prevention, control, and abatement of water pollution;
- i. The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 and the regulations in 44 CFR parts 59 through 79 apply to funds provided under part 570.605;
- j. The requirements and standards of OMB Circular No. A-122, *Cost principles for Educational Institutions*, as applicable, and OMB Circular A-133, *Audits of Institutions of higher Education and Other Nonprofit Institutions*, (as set forth in 24 CFR part 45). Audits shall be conducted annually. The provisions of the Uniform Administrative requirements of OMB Circular A-110 (implemented at 24 CFR part 84, *Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations*) or the related CDBG provision, as specified in this paragraph;

- k. The lead-based paint requirements of 24 CFR Part 35 issued pursuant to the Lead-Based Paint Poisoning Prevention Act [42 USC 4801, et seq.]. SUBRECIPIENT shall comply with said regulations, including providing every property owner or tenant of projects, which SUBRECIPIENT funds, with a copy of the HUD issued form entitled *Protect Your Family from Lead in Your Home* and a copy of *Disclosure of information on Lead-Based paint and Lead-Based paint Hazards*. See also 24 CFR 570.608;
- l. No CDBG funds may be expended for lobbying purposes and payments from other sources for lobbying must be disclosed [24 CFR Part 87];
- m. Limitations and conditions on the use of CDBG funds by religious organizations [24CFR 570.503(b)(6) and 24 CFR 570.200(j)];
- n. The prohibition of use of debarred, suspended or ineligible contractors or sub-recipients in any contract [24 CFR 570.609];
- o. Compliance with mandatory energy efficiency standards and policies in State energy conservation plan issued in compliance with the Energy Policy and Conservation Act [Pub. L. 94-163][24 CFR 85-36(I)(13). See also 24 CFR Part 39];
- p. Where asbestos is present in property undergoing rehabilitation, federal requirements apply regarding worker exposure, abatement procedures and disposal. See Notice CPD-90-44 for further details;
- q. Provisions regarding the reversion of assets and/or return of excess funds, including any accounts receivable attributable to CDBG funds, and requirements regarding the post-close-out use of real property acquired or improved with CDBG funds [24 CFR 570.503(b)(8)];
- r. Program income received by SUBRECIPIENT is to be returned to the City or retained by SUBRECIPIENT in accordance with provisions enumerated in 24 CFR section 570.503 and 570.504(c). Where program income is to be retained by SUBRECIPIENT, the activities that will be undertaken with program income shall be the same as those specified in Exhibit "A" –Scope of Services of the loan agreement and all provisions of the written agreement shall apply to the specified activities. When SUBRECIPIENT retains program income, transfer of loan funds by the City to SUBRECIPIENT shall be adjusted according to the principles described in paragraphs (b)(2)(I) and (ii) of 24 CFR 570.504. Any program income on hand when the agreement expires, or received after the agreement's expiration, shall be paid to the City as required by 24 CFR section 570.503(b)(8).

The requirements set forth in 24 CFR 570.504(c). At the end of the program year, the City requires remittance of all interest earned on program income balances (including investments thereof) held by SUBRECIPIENT as required by the provisions at 570.500(b).

Layton City will track all interest earned on program income balances.

- s. Environmental Review Responsibilities. (i) SUBRECIPIENT does not assume the City's environmental responsibilities described at section 570.604; and (ii) SUBRECIPIENT does not assume the City's responsibility for initiating the review process under the provisions of 24 CFR part 52.

17. REDUCTION IN ADMINISTRATIVE COMPENSATION: In the event that HUD should, for any reason, reduce or eliminate the City's CDBG funding, the City shall have the right to renegotiate the amount of compensation due SUBRECIPIENT for the ACTIVITIES FUNDED as provided herein, or, at the sole discretion of the City, to terminate this Agreement.

18. TERMINATION FOR CAUSE: The City shall have the right to terminate this Agreement for cause in the event: SUBRECIPIENT fails to fulfill in timely or satisfactory manner any of the activities set forth in its Scope of Work as set forth in Exhibit "A" and fails to cure any default after seven (7) days written notice from the City of such default or breach; SUBRECIPIENT breaches or violates any covenant, agreement or assurance herein; or in the event any source of funding of this Agreement set forth in the paragraph above entitled "Reduction in Administrative Compensation" becomes impounded or otherwise unavailable, reduced or eliminated. In order to so terminate for cause, the City shall give SUBRECIPIENT written notice by certified mail specifying the cause and the effective date of termination which may be effective upon SUBRECIPIENT's receipt of notice, except as specifically provided above. In the event the City terminates this Agreement due to SUBRECIPIENT's failure to cure any default as provided herein or due to SUBRECIPIENT's breach or violation of any covenant, agreement or assurance herein, the City may, at its option, make written demand for repayment of, and SUBRECIPIENT shall immediately upon receipt of such written demand of the City, repay all sums received by SUBRECIPIENT from the City under this Agreement as of the date of said demand, plus interest thereon at the highest legal rate plus all expenses incurred by the City, including reasonable attorney's fees incurred in recovering said sums.

19. TERMINATION WITHOUT CAUSE: The City, without cause, may terminate this Agreement by giving SUBRECIPIENT thirty (30) day written notice by certified mail.

20. SETOFF: Notwithstanding any provision appearing to the contrary, SUBRECIPIENT shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of this Agreement by SUBRECIPIENT. The City may withhold payment of compensation to SUBRECIPIENT for the purpose of setoff until such time as the exact amount of damage incurred by the City which would be due from SUBRECIPIENT is determined and paid. Such damages may include HUD's disqualification of ACTIVITIES FUNDED because of SUBRECIPIENT's failure to properly administer the same.

21. REVERSION OF ASSETS: SUBRECIPIENT must return any CDBG funds on hand at the end of this Agreement.

22. INTEGRATED DOCUMENT: This Agreement embodies the entire Agreement between City and SUBRECIPIENT for the scope of services and their terms and conditions. No verbal agreements or conversation with any officer, agent or employee of the City prior to the execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon the City.

23. AMENDMENTS: This Agreement may be amended only by written agreement of the parties hereto.

24. SEVERABILITY OF PROVISIONS: If any provisions of this Agreement are held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable laws.

25. NON-ASSIGNABILITY: SUBRECIPIENT shall not assign any interest in this Agreement, and shall not transfer any interest in this Agreement without written consent of the City.

26. NO THIRD PARTY BENEFICIARIES: SUBRECIPIENT's obligations are solely to the City and to HUD and the City's obligations are solely to SUBRECIPIENT and to HUD. This Agreement shall confer no third party rights whatsoever other than those between the parties hereto and HUD.

27. SUCCESSORS: SUBRECIPIENT covenants that the provisions of this Agreement shall be binding upon heirs, successors, sub-contractors, representatives and agents, subject to the provisions set forth in paragraph 25 of this Agreement.

28. AMBIGUITY: Any ambiguity in this Agreement shall be construed in favor of the City.

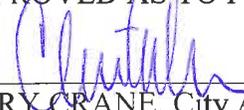
29. GOVERNING LAW: This Agreement shall be enforced in and governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this _____ day of _____, 2013.

LAYTON CITY CORPORATION

By: _____
J. STEPHEN CURTIS, Mayor

APPROVED AS TO FORM:

For:  _____
GARY CRANE, City Attorney

ATTEST:

THIEDA WELLMAN, City Recorder

HAVE A HEART

By: _____
Mike Ostermiller, Executive Director

State of Utah)
 : ss.
County of Davis)

The forgoing instrument was acknowledged before me this _____ day of _____, 2013 by Mike Ostermiller, Executive Director of Have a Heart, an independent 501(c)(3) non-profit organization.

NOTARY PUBLIC, residing in Davis County, Utah

My Commission Expires:

EXHIBIT "A"

SCOPE OF WORK

The mission of the Have a Heart program is to help families realize the American dream of homeownership. In total, Have a Heart has provided homes for over twenty families. The Have a Heart project began in 1998 as a community service project from the Northern Wasatch Association of Realtors. The Northern Wasatch Home Builders Association joined soon after. With their help, Have a Heart has been able to construct new homes in Davis and Weber counties. Have a Heart sells new homes to families, with various special needs at a substantially discounted price. This is made possible by builders and subcontractors that donate their supplies, services and labor hours.

Layton City will provide a lot, purchased by Community Development Block Grant money to the Have a Heart program to assist with the construction of one house. Upon completion, the house will be sold to a low to moderate income buyer. The City currently owns the property that has been subdivided into a residential lot that will be used as a building lot for the one (1) house described in this Exhibit "A".

Have a Heart, in cooperation with Layton City, will find a buyer for the house. The buyer must meet United States Department of Housing and Urban Development qualifications and must obtain third party financing. The sale price of the house will be agreed upon by both Have a Heart and the City. After the sale price has been selected and an appraisal completed, Layton City will carry a Promissory Note and Deed of Trust, agreed upon by the buyer, for the difference between the sale price and the appraisal.

Have a Heart will oversee the construction of the house. Construction on the house will begin in 2013 and be completed by June 2014.

EXHIBIT "B"

BASIS FOR COMPENSATION

The City will provide the CDBG purchased lot, on which will be constructed one house. The lot is located at 415 West Weaver Lane in Layton City.

All necessary City ordinances and codes will be followed for the construction of the house.

WHEN RECORDED, MAIL TO:
Layton City
CDBG Administrator
437 N. Wasatch Drive
Layton, UT 84041

WARRANTY DEED

LAYTON CITY CORPORATION, GRANTOR, of 437 North Wasatch Drive, City of Layton, County of Davis, State of Utah, hereby **CONVEY** and **WARRANT** to Have a Heart, a 501(c)(3) non-profit organization, of 5703 South 1475 East, City of South Ogden, County of Weber, State of Utah, for the sum of Ten Dollars (\$10.00) and/or other valuable consideration, the following described tract(s) of land in Davis County, State of Utah:

Legal Description as recorded with the Davis County, Utah Recorder's Office:

ALL OF LOT ONE SUN CREEK ESTATES SUBDIVISION, LAYTON CITY,
DAVIS COUNTY, UTAH, ACCORDING TO THE OFFICIAL PLAT
THEREOF. CONT 0.25 ACRES.

PARCEL NO. 11-705-0001

WITNESS, the hands of said Grantors, this _____ day of _____, 2013.

GRANTOR:

J. STEPHEN CURTIS, MAYOR

STATE OF UTAH)
 : ss.
COUNTY OF _____)

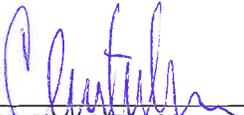
On this _____ day of _____, 2013, personally appeared before me J. STEPHEN CURTIS, who duly acknowledged to me that he is the MAYOR of LAYTON CITY, and who duly acknowledged to me that he is the owner of the above noted property, and that the document was signed by him in behalf of said corporation, and J. STEPHEN CURTIS acknowledged to me that said corporation executed the same.

NOTARY PUBLIC

ATTEST:

THIEDA WELLMAN, CITY RECORDER

APPROVED AS TO FORM:



for GARY CRANE, City Attorney

The WARRANTY DEED signed by J. STEPHEN CURTIS dated the ____ day of _____, 2013, has been accepted by Have a Heart on the ____ day of _____, 2013.

MIKE OSTERMILLER

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the ____ day of _____, 2013, personally appeared before me MIKE OSTERMILLER, who duly acknowledged to me that he is the EXECUTIVE DIRECTOR OF HAVE A HEART, and that the document was signed by him in behalf of said corporation, and MIKE OSTERMILLER acknowledged to me that said corporation executed the same.

NOTARY PUBLIC

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5A

Subject: Community Development Block Grant (CDBG) Consolidated Plan 2013-2017 and Annual Action Plan 2013-2014 – Resolution 13-27

Background: As an entitlement Grantee of Housing and Urban Development’s (HUD) CDBG program, Layton City is required to develop a Consolidated Plan every five years as well as the yearly Annual Action Plan. The Consolidated Plan identifies needs within the City and proposes strategies to meet those needs using the allotment of CDBG funds during the upcoming Program Year(s) covering the time period between July 1, 2013 and June 30, 2018. The Annual Action Plan outlines how the City will allocate its allotment of CDBG funds during the upcoming Program Year, July 1, 2013 to June 30, 2014. HUD regulations require two public hearings during the preparation of these Plan(s).

This is the second public hearing which is being held to gather information from the public concerning the final Consolidated Plan, 2013-2017 and Annual Action Plan, 2013-2014. At the conclusion of the public hearing the Council will be able to adopt the Plan(s), which will then be submitted to HUD.

The two plans, the Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014, are enclosed with Resolution 13-27.

Alternatives: Alternatives are to 1) Adopt Resolution 13-27 approving the CDBG Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014; 2) Adopt Resolution 13-27 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-27 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-27 approving the CDBG Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014.

RESOLUTION 13-27

A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN, 2013-2017 AND THE ANNUAL ACTION PLAN, 2013-2014.

WHEREAS, Layton City is an entitlement recipient of the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program; and

WHEREAS, Layton City is responsible for overseeing the development of a five year Consolidated Plan and an Annual Action Plan that describes the use of CDBG funds; and

WHEREAS, Layton City has prepared the Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014 in accordance with Federal Regulations and has made these drafts available for public review and comment; and

WHEREAS, The Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014 is ready for final review and adoption by the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the Consolidated Plan, 2013-2017 and the Annual Action Plan, 2013-2014, which is attached hereto and incorporated by this reference, is hereby adopted and may be submitted to HUD.

2. That the Mayor be authorized to execute any and all approvals and agreements with the HUD for the use of Community Development Block Grant funds.

3. That the Mayor be authorized to execute the applicable Homebuyer Assistance Grant Agreements and the Grant Agreements for public service agencies that are provided grant funds in the Annual Action Plan, 2013-2014. The public service agencies are identified at the following funding rates based upon the most recent allocations made by HUD, and which may be subject to minor revisions based on revised HUD allocations:

- The Family Connection Center and Davis County Homeless, \$25,000;
- The Davis Citizen's Coalition Against Violence, \$10,000;
- The Layton Community Action Council, \$8,000;
- The Road Home, \$3,500.

ADOPTED by the City Council of Layton, Utah this ____ day of _____, _____.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

SUBMITTING DEPARTMENT:

Folk

GARY CRANE, City Attorney

For: William T. Wright, Director
Community and Economic Development

**Layton City
Community Development Block Grant
Five Year Consolidated Plan, 2013-2017
One Year Annual Action Plan, 2013-2014**



PREPARED BY:
LAYTON CITY
COMMUNITY AND ECONOMIC DEVELOPMENT



**CONSOLIDATED PLAN, 2013-2017
ANNUAL ACTION PLAN, 2013-2014**

EXECUTIVE SUMMARY 1

THE PROCESS..... 3

NEEDS ASSESSMENT..... 11

MARKET ANALYSIS 36

STRATEGIC PLAN 58

ANNUAL ACTION PLAN, 2013-2014 76

APPENDIX A – STANDARD FORM 424 AND CERTIFICATIONS 92

Executive Summary

ES-05 Executive Summary

1. Introduction

Layton City is the lead agency for the formation of this Five Year Consolidated Plan. Layton City will continue to utilize subrecipients for the provision of public services and will use internal staff to administer projects. This Consolidated Plan was done in consultation and coordination with multiple applicable and appropriate agencies and met the required public participation process.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

To leverage the amount of CDBG funding granted to Layton City, the City will partner with available public service providers by funding responsible entities that provide a broad range of supportive services to needy populations. Layton City projects will center on removing barriers to affordable housing through down payment assistance, land write-down for affordable housing, improving Historic Downtown infrastructure, and historic business rehabilitation loans.

3. Evaluation of past performance

Layton City has recognized significant utility in supporting agencies effective at providing supportive services to vulnerable, at risk populations. Agencies such as the Family Connection Center, Safe Harbor, Layton Community Action Council, and the Road Home have proved to be excellent partners and productive subrecipients of Layton City CDBG funds.

The down payment assistance program is annually in high demand, and has been effective in removing barriers to affordable housing.

There are few areas in the City that meet the required percentage for an area benefit for low-moderate income residents. One area is Historic Downtown Layton. CDBG funding should continue to be focused to this area to assist in improving the quality of life to the residents of downtown.

4. Summary of citizen participation process and consultation process

This Consolidated Plan was done in consultation and coordination with multiple, applicable and appropriate agencies. The administrator identified multiple professionals that deal with a variety of issues including: economic development, housing, youth welfare issues, domestic abuse, homeless persons, public infrastructure, etc. The administrator had individual contact with these professionals, which includes representation from the Family Connection Center, the Davis Citizen's Coalition Against Violence (Safe Harbor), the Layton Community Action Council, Layton City Engineering, Layton City Community and Economic Development, Davis County Community and Economic Development, and the State of Utah Department of Workforce Services.

5. Summary of public comments

See section PR-15 Citizen Participation for a summary of public comments received.

6. Summary of comments or views not accepted and the reasons for not accepting them

N/A

7. Summary

Layton City looks forward to the implementation of this Consolidated Plan through yearly Annual Action Plans. Layton City expects public service and public projects to make an impact in the daily lives of Layton's citizens.

The Process

PR-05 Lead & Responsible Agencies

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	LAYTON	

Table 1 – Responsible Agencies

Narrative

Layton City is the lead agency in the formation of this Five Year Consolidated Plan (Consolidated Plan). Layton City is an entitlement recipient of the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG). The City has been an entitlement recipient of these funds since reaching the 50,000 resident benchmark in the mid 1990's.

Consolidated Plan Public Contact Information

Kent G. Andersen

Economic Development / CDBG Specialist

437 North Wasatch Drive

Layton City, Utah 84041

kandersen@laytoncity.org

Business: 801-336-3790

Fax: 801-336-3789

PR-10 Consultation

1. Introduction

This Consolidated Plan was done in consultation and coordination with multiple applicable and appropriate agencies. The administrator identified multiple professionals that deal with a variety of issues including economic development, housing, youth welfare issues, domestic abuse, homeless persons, public infrastructure, etc. The administrator had individual contact with these professionals, which includes representation from the Family Connection Center, the Davis Citizen's Coalition Against Violence (Safe Harbor), the Layton Community Action Council, Layton City Engineering, Layton City Community and Economic Development, Davis County Community and Economic Development, and the State of Utah Department of Workforce Services.

Summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

Layton City works closely and stays in consistent contact with its subgrantees to provide information to enhance coordination both with the subgrantees and the entities they work with, which include public and assisted housing providers and private and governmental health, mental health and service agencies.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

Layton City supports two organizations that coordinate with the local Continuum of Care program, the Family Connection Center and The Road Home.

The Family Connection Center provides temporary shelter to homeless persons. The program pays for homeless persons to stay at a motel on a temporary basis.

Consolidated Plan

LAYTON

4

The Road Home operates the Salt Lake Community Shelter and self-sufficiency Center for homeless families and individuals and serves the entire Wasatch Front. People from Davis County, including Layton City, Salt Lake County, and other parts of Utah, utilize this shelter and supportive services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

Layton City does not allocate ESG funds, develop performance standards and evaluate outcomes, or develop funding, policies and procedures for the administration of HMIS.

2. Agencies, groups, organizations and others who participated in the process and consultations

Agency/Group/Organization	Agency/Group/Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Family Connection Center	Services-Children Services-homeless Services-Education Community Action Agency	Public Housing Needs Homelessness Strategy Anti-poverty Strategy	Individual discussions with Jason Wilde, Executive Director and Daneen Adams, Assistant Executive Director. Anticipated outcomes include continued support for the Family Connection Center and their mission. Areas for improved coordination surrounds the continued regional approach to assisting the homeless.
Safe Harbor (Davis Citizens Coalition Against Violence)	Housing Services-Victims of Domestic Violence	Homeless Needs - Families with children	Individual discussion with Kay Card, Executive Director. Anticipated outcomes included continued support for Safe Harbor and their mission.
LAYTON COMMUNITY ACTION COUNCIL	Youth programs	Youth Programs	Individual discussion with Val Stratford, Executive Director. Anticipated outcomes include continued support for the Layton Community Action Council and their mission.

Agency/Group/Organization	Agency/Group/Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
LAYTON	Other government - Local	Public Housing Needs Economic Development Infrastructure and Public Safety	Individual discussions with William T. Wright, Community and Economic Development Director and Ryan Bankhead, Engineer. Anticipated outcomes include additional funding to be allocated to infrastructure and economic development.
DAVIS COUNTY	Other government - County	Economic Development	Individual discussions with Kent Sulser, Community and Economic Development Director and Marlin Eldred, Economic Development. Anticipated outcomes include additional funding to be allocated to economic development.
Utah Department of Workforce Services	Other government - State	Economic Development	Individual discussion with Darren Rogers, Economic and Workforce Development, North Davis County. Anticipated outcomes include additional funding to be allocated to economic development.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

None

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care		

Consolidated Plan

LAYTON

6

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(I))

Layton City works closely with Davis County Community and Economic Development to assess the ongoing needs of the community as it relates to the implementation of the goals located within the Consolidated Plan, specifically housing services and economic development. Layton City also works closely with the State Department of Workforce Services to maintain a grasp on the needs of the low-moderate income workforce as it pertains to barriers of obtaining employment. Layton City works in partnership with the Davis Unified School District to assess homeownership needs of employed teachers. The City also works with intergovernmental departments, such as Layton City Economic Development, Police, Fire, and Engineering/Public Works departments to ascertain employment and housing opportunities, public safety needs, as well as needed infrastructure improvements in low-moderate income areas within Layton City.

Narrative (Optional)

Consolidated Plan LAYTON 7

PR-15 Citizen Participation

- Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

Citizen Participation Outreach

Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
Public Meeting	Non-targeted/broad community	The public meeting was held during a regularly scheduled Layton City Council meeting. Three individuals commented during the public comment period.	Daneen Adams, Assistant Director of the Family Connection Center, a family support agency in Davis County, explained their facility and their community action program. She said they received \$23,000 from the City last year, which helped supply approximately 600 low income families with services. Ms. Adams said they had experienced a 48% cut in funding from the State since 2009. She indicated that they worked to get people out of poverty; 1,349 Layton citizens received services last year. Ms. Adams said 87% of the people said they were in poverty because of the lack of job skills. They focused on making people self sufficient. She thanked the City	N/A	

Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
			<p>for their past support and requested that the City continue to provide support to the Family Connection Center. Kay Card, Executive Director of Safe Harbor, expressed appreciation to the Council for their support. Ms. Card explained that Safe Harbor provided services in domestic violence situations. She said 110 women and children from Layton were in the shelter last year for a total cost of \$90,576, or \$68 per day. Ms. Card said 215 women and children attended their outreach programs, which cost \$180 for a 10-week program. The service they provide is vital; half of the murders in Utah last year were domestic violence related. The average stay at their shelter is 13 to 15 days, but some are longer, with an average of 2 children for every woman in the shelter. Ms. Card also explained that there is a high return rate. Celeste Eggert, Development Director for the Road Home, indicated that The Road Home was a homeless shelter in Salt Lake City. She thanked the Council for their past support. Ms. Eggert said The Road Home was the</p>		

Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
			<p>largest homeless shelter in Utah. She said their Salt Lake facility housed about 900 people nightly. In the wintertime they had a second shelter in Midvale that could house 1,100 to 1,200 people per night. Ms. Eggert said they had seen a huge increase in need; a 260% increase over the past 5 years. She said they were housing more families. Ms. Eggert said they are anticipating moving over 350 families from homelessness into housing this year. Ms. Eggert also said that they assisted 20 people from Layton last year.</p>		

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

Layton City relies on the Davis Community Housing Authority to provide all of the public housing needs. The two most pressing concerns are affordability and accessibility to public housing.

NA-10 Housing Needs Assessment

Summary of Housing Needs

Layton City, through the CDBG program, has primarily provided temporary shelter assistance, homeownership assistance, and domestic violence shelter funding. Through consultation with various entities as well as analysis of the 2005-2009 American Communities Survey and the 2005-2009 Comprehensive Housing Affordability Strategy, the housing needs for Layton City has not changed.

There is still significant housing needs for low-income families and individuals who suffer domestic violence. Layton City will continue to provide ongoing CDBG funding to entities and through programs to address these needs.

Demographics	2000 Census (Base Year)	2005-2009 ACS (Most Recent Year)	% Change
Population	58,474	64,306	10%
Households	19,145	21,222	11%
Median Income	\$52,128.00	\$61,713.00	18%

Table 1 - Housing Needs Assessment Demographics

Data Source: 2005-2009 ACS Data
2000 Census (Base Year)
2005-2009 ACS (Most Recent Year)

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households *	1,580	1,760	4,145	2,890	
Small Family Households *	605	715	1,990	7,685	
Large Family Households *	100	285	690	2,555	
Household contains at least one person 62-74 years of age	155	265	395	255	1,240
Household contains at least one person age 75 or older	130	190	255	210	435
Households with one or more children 6 years old or younger *	345	510	1,555	3,135	
* the highest income category for these family types is >80% HAMFI					

Table 2 - Total Households Table

Data Source: 2005-2009 CHAS

Housing Needs Summary Tables for several types of Housing Problems

1. Housing Problems (Households with one of the listed needs)

	Renter				Owner					
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Substandard Housing - Lacking complete plumbing or kitchen facilities	0	0	10	0	10	0	10	15	0	25
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	0	0	15	0	15	0	10	0	0	10
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	60	100	45	0	205	10	65	45	10	130
Housing cost burden greater than 50% of income (and none of the above problems)	550	170	0	0	720	425	265	235	75	1,000
Housing cost burden greater than 30% of income (and none of the above problems)	135	385	360	35	915	55	280	1,080	470	1,885
Zero/negative Income (and none of the above problems)	65	0	0	0	65	35	0	0	0	35

Data Source: 2005-2009 CHAS

Table 3 – Housing Problems Table

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter				Owner				Total
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	
Having 1 or more of four housing problems	610	270	70	0	950	435	290	80	1,160
Having none of four housing problems	205	560	1,380	1,035	3,180	230	2,405	1,775	4,985
Household has negative income, but none of the other housing problems	65	0	0	0	65	35	0	0	35

Table 4 – Housing Problems 2

Data Source: 2005-2009 CHAS

3. Cost Burden > 30%

	Renter				Owner				Total
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	
Small Related	320	245	90	655	200	290	650	1,140	
Large Related	15	95	25	135	85	130	415	630	
Elderly	70	60	25	155	59	120	145	324	
Other	340	225	220	785	150	50	130	330	
Total need by income	745	625	360	1,730	494	590	1,340	2,424	

Table 5 – Cost Burden > 30%

Data Source: 2005-2009 CHAS

4. Cost Burden > 50%

	Renter				Total	Owner				Total
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI		0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	
Small Related	245	70	0	0	315	190	135	105	430	
Large Related	15	15	0	0	30	85	55	35	175	
Elderly	60	10	0	0	70	39	75	35	149	
Other	290	75	0	0	365	120	0	55	175	
Total need by income	610	170	0	0	780	434	265	230	929	

Table 6 -- Cost Burden > 50%

Data Source: 2005-2009 CHAS

5. Crowding (More than one person per room)

	Renter				Total	Owner				Total
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI		0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	
Single family households	60	100	45	0	205	10	50	30	10	100
Multiple, unrelated family households	0	0	15	0	15	0	25	10	0	35
Other, non-family households	0	0	0	0	0	0	0	0	0	0
Total need by income	60	100	60	0	220	10	75	40	10	135

Table 7 -- Crowding Information

Data Source: 2005-2009 CHAS

What are the most common housing problems?

Those who were consulted with in the creation of the Consolidated Action Plan identified the most common housing problems to be temporary shelter needs, housing affordability, and overcrowding of single-family households.

Are any populations/household types more affected than others by these problems?

The most affected population who has need of temporary shelter and housing affordability include low-income, individuals/households suffering from domestic violence, single-parent households, and young families.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The presence of domestic violence, inadequate job skills, lower educational attainment and under-employment appears to be the primary characteristics of low-income households who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered as well as for those who were formerly homeless.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

Layton City does not provide estimates of the at-risk-population(s).

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

Affordability is the primary housing characteristics that have been linked with instability and an increased risk of homelessness.

Discussion

It is apparent, that without ongoing funding to domestic violence and sheltering programs aimed at assisting low-income households, there will be an ongoing challenge to meet the common household needs.

NA-15 Disproportionately Greater Need: Housing Problems

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

The minority groups are relatively small when compared to nearby large cities, such as Ogden and Salt Lake. However, at least one income category of Hispanics includes a disproportionately greater need. This need is related primarily to affordability.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,235	245	100
White	825	210	90
Black / African American	95	0	0
Asian	20	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	4	0	0
Hispanic	245	40	15

Table 8 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,290	470	0
White	970	345	0
Black / African American	0	30	0
Asian	50	25	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	265	70	0

Table 9 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,790	2,350	0
White	1,590	2,030	0
Black / African American	10	10	0
Asian	40	50	0
American Indian, Alaska Native	0	0	0
Pacific Islander	10	0	0
Hispanic	135	230	0

Table 10 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	590	2,305	0
White	520	2,120	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Black / African American	0	10	0
Asian	0	35	0
American Indian, Alaska Native	25	0	0
Pacific Islander	0	0	0
Hispanic	40	110	0

Table 11 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

Discussion

The need of the Hispanic population with an area median income of 0%-30% is comprised of approximately 20% of the total population of those who have one or more of the four housing problems. The primary housing problem is related to affordability. Therefore, Layton City provides a CDBG homeownership assistance program to assist in reducing the housing cost burden for qualifying households.

NA-20 Disproportionately Greater Need: Severe Housing Problems

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Similar to the previous housing problems section, at least one income category of Hispanics include a disproportionately greater need. Again, this need is related primarily to affordability.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,045	435	100
White	685	355	90
Black / African American	95	0	0
Asian	20	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	4	0	0
Hispanic	200	85	15

Table 12 – Severe Housing Problems 0 - 30% AMI

Data Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	625	1,135	0
White	460	855	0
Black / African American	0	30	0
Asian	50	25	0
American Indian, Alaska Native	0	0	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Pacific Islander	0	0	0
Hispanic	110	225	0

Table 13 – Severe Housing Problems 30 - 50% AMI

Data Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	360	3,785	0
White	275	3,345	0
Black / African American	0	20	0
Asian	0	90	0
American Indian, Alaska Native	0	0	0
Pacific Islander	10	0	0
Hispanic	75	295	0

Table 14 – Severe Housing Problems 50 - 80% AMI

Data Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	80	2,810	0
White	80	2,560	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Black / African American	0	10	0
Asian	0	35	0
American Indian, Alaska Native	0	25	0
Pacific Islander	0	0	0
Hispanic	0	150	0

Table 15 – Severe Housing Problems 80 - 100% AMI

Data Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

Discussion

The need of the Hispanic population with a area median income of 0%-80% all exceed 10% of the total population of those who have one or more of the four housing problems. The primary housing problem is related to affordability. Layton City will continue to provide a CDBG homeownership assistance program to assist in reducing the housing cost burden for qualifying households.

NA-25 Disproportionately Greater Need: Housing Cost Burdens

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Similar to the previous housing problems section, at least one income category of Hispanics include a disproportionately greater need as it relates to housing cost burdens.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	15,610	3,660	1,850	100
White	13,740	3,155	1,380	90
Black / African American	225	20	95	0
Asian	305	60	55	0
American Indian, Alaska Native	55	25	0	0
Pacific Islander	15	10	4	0
Hispanic	1,170	385	270	15

Table 16 – Greater Need: Housing Cost Burdens AMI

Data Source: 2005-2009 CHAS

Discussion

Using the 2005-2009 Community Housing Affordability Strategy data, it is identified that Hispanic populations make up greater than 10% of the jurisdiction as a whole who have a housing cost burden in two categories: 30-50% and greater than 50% of their overall household income going towards housing costs. Layton City will continue to provide a CDBG homeownership assistance program to assist in reducing the housing cost burden for qualifying households.

NA-30 Disproportionately Greater Need: Discussion

Income categories in which a racial or ethnic group has disproportionately greater need

Hispanic populations with an income category between 0-50% have a disproportionately greater need than the needs of that income category as a whole. These categories are greater than 10% of the total population, but never greater than 20%. The needs of the Hispanic population relate primarily to housing affordability.

Needs not previously identified

N/A

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

No.

NA-35 Public Housing

Introduction

Layton City does not provide any public housing facilities. All public housing is provided by the Davis Community Housing Authority.

Totals in Use

	Program Type						
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher
					Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	82	154	990	0	987	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five_year, and Nursing Home Transition							

Table 17 - Public Housing by Program Type

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type						
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher
					Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Average Annual Income	0	10,036	10,486	11,977	0	11,986	0
Average length of stay	0	1	4	5	0	5	0
Average Household size	0	3	2	2	0	2	0

Consolidated Plan

LAYTON

26

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
# Homeless at admission	0	0	0	0	0	0	0	0
# of Elderly Program Participants (>62)	0	0	38	130	0	130	0	0
# of Disabled Families	0	4	51	400	0	398	2	0
# of Families requesting accessibility features	0	82	154	990	0	987	3	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five_year, and Nursing Home Transition

Table 18 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Race	Program Type							
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
White	0	75	147	910	0	907	3	0
Black/African American	0	2	2	49	0	49	0	0
Asian	0	1	1	6	0	6	0	0
American Indian/Alaska	0	4	2	16	0	16	0	0

Consolidated Plan

LAYTON

Race	Program Type							
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
Native								
Pacific Islander	0	0	2	9	0	9	0	0
Other	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five_year, and Nursing Home Transition

Table 19 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Race	Program Type							
	Certificate	Mod-Rehab	Public Housing	Total	Project - based	Tenant - based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
Hispanic	0	12	21	134	0	134	0	0
Not Hispanic	0	70	133	856	0	853	3	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five_year, and Nursing Home Transition

Table 20 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment

Needs of public housing tenants and applicants on the waiting list for accessible units

Based on the Davis Community Housing Authority Public Housing 5-Year and Annual Plan, there are 546 (24.48%) families on the waiting list for Section 8 Tenant-based Assistance and 105 (19.16%) on the Public Housing waiting list. There are 51 families with disabilities in public housing and 400 participating in voucher programs.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

There are a total of 2,230 families on the waiting list for Section 8 Tenant-based Assistance and 548 on the Public Housing waiting list. The large majority of those on the waiting lists have an income at or below 30% of the area median income. A large portion of those are also families with children. The most immediate needs of residents of public housing is affordability and number of bedrooms.

How do these needs compare to the housing needs of the population at large

The needs are similar to the population at large, however, a large portion of Layton City residents have a greater income than those in need of public housing, and therefore housing affordability is not as much of an issue. The need for a greater number of bedrooms is consistent with family size, regardless of income.

NA-40 Homeless Needs Assessment

Introduction

On January 25, 2012, a Davis County Local Homeless Coordinating Committee conducted a Point-in-Time homeless study as required by the U.S. Department of Housing and Urban Development. Even though these numbers do not reflect the direct number of Layton City homeless, it does provide a snapshot for a county-wide issue that has a direct impact on Layton City services.

Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	91	18	0	0	0	0
Persons in Households with Only Children	0	0	0	0	0	0
Persons in Households with Only Adults	2	18	0	0	0	0
Chronically Homeless Individuals	0	0	0	0	0	0
Chronically Homeless Families	0	0	0	0	0	0
Veterans	0	0	0	0	0	0
Unaccompanied Child	0	0	0	0	0	0
Persons with HIV	0	0	0	0	0	0

Table 21 - Homeless Needs Assessment
 Davis County Local Homeless Coordinating Committee January 25, 2012 Point-in-Time Count

Population includes Rural Homeless: none

Jurisdiction's Rural Homeless Population

For persons in rural areas who are homeless or at risk of homelessness, describe the nature and extent of unsheltered and sheltered homelessness with the jurisdiction

This data is not available.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

It is positive to see that there is a reduction of overall homeless individuals in Davis County; however, there was an increase of 82% (23 individuals) in the domestic violence homeless subpopulation. Therefore it is important that the Layton City CDBG program continues to fund the Safe Harbor domestic violence shelter to assist with this increase. Salt Lake City is typically where a majority of homeless individuals reside, making it important to continue to provide funding to The Road Home, an entity outside of Davis County.

Nature and Extent of Homelessness by Racial and Ethnic Group

Based on the Davis County Point in Time January 25, 2012 study, there has been a 19% reduction in the number of sheltered homeless individuals when compared to 2011. However, there was a 6% increase in the number of unsheltered homeless individuals. Though due to the low numbers in Davis County, the 6% increase represents only 1 individual. Celeste Eggert, Development Director for the Road Home, a Salt Lake City homeless shelter, explains that they have seen a huge increase in need; a 260% increase over the past five years. Ms. Eggert also explained that they anticipate moving over 350 families from homelessness into housing this year.

Nature and Extent of Unsheltered and Sheltered Homelessness, including Rural Homelessness

Discussion

It is positive to see that there is a reduction of overall homeless individuals in Davis County; however, there was an increase of 82% (23 individuals) in the domestic violence homeless subpopulation. Therefore it is important that the Layton City CDBG program continues to fund the Safe Harbor domestic violence shelter to assist with this increase. Salt Lake City is typically where a majority of homeless individuals reside, making it important to continue to provide funding to The Road Home, an entity outside of Davis County.

NA-45 Non-Homeless Special Needs Assessment

Introduction

The non-homeless special needs of Layton City include the elderly, the disabled, victims of domestic violence, and those suffering from HIV/AIDS.

Characteristics of Special Needs Populations

According to the 2007-2011 American Community Survey (ACS), the elderly population of Layton City comprises 7.4% (4,963) of the overall population. Of this population, 45.3% (2,248) are male and 54.7% (2,715) are female. According to the 2000 U.S. Census, 13.2% (6,803) of the Layton City population has some sort of a disability. Of the disabled population between 21 to 64 years of age, 68.7% (2,971) are employed. Another Special Needs population is women and children experiencing domestic violence. Kay Kard, Executive Director of Safe Harbor, a domestic violence shelter, explained that in 2012, 110 women and children (with a ratio of 2 children to every woman) from Layton were in their shelter last year for a total cost of \$90,576, or \$68 per day. The average stay was between 13 and 15 days, but some were longer. Ms. Kard also explained that there was a high return rate, and that women return to the perpetrators numerous times. As of February 2013, the Safe Harbor shelter transitional housing is currently full, with 44 people being housed. See below for the discussing regarding the population suffering from HIV/AIDS.

Housing and Supportive Service Needs and Determination

The housing and supportive needs of the elderly, disabled, and those suffering from HIV/AIDS primarily revolve around housing affordability and accessibility. These needs are determine through consultation with the Layton City Community and Economic Development, Family Connection Center, Safe Harbor, and Davis County Community and Economic Development.

Public Size and Characteristics of Population with HIV / AIDS

In 2008, the Ogden/Clearfield Metropolitan Statistical Area (MSA) there were 6 new individuals diagnosed with AIDS, ranking it 101 out of 102 in the number of new diagnoses. At the end of 2007, there were 133 individuals living with AIDS in the Ogden/Clearfield MSA. The Davis County Communicable Disease & Epidemiology Division provides STD education prevention, questions and answers, and clinics and testing. They report that in 2011, sexually transmitted diseases were most often reported among women (61%) and among 18-24 year olds.

Discussion

The Layton City CDBG program will continue to fund programs that enhance housing affordability and accessibility to the non-homeless special needs population.

NA-50 Non-Housing Community Development Needs

Public Facilities

At this time, there is no need for public facility improvements through the CDBG program.

Need Determination

Consultation with the Layton City Community and Economic Development and Layton City Engineering departments.

Public Improvements

There is an ongoing need for infrastructure improvements for Historic Downtown Layton and street lighting adjacent to Layton Commons Park on Wasatch Drive.

Need Determination

Consultation with the Layton City Community and Economic Development and Layton City Engineering departments.

Public Services

There is an ongoing need for financial support for the following programs: emergency shelter through motel vouchers, nursery respite care, the Kaysville domestic violence shelter, the Salt Lake City homeless shelter, and the Layton City Youth Court. Much of the growing need is as a result of federal and state public service funding cuts.

Need Determination

Consultation with the Family Connection Center, Layton Community Action Council, The Road Home, Safe Harbor, and the February 21, 2013, public hearing.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

Layton City is in the process of rebounding from the housing economic downturn that existed the previous 5 years. As a result of record setting residential permits being issued in 2012 and the continuation of residential subdivision development, Layton City is optimistic that the city will re-emerge from the national recession, which was fueled by the failing of the residential construction industry, with a locally strong economy. In January 2013, the Northern Wasatch Homebuilders Association hosted a symposium on the "State of the Housing Market in Northern Utah". The presenter, Eric Allen of *MetroStudy*, a nationally recognized market analysis consultant, concluded that Layton City's residential market is the strongest in the region, with a small amount of inventory of lots and a short time frame of inventory of houses on the market. Both indicators show strength in the Layton market and demand for new housing construction of single-family, townhomes and multi-family. Layton City is positioned to be an excellent provider of new neighborhoods, reinvested neighborhoods and a strong local economy for job growth.

MA-10 Number of Housing Units

Introduction

In 2012, Layton City issued a record number of residential dwelling permits. This record number is due in part by the large number of multi-family permits issued. In 2013, Layton City expects to reach, if not exceed, the number of residential dwelling permits issued. The new multi-family dwelling units being created will assist in housing affordability for those unwilling or unable to purchase their own home. The multi-family dwelling units also expand the housing choices available to residents. Beyond traditional market-rate residential products, both Layton City and the Davis Community Housing Authority provide multiple types of income qualifying housing assistance programs.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	15,526	69%
1-unit, attached structure	560	2%
2-4 units	925	4%
5-19 units	2,209	10%
20 or more units	1,757	8%
Mobile Home, boat, RV, van, etc	1,578	7%
Total	22,555	100%

Table 1 – Residential Properties by Unit Number

Data Source: 2005-2009 ACS Data

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	0	0%	112	2%
1 bedroom	43	0%	1,461	25%
2 bedrooms	1,012	7%	2,741	47%
3 or more bedrooms	14,324	93%	1,529	26%
Total	15,379	100%	5,843	100%

Table 2 – Unit Size by Tenure

Data Source: 2005-2009 ACS Data

Number and Targeting of Units

There are a number of assisted residential units in Davis County and Layton City, with a majority of those being administered by the Davis Community Housing Authority (DCHA). Layton City provides approximately four down payment assistance loans annually to Layton City residents who make a gross income at or below 80% of the area median income. The DCHA administers several income qualifying programs, including: a Section 8 Housing Choice Voucher program, public housing programs, a family self-sufficiency program, down payment Assistance for first time home buyers, and a TANF homeless prevention program. All of these programs target the low-income population: families, the elderly and disabled.

Units Expected to be lost from Inventory

Currently, the largest driving factor for the loss of affordable housing inventory is effects of the federal sequestration. This sole reduction of federal funding would have the greatest impact on housing inventory program wide.

Does the availability of housing units meet the needs of the population?

The Davis Community Housing Authority (DCHA), in its 5 year action plan, reports that that there is a shortage of affordable housing for all eligible populations. Currently, the DCHA has 2,731 families on all of the public housing program waiting lists. The largest majority (2,330) are categorized as extremely low-income.

Need for Specific Types of Housing

According to the Davis Community Housing Authority, the greatest need for a specific type of housing is rental housing that would accommodate families and people with disabilities.

Discussion

As a result of limited Layton City CDBG funding, the area where the greatest impact can be had is through subsidizing entities that supply housing for vulnerable populations, e.g. homeless and victims of domestic abuse, as well as down payment assistance to qualifying households.

MA-15 Cost of Housing

Introduction

As the housing cost trend continues to increase, the amounts are still low in comparison to the rest of the country. Median contract rents have risen in previous years, but a large majority (71.14%) still pay rent from \$500-\$999, which is considered good for the region.

Cost of Housing

	2000 Census (Base Year)	2005-2009 ACS (Most Recent Year)	% Change
Median Home Value	142,900	195,300	37%
Median Contract Rent	568	684	20%

Table 3 – Cost of Housing

Data Source: 2005-2009 ACS Data
2000 Census (Base Year)
2005-2009 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	1,128	19.3%
\$500-999	4,157	71.1%
\$1,000-1,499	530	9.1%
\$1,500-1,999	28	0.5%
\$2,000 or more	0	0.0%
Total	5,843	100.0%

Table 4 - Rent Paid

Data Source: 2005-2009 ACS Data

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	265	No Data
50% HAMFI	1,150	800
80% HAMFI	2,770	2,710
100% HAMFI	No Data	4,260
Total	4,185	7,770

Table 5 – Housing Affordability

Data Source: 2005-2009 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	493	593	730	1,004	1,187
High HOME Rent	518	623	767	1,055	1,247
Low HOME Rent	518	623	767	930	1,037

Table 6 – Monthly Rent

Data Source Comments: HUD FMR and HOME Rents - 2012

Availability of Sufficient Housing

There is sufficient percentage of units affordable to households earning greater than 30% of the area median income (AMI). However, there is a small number of affordable units to households earning less than 30% of the AMI. This is evidenced by the large number of 30% AMI households on the Davis Community Housing Authority waiting list.

Expected Change of Housing Affordability

Based on consultation with the Layton City Community and Economic Development Department, home values will continue to follow the trend and post increases for at least the next two years. This will likely increase rental rates and home values, and decrease the level of affordability. However, as noted in the Fair Market rent, rents are still primarily below the Low HOME rent, allowing some increase to occur and still be affordable.

Rent Comparison

Both High and Low HOME rents are primarily below Fair Market rent. The only exception is the 3 Bedroom category, in which Low HOME rent is lower. This will not impact Layton City's strategy to produce or preserve affordable housing.

Discussion

To offset the continuing increase in median home value, Layton City will continue to operate a down payment assistance program to households making at or below 80% of the area median income.

MA-20 Condition of Housing

Introduction

Layton City's housing condition of the available stock is not in need of significant government investment. Any rehabilitation loan programs will be conducted by the Davis Community Housing Authority.

Definitions

Layton City does not have a definition for "substandard condition" and "substandard condition but suitable for rehabilitation."

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	3,771	25%	1,759	30%
With two selected Conditions	80	1%	129	2%
With three selected Conditions	0	0%	0	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	11,528	75%	3,955	68%
Total	15,379	101%	5,843	100%

Table 7 - Condition of Units

Data Source: 2005-2009 ACS Data

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	2,531	16%	774	13%
1980-1999	7,877	51%	3,278	56%
1950-1979	4,469	29%	1,583	27%
Before 1950	502	3%	208	4%
Total	15,379	99%	5,843	100%

Table 8 - Year Unit Built

Data Source: 2005-2009 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	4,971	32%	1,791	31%
Housing Units build before 1980 with children present	1,430	9%	950	

Table 9 – Risk of Lead-Based Paint

Data Source: 2005-2009 ACS (Total Units) 2005-2009 CHAS (Units with Children present)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	0	0	0
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 10 - Vacant Units

Data Source: 2005-2009 CHAS

Need for Owner and Rental Rehabilitation

More than 2/3 of Layton City's housing does not have at least one selected conditions. Those that do have a selected condition, nearly all have only one selected condition. Therefore, the need for owner and rental rehabilitation is low.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

There are 2,410 households in Layton City that make at or below 80% of the area median income (AMI). This population comprises of approximately 12.6% of the total (19,145) households in Layton City. If you multiple the number of households built before 1980 (4,971) by 12.6%, it can be assumed that 626 of the total number of units built before 1980 is occupied by a household making at or below 80% AMI.

Discussion

Due to the limited amount of CDBG funding available and the considerable costs required to show significant improvement, Layton City at this time will choose not to invest in the rehabilitation of housing. However, the Davis Community Housing Authority (DCHA) has successfully administered a single and multi-family rehabilitation program for over 25 years. The program income derived from these loans is growing. The DCHA rehabilitation program is available to property owners within Layton City.

MA-25 Public and Assisted Housing

Introduction

Layton City does not currently provide public or assisted housing, other than through down payment assistance for homebuyers. The primary provider of public and assisted housing is the Davis Community Housing Authority.

Totals Number of Units

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project-based	Tenant-based		Disabled *
# of units vouchers available	0	85	158	0	1,036	3	0	666
# of accessible units								
# of FSS participants								
# of FSS completions								
*Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five_year, and Nursing Home Transition								

Data Source: PIC (PIH Information Center)

Table 11 – Total Number of Units by Program Type

Supply of Public Housing Development

There are currently 158 public housing units administered by the Davis Community Housing Authority (DCHA). The current physical conditions of these units are satisfactory, and the DCHA current focus is on "curb appeal" at all of the properties in order to meet the Public Housing Assistance System requirements.

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 12 - Public Housing Condition

Restoration and Revitalization Needs

Currently, the Davis Community Housing Authority (DCHA) owns a duplex in Centerville City, which is part of their public housing program. This duplex is in need of rehabilitation. The DCHA has planned to rehabilitate this unit during 2013-14. Ongoing public housing restoration and revitalizations needs will be assessed by the DCHA.

Strategy of Improving the Living Environment of low- and moderate Income Families

The Davis Community Housing Authority (DCHA) will continue to allocate funds in its capital fund program to improve the living environment of low-and moderate-income families residing in its public housing. DCHA recently repaired the camera system at their elderly/disabled projects which provides a sense of security for the residents. DCHA has also updated their emergency preparedness plan and will have practice evacuation drills.

Discussion

Layton City will continue to rely on the Davis Community Housing Authority to provide the area's public housing needs.

MA-30 Homeless Facilities

Introduction

There are currently no homeless facilities in Layton City or Davis County. The closest homeless shelter is The Road Home shelter located in Salt Lake City, of which Layton City has been providing annual funding to from the CDBG program. The Davis Community Housing Authority does provide rental assistance vouchers to qualifying homeless individuals/families. The Family Connection Center provides emergency motel vouchers.

Facilities Targeted to Homeless Persons

	Emergency Shelter Beds		Transitional Housing Beds Current & New	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds		Current & New	Under Development
Households with Adult(s) and Child(ren)	0	0	0	0	0
Unaccompanied Youth	0	0	0	0	0
Households with Only Adults	0	0	0	0	0
Chronically Homeless Households	0	0	0	0	0
Veterans	0	0	0	0	0

Table 13 - Facilities Targeted to Homeless Persons

Data Source Comments:

Describe mainstream services, such as health, mental health, and employment services to the extent those services are use to complement services targeted to homeless persons

The primary provider of mainstream services is Davis Behavior Health. They provide comprehensive and integrated behavior health services for adults, adolescents, and children. Their services include: 24-hour crisis service, case management, community housing programs (through Safe Harbor and the Davis Community Housing Authority), consultation and education, crisis recovery unit, davis family advocates, inpatient services, jail mental health services, jail substance abuse, men's recovery unit, mental health outpatient, journey house, prevention services, substance abuse outpatient, and women's recovery center. The Family Connection Center has a resource coordinator to assist in connecting the homeless with available resources. The Utah Department of Workforce Services provides employment services for homeless persons.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

The services available to homeless persons are discussed in the previous question. The Davis Community Housing Authority administers several public housing facilities, the Section 8 Voucher Choice Program, and Temporary Assistance to Needy Families. Safe Harbor provides an emergency shelter and transitional housing to individuals suffering from domestic violence. Safe Harbor receives funding from the Layton City CDBG program. Through the Layton City CDBG program, the Family Connection Center provides emergency motel vouchers.

MA-35 Special Needs Facilities and Services

Introduction

Layton City relies on numerous other agencies to provide special needs facilities and services, including the Davis Community Housing Authority, Davis Behavior Health, Safe Harbor domestic violence shelter, etc.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

The availability of affordable housing and resource coordination is the greatest supportive housing needs. These services are provided through the Davis Community Housing Authority, Davis Behavior Health, and Safe Harbor.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

The primary provider of mainstream services for persons returning from mental and physical health institutions is Davis Behavior Health. They provide comprehensive and integrated behavior health services for adults, adolescents, and children. Their services include: 24-hour crisis service, case management, community housing programs (through Safe Harbor and the Davis Community Housing Authority), consultation and education, crisis recovery unit, davis family advocates, inpatient services, jail mental health services, jail substance abuse, men's recovery unit, mental health outpatient, journey house, prevention services, substance abuse outpatient, and women's recovery center.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

As it has in the past, Layton City will fund, through the CDBG program, the Safe Harbor domestic violence shelter.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

As it has in the past, Layton City will fund, through the CDBG program, the Safe Harbor domestic violence shelter.

MA-40 Barriers to Affordable Housing

Negative Effects of Public Policies on Affordable Housing and Residential Investment

Layton City is unaware of any negative effects of public policies on affordable housing and residential development.

MA-45 Non-Housing Community Development Assets

Introduction

Layton City participates heavily in activities related to economic development, including partnerships with Davis County Community and Economic Development, Economic Development Corporation of Utah, Governor's Office of Economic Development, and the Utah Department of Workforce Services. The primary single employer in the region is Hill Air Force Base. The largest number of workers by sector includes education and health care services and retail trade. The retail trade component is due to the existence of the Layton Hills Mall. The health care services are in part due to Davis Community Hospital and multiple clinics.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	159	35	1	0	-1
Arts, Entertainment, Accommodations	2,134	2,477	7	14	7
Construction	1,917	1,053	6	6	0
Education and Health Care Services	5,027	3,735	16	21	5
Finance, Insurance, and Real Estate	2,233	1,790	7	10	3
Information	642	306	2	2	0
Manufacturing	3,504	518	11	3	-8
Other Services	1,369	984	4	6	2
Professional, Scientific, Management Services	3,184	1,120	10	6	-4
Public Administration	3,700	505	12	3	-9
Retail Trade	5,004	3,511	16	20	4
Transportation and Warehousing	1,642	425	5	2	-3
Wholesale Trade	697	1,292	2	7	5

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Total	31,212	17,751	--	--	--

Table 15 - Business Activity

Data Source: 2005-2009 ACS (Workers), 2010 ESRI Business Analyst Package (Jobs)

Labor Force

Total Population in the Civilian Labor Force	32,750
Civilian Employed Population 16 years and over	31,212
Unemployment Rate	4.70
Unemployment Rate for Ages 16-24	15.03
Unemployment Rate for Ages 25-65	2.99

Table 16 - Labor Force

Data Source: 2005-2009 ACS Data

Occupations by Sector

Management, business and financial	11,328
Farming, fisheries and forestry occupations	54
Service	3,877
Sales and office	9,029
Construction, extraction, maintenance and repair	3,212
Production, transportation and material moving	3,712

Table 17 – Occupations by Sector

Data Source: 2005-2009 ACS Data

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	20,768	70%
30-59 Minutes	7,302	24%
60 or More Minutes	1,747	6%
Total	29,817	100%

Table 18 - Travel Time

Data Source: 2005-2009 ACS Data

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	883	122	626
High school graduate (includes equivalency)	5,643	287	1,558

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Some college or Associate's degree	8,935	333	2,561
Bachelor's degree or higher	8,551	211	1,548

Table 19 - Educational Attainment by Employment Status

Data Source: 2005-2009 ACS Data

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	64	50	0	223	149
9th to 12th grade, no diploma	780	455	375	528	364
High school graduate, GED, or alternative	2,722	2,685	2,027	2,819	1,478
Some college, no degree	2,970	3,020	2,129	3,610	1,227
Associate's degree	627	1,004	869	1,374	246
Bachelor's degree	279	2,729	1,988	2,927	556
Graduate or professional degree	14	629	837	1,602	280

Table 20 - Educational Attainment by Age

Data Source: 2005-2009 ACS Data

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	20,441
High school graduate (includes equivalency)	31,165
Some college or Associate's degree	33,056
Bachelor's degree	46,984
Graduate or professional degree	69,865

Table 21 – Median Earnings in the Past 12 Months

Data Source: 2005-2009 ACS Data

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Based on the percentage share of workers, the major employment sectors within Layton City are: education and health services (16%), retail trade (16%), public administration (12%), manufacturing (11%), and professional, scientific, management services (10%).

Describe the workforce and infrastructure needs of the business community:

Professional certificates and higher education are the greatest needs of the workforce. Layton City does a tremendous job at providing the infrastructure needs of the business community.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create

The greatest concern for Layton City is the potential sequestration of the U.S. military, specifically its impact on Hill Air Force Base, the largest employer in the state and located immediately north of Layton City.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Weber State University and the Davis Applied Technology College do a terrific job at tailoring their programs to fit the needs of employment opportunities in Layton City. Their courses are also very affordable.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan

The Davis Applied Technology College provides a program called "Custom Fit", in which they provide tailored training for the workforce specific to the employer. Efforts such as these assist in creating a workforce that makes a family sustaining wage, which reduces the quantity of individuals/families that request CDBG public service activities.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

No

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Discussion

Terrific higher education facilities in the region provide the opportunity for a well qualified workforce. The biggest challenge Layton City will face is if Hill Air Force Base is sequestered, or in a worst case scenario, closed.

MA-50 Needs and Market Analysis Discussion

Are there any populations or households in areas or neighborhoods that are more affected by multiple housing problems?

No.

Are there areas in the Jurisdiction where these populations are concentrated?

No.

What are the characteristics of the market in these areas/neighborhoods?

N/A

Are there any community assets in these areas/neighborhoods?

N/A

Are there other strategic opportunities in any of these areas?

N/A

Strategic Plan

SP-05 Overview

Strategic Plan Overview

Layton City anticipates receiving approximately \$280,000 per program year. This limited amount of funding restricts the scope of projects that Layton City can undertake. In order to leverage the CDBG funding, Layton City will partner with available public service organizations by funding responsible entities that provide a broad range of supportive services to vulnerable, at risk populations. As a result of the strength of the institutional delivery structure through local, county and statewide entities, the vulnerable, at risk population receives effective top to bottom, comprehensive service delivery. Layton City projects will center on removing barriers to affordable housing, improving Historic Downtown infrastructure, and expanding economic development by providing historic building rehabilitation loans.

SP-10 Geographic Priorities

Geographic Area

1. Area Name:

Area Type:

Identify the neighborhood boundaries for this target area.

Include specific housing and commercial characteristics of this target area.

How did your consultation and citizen participation process help you to identify this neighborhood as a target area?

Identify the needs in this target area.

What are the opportunities for improvement in this target area?

Are there barriers to improvement in this target area?

Table 1 - Geographic Priority Areas

General Allocation Priorities

Describe the basis for allocating investments geographically within the state

At this time, Layton City does not have any geographic priorities for allocating investments other than qualifying census tracts.

SP-25 Priority Needs

Priority Needs

Priority Need Name	Priority Level	Population	Goals Addressing

Table 2 – Priority Needs Summary

Narrative (Optional)

SP-30 Influence of Market Conditions

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	Due to limited funding, Layton City will not conduct a Tenant Based Rental Assistance program.
TBRA for Non-Homeless Special Needs	Due to limited funding, Layton City will not conduct a Tenant Based Rental Assistance for Non-Homeless Special Needs program.
New Unit Production	Due to limited funding, Layton City will not create new units.
Rehabilitation	Due to limited funding, Layton City will not conduct a Rehabilitation program.
Acquisition, including preservation	Due to limited funding, Layton City will not conduct an acquisition, including preservation, program.

Table 3 – Influence of Market Conditions

SP-35 Anticipated Resources

Introduction

Layton City will rely on the CDBG source of funds as the sole source for completion of CDBG eligible activities.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	281,000	3,000	400,000	In conversation with the Layton City HUD representative, the annual allocation mirrors the funds granted for Program Year 2012-13. It is anticipated that \$3,000 in program income will be received annually.
					Total: \$	Expected Amount Available Remainder of ConPlan \$
						1,136,000
						684,000

Table 4 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

At this time, there are no additional resources anticipated to leverage CDBG funds, except within the Public Services category. Each of the subrecipients provides additional private, state and local funds to complete their program goals. It is possible that Tax Increment Financing from a Layton City Redevelopment Project Area will be used in combination with CDBG funds in the improvements of Historic Downtown Layton.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

Layton City will generally rely on the CDBG source of funds as the sole source for completion of CDBG eligible activities.

SP-40 Institutional Delivery Structure

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
	Government	Economic Development Non-homeless special needs Ownership Planning neighborhood improvements	
Family Connection Center	Non-profit organizations	Homelessness Non-homeless special needs public services	
LAYTON COMMUNITY ACTION COUNCIL	Non-profit organizations	Non-homeless special needs public services	
Safe Harbor (Davis Citizens Coalition Against Violence)	Non-profit organizations	Homelessness public services	
The Road Home	Non-profit organizations	Homelessness	

Table 5 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The organizations involved in the institutional delivery system cover a broad range of services, including affordable housing, homelessness, non-homeless special needs, Community Development, and Planning. The missing component that will not be funded is public housing. However, the Davis Community Housing Authority exists to meet this need.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X		
Mortgage Assistance	X		
Rental Assistance	X	X	
Utilities Assistance	X		
Street Outreach Services			
Law Enforcement	X		
Mobile Clinics	X		
Other Street Outreach Services	X		
Supportive Services			
Alcohol & Drug Abuse	X	X	X
Child Care	X	X	X
Education	X	X	X
Employment and Employment Training	X	X	X
Healthcare	X	X	X
HIV/AIDS	X	X	X
Life Skills	X	X	X
Mental Health Counseling	X	X	X
Transportation	X	X	X
Other			

Table 6 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The primary provider for mainstream services are the Davis Community Housing Authority and Davis Behavioral Health. Other entities that provide mainstream services include Safe Harbor, The Road Home, and the Family Connection Center. The primary way that these entities make available the resources to homeless persons and persons with HIV is through resource coordinators and referrals from other agencies.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The Davis Community Housing Authority and Davis Behavioral Health provide a range of services for special needs population and persons experience homelessness, and typically provide all of the services listed above. Layton City will provide funding to support Safe Harbor, which operates transitional housing for homeless families, and The Road Home, which also provides transitional housing. Layton City also funds The Family Connection Center, which provides emergency motel vouchers, food and transportation assistance, and resource staff. These three entities offer life sustaining skill training to help their clients address their needs.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

In Layton and Davis County, with partnerships in Salt Lake City, there are no gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs.

SP-45 Goals Summary

Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Homebuyer Assistance	2013	2017	Affordable Housing			CDBG: \$100,000	Direct Financial Assistance to Homebuyers: 20 Households Assisted
Family Connection Center	2013	2017	Non-Homeless Special Needs			CDBG: \$100,000	Public service activities other than Low/Moderate Income Housing Benefit: 1000 Persons Assisted
Davis County Homeless	2013	2017	Homeless			CDBG: \$15,000	Homeless Person Overnight Shelter: 75 Persons Assisted
Davis School District	2014	2017	Affordable Housing			CDBG: \$320,000	Direct Financial Assistance to Homebuyers: 4 Households Assisted
Road Home	2013	2017	Homeless			CDBG: \$15,000	Homeless Person Overnight Shelter: 100 Persons Assisted
Safe Harbor	2013	2017	Homeless Non-Homeless Special Needs			CDBG: \$40,000	Public service activities other than Low/Moderate Income Housing Benefit: 150 Persons Assisted
Youth Court	2013	2017	Non-Homeless Special Needs			CDBG: \$40,000	Homeless Person Overnight Shelter: 150 Persons Assisted Public service activities other than Low/Moderate Income Housing Benefit:

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Wasatch Drive Street Lighting	2013	2014	Non-Housing Community Development			CDBG: \$30,000	400 Persons Assisted Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 300 Persons Assisted
Historic Downtown Rehabilitation Loan Fund	2013	2017	Non-Housing Community Development			CDBG: \$250,000	Facade treatment/business building rehabilitation: 5 Business
Historic Downtown Infrastructure	2013	2017	Non-Housing Community Development			CDBG: \$226,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1300 Persons Assisted

Table 7 – Goals Summary

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

It is estimated that 24 moderate-income households will receive affordable housing. This will be completed through the Homebuyer Assistance and Davis School District programs.

SP-50 Public Housing Accessibility and Involvement

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

N/A

Activities to Increase Resident Involvements

Continue to support the Davis Community Housing Authority in their outreach through resource and referral.

Is the public housing agency designated as troubled under 24 CFR part 902?

N/A

Plan to remove the 'troubled' designation

N/A

SP-55 Barriers to affordable housing

Barriers to Affordable Housing

Layton City is unaware of any negative effects of public policies on affordable housing and residential development.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Through use of the Multiple Use - Transit Oriented Zone, the City has facilitated areas to be available for multi-family developments, thereby enhancing the development potential of additional affordable housing stock. Layton City will continue to provide down payment assistance to qualified homebuyers to increase access to affordable housing.

SP-60 Homelessness Strategy

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Layton City will rely on their subgrantees (e.g. The Road Home, Safe Harbor, Family Connection Center, etc.) and the Davis Community Housing Authority's expertise and their ability to establish contact with the homeless population to assess their individual needs. Layton City will then contact these entities to ascertain areas of possible assistance.

Addressing the emergency and transitional housing needs of homeless persons

Layton City will rely on their subgrantees (e.g. The Road Home, Safe Harbor, Family Connection Center, etc.) and the Davis Community Housing Authority in addressing the homeless populations emergency shelter and transitional housing needs.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Layton City subgrantees (e.g. The Road Home, Safe Harbor, Family Connection Center) do an excellent job in resource management and client referral to assist homeless persons to improve their lives. The Road Home and the Davis Community Housing Authority both work closely with homeless persons to assist in the transition to permanent housing through resource and referral and through the Continuum of Care program. All of these entities track homeless persons to assist in order to prevent them from becoming homeless again.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

The Family Connection Center and the Davis Community Housing Authority are the primary institutions for assisting low-income individuals and families from becoming homeless. Layton City will continue to support their efforts.

SP-65 Lead based paint Hazards

Actions to address LBP hazards and increase access to housing without LBP hazards

Both the Davis Community Housing Authority and Layton City require lead-based paint disclosures to be signed by a purchaser when completing a real estate transaction. The Davis Community Housing Authority works tirelessly to ensure their public housing is free of lead-based paint hazards. Layton City works to increase awareness of lead-based paint to families and professionals. City inspectors actively educate and mitigate risk when situations arise involving lead-based paint.

How are the actions listed above related to the extent of lead poisoning and hazards?

The actions listed above cover all public housing, and publically assisted housing in Davis County.

How are the actions listed above integrated into housing policies and procedures?

Homebuyer guidelines and federal ordinances require that lead-based paint hazards are disclosed in all real estate transactions.

SP-70 Anti-Poverty Strategy

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The Layton City Community Development Block Grant and its subrecipients is the primary method for reducing the number of poverty-level families. Layton City will target and assist those families in poverty to help them become self-sufficient.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The organizations identified in the goals and programs identified with this affordable housing plan, including the Family Connection Center, Safe Harbor and the Road Home, will be subrecipients of CDBG funding. These organizations have extensive programs to assist the needs of the impoverished. This strategy has been deemed most effective by the City as the programs provide counseling services and resource and referral services to help those in need become self-sufficient.

SP-80 Monitoring

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

During the program year the City will monitor all subrecipients of the Community Development Block Grant (CDBG) program. Monitoring will be done on-sight at the primary office of the subrecipient. The monitoring will typically be done during the month of March during the current program year. Each CDBG subrecipient must execute a "Grant Agreement," which must also be executed by the City, before any funds can be drawn down.

Monitoring visits will include the following:

- An initial written notification stating when the monitoring visit will take place and what will be reviewed;
- Training on CDBG regulations;
- Review of financial procedures
 - Each subrecipient must demonstrate that their financial procedures are in line with CDBG procedures and generally accepted account principles,
 - Each subrecipient must provide a copy of the organization's annual audit;
- Review of allowable expenses under the subrecipient agreement;
- The checklist for monitoring oversight, which is attached to this procedures form must be filled out as part of the oversight visit;
- A follow up letter sent within 30 days of the monitoring visit
 - The letter must identify any findings made and how they are to be cleared.

Discipline Measures:

If there are findings that result from the monitoring visit or at any other time the City will notify the subrecipient:

- A written notification will be sent to the subrecipient;
- The notification will state what the finding is;
- The notification will state how the finding is to be resolved;
- A time frame for when the finding must be resolved.

If the findings are not resolved the City will look into more serious sanctions such as not renewing funding in the next program year.

If there are any costs that are determined to be ineligible CDBG expenditures and the Layton City CDBG Administrator determines that the cost must be repaid to the City, the following must occur:

- Layton City will send notification to the subrecipient that certain costs are ineligible and must therefore be repaid to the City
 - The notification must include a timeframe for repayment of the funds
 - The notification must state how the funds are to be returned to the City
- If the funds are not returned to the City the CDBG Administrator will consult with the City Attorney and HUD representatives to determine further sanctions as needed.

Expected Resources

AP-15 Expected Resources Introduction

Layton City will rely on the CDBG source of funds as the sole source for completion of CDBG eligible activities.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Narrative Description
			Annual Allocation: \$	Prior Year Resources: \$	Total: \$	
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	281,000	400,000	684,000	In conversation with the Layton City HUD representative, the annual allocation mirrors the funds granted for Program Year 2012-13. It is anticipated that \$3,000 in program income will be received annually.
					1,136,000	

Table 1 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

At this time, there are no additional resources anticipated to leverage CDBG funds, except within the Public Services category. Each of the subrecipients provides additional private, state and local funds to complete their program goals. It is possible that Tax Increment Financing from a Layton City Redevelopment Project Area will be used in combination with CDBG funds in the improvements of Historic Downtown Layton.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

Layton City will generally rely on the CDBG source of funds as the sole source for completion of CDBG eligible activities.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Homebuyer Assistance	2013	2017	Affordable Housing			CDBG: \$30,000	Direct Financial Assistance to Homebuyers: 6 Households Assisted
Family Connection Center	2013	2017	Non-Homeless Special Needs			CDBG: \$21,500	Public service activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted
Davis County Homeless	2013	2017	Homeless			CDBG: \$3,500	Homeless Person Overnight Shelter: 15 Persons Assisted
Road Home	2013	2017	Homeless			CDBG: \$3,500	Homeless Person Overnight Shelter: 20 Persons Assisted
Safe Harbor	2013	2017	Homeless Non-Homeless Special Needs			CDBG: \$10,000	Public service activities other than Low/Moderate Income Housing Benefit: 30 Persons Assisted Homeless Person Overnight Shelter: 30 Persons Assisted
Youth Court	2013	2017	Non-Homeless Special Needs			CDBG: \$8,000	Public service activities other than Low/Moderate Income Housing Benefit: 80 Persons Assisted
Wasatch Drive Street Lighting	2013	2014	Non-Housing Community Development			CDBG: \$30,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 300 Persons Assisted

Annual Action Plan
2013

78

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Historic Downtown Rehabilitation Loan Fund	2013	2017	Non-Housing Community Development			CDBG: \$50,000	Facade treatment/business building rehabilitation: 1 Business
Historic Downtown Infrastructure	2013	2017	Non-Housing Community Development			CDBG: \$91,799	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1300 Persons Assisted

Table 2 -- Goals Summary

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

Six

Projects

AP-38 Project Summary

Project Summary Information

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Homebuyer Assistance		Homebuyer Assistance		CDBG: \$30,000
Family Connection Center		Family Connection Center		CDBG: \$21,500
Davis County Homeless		Davis County Homeless		CDBG: \$3,500
Road Home		Road Home		CDBG: \$3,500
Safe Harbor		Safe Harbor		CDBG: \$10,000
Youth Court		Youth Court		CDBG: \$8,000
Wasatch Drive Street Lighting		Wasatch Drive Street Lighting		CDBG: \$30,000
Historic Downtown Rehabilitation Loan Fund		Historic Downtown Rehabilitation Loan Fund		CDBG: \$50,000
Historic Downtown Infrastructure Administration		Historic Downtown Infrastructure		CDBG: \$91,799
				CDBG: \$62,000

Table 3 – Project Summary

AP-35 Projects Introduction

All of the projects estimated to be funded this program year are in line with the Consolidated Action Plan. The only project not to be funded this year is the Davis School District home building program, which will commence the following program year. This was understood to occur when creating the Consolidated Action Plan.

#	Project Name
1	Administration
2	Homebuyer Assistance
3	Family Connection Center
4	Davis County Homeless
5	Road Home
6	Safe Harbor
7	Youth Court
8	Wasatch Drive Street Lighting
9	Historic Downtown Rehabilitation Loan Fund
10	Historic Downtown Infrastructure

Table 4 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocation priorities meet several of the needs identified in the Consolidated Action Plan, including the creation of affordable housing, homeless assistance, and domestic violence assistance. The infrastructure and rehabilitation loan funds are targeted to low/moderate income qualified census tracts, thereby increasing the quality of the neighborhood.

AP-50 Geographic Distribution

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The areas where infrastructure improvements and historic building rehabilitation loan funds will be focused is in the Historic Downtown area of Layton. Primarily near the junction of Main St. and Gentile St. The remaining funds will be allocated City wide.

Geographic Distribution

Target Area	Percentage of Funds

Table 5 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The rationale for focusing on the Historic Downtown area of Layton, is the qualified manor of region meets the required percentage of low-income benefit. It is also the area that has the greatest amount of economic need in the City.

Discussion

Investments in infrastructure and historic building rehabilitation loans in Historic Downtown Layton will assist in restoring vibrancy to the area, thereby improving the quality of life for those low-income residents living in the area.

Affordable Housing

AP-55 Affordable Housing

Introduction

Layton City will provide approximately six down payment assistance loans to qualified homebuyers.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	6
Special-Needs	0
Total	6

Table 6 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	6
Total	6

Table 7 - One Year Goals for Affordable Housing by Support Type

Discussion

Layton City anticipates creating six affordable housing units through the acquisition of existing units, facilitated through the down payment assistance program.

AP-60 Public Housing

Introduction

All Davis County and Layton City public housing units are created by the Davis Community Housing Authority (DCHA), which is the local public housing authority, and is separate from the Layton City CDBG program.

Actions planned during the next year to address the needs to public housing

Layton City will assist the DCHA in consulting and policy assistance for public housing needs.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Layton City will assist the DCHA in any manner that it can to encourage public housing residents to become more involved in management and participate in homeownership , including advertising access to the Layton City down payment assistance program.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A

Discussion

As the DCHA is the public housing authority and charged with the creation of public housing in Davis County and Layton City, the City will do what is possible to assist the DCHA in this mission.

AP-65 Homeless and Other Special Needs Activities

Introduction

Families and individuals that are homeless or at risk of becoming homeless are an especially vulnerable segment of our population. Layton City uses CDBG funds to assist well qualified subgrantees, such as The Road Home, Safe Harbor, and the Family Connection Center to assist this vulnerable population. Layton City also supports the actions of the local public housing authority, the Davis Community Housing Authority and their actions in assisting the homeless.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Layton City will rely on their subgrantees (e.g. The Road Home, Safe Harbor, Family Connection Center, etc.) and the Davis Community Housing Authority's expertise and establishes contact with the homeless population to assess their individual needs. Layton City will then contact these entities to ascertain areas of possible assistance.

Addressing the emergency shelter and transitional housing needs of homeless persons

Layton City will rely on their funded subgrantees (e.g. The Road Home, Safe Harbor, Family Connection Center, etc.) and the Davis Community Housing Authority in addressing the homeless populations emergency shelter and transitional housing needs.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Layton City subgrantees (e.g. The Road Home, Safe Harbor, and Family Connection Center) do an excellent job in resource and referral to assist homeless persons taking back their lives. The Road Home and the Davis Community Housing Authority both work closely with homeless persons to assist in the transition to permanent housing through resource and referral and through the Continuum of Care program. All of these entities track homeless persons to assist in order to prevent them from becoming homeless again.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The Family Connection Center and the Davis Community Housing Authority are the primary institutions for assisting low-income individuals and families from becoming homeless. Layton City will continue to support their efforts.

Discussion

CDBG funds will be granted to assist public service agencies, including The Road Home, Safe Harbor, and the Family Connection Center in their mission to assist the homeless.

AP-75 Barriers to affordable housing

Introduction

Layton City is unaware of any negative effects of public policies on affordable housing and residential development. Layton City will support zoning and down payment assistance that assists with removing barriers to affordable housing.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Layton City will continue to support the use of the Mixed Use - Transit Oriented Development Zone, which facilitates areas to be available for multi-family developments, thereby enhancing the development potential of additional affordable housing stock. Layton City will continue to provide down payment assistance to qualified homebuyers to increase the stock of affordable housing.

Discussion

The Layton City CDBG program will provide down payment assistance to qualified homebuyers to assist with removing the barrier to affordable housing for selected households.

AP-85 Other Actions

Introduction

Layton City, its staff, its subrecipients and Davis County will work together to address the priority needs identified in the 2013-2017 Consolidated Action Plan.

Actions planned to address obstacles to meeting underserved needs

Layton City will work closely with its subgrantees and Davis County to identify and address obstacles to meeting underserved needs.

Actions planned to foster and maintain affordable housing

The Layton City CDBG program will provide down payment assistance to qualified homebuyers to assist with removing the barrier to affordable housing for selected households.

Actions planned to reduce lead-based paint hazards

Layton City will work to increase awareness of lead-based paint to families and professionals. City inspectors will actively educate and mitigate risk when situations arise involving lead-based paint. In homes receiving down payment assistance, lead-based paint disclosures and information will be provided to buyers. Any loans offered to historic buildings for rehabilitation will require lead-based paint mitigation.

Actions planned to reduce the number of poverty-level families

Layton City will provide CDBG funding to the following organizations: the Family Connection Center, Safe Harbor and the Road Home. These organizations have extensive programs to assist the needs of the impoverished. This strategy has been deemed most effective by the City as the programs provide counseling services and resource and referral services to help those in need become self-sufficient.

Actions planned to develop institutional structure

In Layton City and Davis County, with partnerships in Salt Lake City, there are no gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs.

Actions planned to enhance coordination between public and private housing and social service agencies

Layton City will continue to provide information to and receive information from all of the entities identified in the 2013-2017 Consolidated Action Plan. Layton City will facilitate any coordination necessary to address priority needs.

Discussion

Layton City, its staff, its subrecipients and Davis County will work together to address the priority needs identified in the 2013-2017 Consolidated Action Plan.

Program Specific Requirements

AP-90 Program Specific Requirements

Introduction

Layton City intends that 100% of the funds used from the 2013-2014 Annual Action Plan will be in support of activities that benefits persons of low and moderate income.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220.(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Annual Action Plan 90
2013

Discussion

Layton City intends that 100% of the funds used from the 2013-2014 Annual Action Plan will be in support of activities that benefits persons of low and moderate income.

APPENDIX A
STANDARD FORM 424 AND CERTIFICATIONS

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED June 7, 2013	Applicant Identifier	
			3. DATE RECEIVED BY STATE	State Application Identifier	
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: Layton City Corporation			Organizational Unit: Department: Community and Economic Development		
Organizational DUNS: 930256412			Division: Economic Development		
Address: Street: 437 North Wasatch Drive City: Layton County: Davis State: Utah Zip Code 84041 Country:			Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: Mr. First Name: Kent Middle Name Gary Last Name Andersen Suffix:		
Email: kandersen@laytoncity.org			Phone Number (give area code) 801-336-3790		
Fax Number (give area code) 801-336-3789					
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 87-6000239					
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>			7. TYPE OF APPLICANT: (See back of form for Application Types) C. Municipal Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Labor Management Cooperation Program 14-218			9. NAME OF FEDERAL AGENCY:		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Layton City			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Community Development Block Grant		
13. PROPOSED PROJECT Start Date: July 1, 2013 Ending Date: June 30, 2014			14. CONGRESSIONAL DISTRICTS OF: a. Applicant Rob Bishop b. Project Rob Bishop		
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	310,299 ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$	⁰⁰	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$	⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$	⁰⁰			
e. Other	\$	⁰⁰			
f. Program Income	\$	⁰⁰			
g. TOTAL	\$	310,299 ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Authorized Representative					
Prefix Mr.	First Name Alex		Middle Name R.		
Last Name Jensen			Suffix		
b. Title City Manager			c. Telephone Number (give area code) 801-336-3800		
d. Signature of Authorized Representative			e. Date Signed		

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Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102



CPMP Non-State Grantee Certifications

Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.

- This certification does not apply.
 This certification is applicable.

NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted –
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

8. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
9. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
10. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Alex Jensen

Name

City Manager

Title

437 North Wasatch Drive

Address

Layton, Utah 84041

City/State/Zip

801-336-3800

Telephone Number

- This certification does not apply.**
 This certification is applicable.

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

11. **Maximum Feasible Priority** - With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
12. **Overall Benefit** - The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2012, 2013, 2014, (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
13. **Special Assessments** - It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

14. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
15. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Jurisdiction

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K and R, of title 24;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Alex Jensen

Name

City Manager

Title

437 North Wasatch Drive

Address

Layton, Utah 84041

City/State/Zip

801-336-3800

Telephone Number

- This certification does not apply.
- This certification is applicable.

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities, which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature/Authorized Official

Date

Alex Jensen

Name

City Manager

Title

437 North Wasatch Drive

Address

Layton, Utah 84041

City/State/Zip

801-336-3800

Telephone Number

<input type="checkbox"/> This certification does not apply. <input checked="" type="checkbox"/> This certification is applicable.
--

APPENDIX TO CERTIFICATIONS

Instructions Concerning Lobbying and Drug-Free Workplace Requirements

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
Layton City Corporation	437 North Wasatch	Layton	Davis	UT	84041

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:

Jurisdiction

- a. All "direct charge" employees;
- b. all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
- c. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must be completed, in use, and on file for verification. These documents include:

- 1. Analysis of Impediments to Fair Housing
- 2. Citizen Participation Plan
- 3. Anti-displacement and Relocation Plan

Signature/Authorized Official

Date

Alex Jensen

Name

City Manager

Title

437 North Wasatch Drive

Address

Layton, UT 84041

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801-336-3800

Telephone Number