

SOUTH JORDAN CITY
CITY COUNCIL REGULAR MEETING

January 21, 2014

Present: Mayor Dave Alvord, Councilman Mark Seethaler, Councilman Chuck Newton, Councilman Donald Shelton, Councilman Steve Barnes, Councilman Chris Rogers, Interim CM Gary Whatcott, ACM/City Attorney Rob Wall, Police Chief Lindsay Shepherd, IS Director Jon Day, City Council Secretary MaryAnn Dean

Others: See attached (Attachment A).

6:00 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Mayor Alvord welcomed everyone present. All members of the City Council were present.

B. Opening Ceremony

1. Invocation – *Councilman Donald Shelton*

Councilman Shelton offered the invocation.

2. Pledge of Allegiance

Mayor Alvord recognized the scouts that were present. A scout led the audience in the Pledge of Allegiance.

C. Motion to Approve Amended Agenda Items, If Any

Mayor Alvord noted that he would be adding an item VIII. A.1. to discuss the process for hiring a permanent City Manager. Councilman Rogers asked that item VII. A.1. and A.2. be moved to right after III. A. Interim CM Whatcott said at the end of item VII., they will be adding a discussion about the allocation of surplus funds, and the future of the equestrian center, which is a carryover from the study session. Councilman Newton recommended that item V. D.1., D.2., and D.3. be moved to after the now moved item VII. A.1. and A.2.

Councilman Newton made a motion to approve the amendments to the agenda, as noted. Councilman Barnes seconded the motion. The vote was unanimous in favor.

D. Minute Approval

1. January 7, 2014 Council Study Meeting
2. January 7, 2014 Council Meeting

The City Council made some corrections to the January 7, 2014 Council meeting minutes.

Councilman Rogers made a motion to approve the January 7, 2014 Council Study meeting minutes, as printed, and the January 7, 2014 Council meeting minutes, as amended. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

E. Department Spotlight

None.

II. PUBLIC COMMENT

Jeanne Jackman, 2610 W. 10950 S., gave a brief history of the cemetery. She said she hopes that the City Council will not consider selling the cemetery. She said they have the best kept sweetest cemetery in the valley. She said the cemetery staff is wonderful. They should not turn it over to a private entity. She referred to a breakout of the infant burial fees for residents at surrounding cemetery's (Attachment B). She feels they should not charge for an infant burial; at most they should not exceed \$125.

Susan Egbert, 11323 S. 2700 W., read a prepared statement regarding random rezoning in the city (Attachment C).

III. AWARDS AND PRESENTATIONS

A. Presentation: Julie Harrison, Bingham High School – PTA President

Julie Harrison gave a presentation on the 2014 Bingham High Grad Night. They were just notified that Salt Lake County cannot secure their donation. They don't want to raise ticket prices as they want all students to be able to attend. She reviewed various ways that the city could help including donation of public safety employees, encourage sponsorship from the city and local businesses, and a cash donation.

Councilman Newton suggested they look at donating the use of the community center, fitness center, and the area between.

Mayor Alvord asked about a budget line item that could go to this request.

City Attorney Wall indicated that there are some restrictions for the city to contribute to a charity. They can only contribute if they can articulate a specific benefit for the contribution. He said staff could look at what they can and cannot do.

Councilman Rogers said one consideration for this donation is the safety and well being of the students. City Attorney Wall said they would have to be more specific in outlining the benefit. Councilman Barnes said he would be in favor of discussing this issue further.

The City Council discussed how to get more students to attend (currently 63 percent of the graduates attend the event). Ms. Harrison noted that there are competing events. Councilman Newton said one concern for the students is that it is a lock down event, for the protection of the kids.

Councilman Newton said he supports talking to the Chamber of Commerce and local businesses for contributions, but he does not favor a cash donation for this event. He said he would be okay donating city venues for this event as well.

Councilman Rogers said he attended a similar event when he graduated from high school and he feels it contributed to the safety of the students. He would like to assist them in this effort. He noted that they have donated funding to several organizations that have a minimal relationship to the city. This has a more direct impact on their city.

City Attorney Wall said a lot of the contributions that the city has made have come from designated funding sources, such as CDBG. Staff will look into the issue and bring it back at a future agenda. He said they will determine what funding mechanism that the County used.

The City Council moved to item VII. on the agenda.

VII. OTHER BUSINESS

- A.1. Resolution R2014-05, approving the conversion of the Private Streets in the South Jordan High Pointe Subdivision Phases 1, 4, and 5 to Public Owned and Maintained Streets and authorizing the City Engineer to move forward with the appropriate mechanism to complete this conversion. *(By City Engineer Brad Klavano)*

City Engineer Klavano reviewed the background information on this item. He gave a brief history regarding private streets in the city. He noted that approximately 10 percent (30 miles) of roads in the city are private streets. He said in this case, staff is comfortable taking over the park as well as the street. He said typically, the city would not take over the park. He said the fiscal impact to the city will be approximately \$700 annually. He said staff feels that this would be a good test case for taking over private streets because the streets in this case are closest to city standards.

Mayor Alvord said they need to make sure they keep a consistent precedent regarding public and private streets.

City Engineer Klavano said because of the location of the park, the city is in need of a trailhead access. Typically, staff would not recommend taking back a park. He noted that there are some HOA's with private streets, and some HOA's with public streets.

Councilman Newton said they could leave the existing park as a largely passive park. If they leave the park private, it will encumber the HOA to take care of the park. City Engineer Klavano said the city would not encumber the costs to bring the roads or park up to city standards. He said the developer would have to post appropriate bonds or securities to finish the improvements.

Councilman Newton reiterated that with the Class C Road fund offset, the cost to the city will be \$700 annually. City Engineer Klavano said they also have an application for the Sand Dunes to do the same thing. It will come to the City Council in April. He estimated that the City will receive 1 or 2 such requests per year. Every request will have to be evaluated differently.

It was noted that the water line and sewer system in this subdivision are already public.

Councilman Shelton noted that they have a city policy that allows for this. If they meet all of the requirements of the Ordinance, can the City Council turn them down? City Attorney Wall said yes. The requirements that were laid out are a threshold to take back the improvements.

City Engineer Klavano outlined the proposed improvements to the park. Mr. Pettit, the applicant, will be making the alterations to the park.

Councilman Seethaler said he is in favor of this proposal. He said he served on the common interest committee. This is a real issue in the city. He noted that a gated community should have different expectations. He asked why was this approved with private streets originally? City Engineer Klavano said the developer got a lesser setback from the street, and possibly more density. There was an advantage to the developer for doing this. He noted that the city cannot collect Class C Road Funds for gated roads. It was also noted that the park land would be donated to the city free of charge, after the improvements.

City Engineer Klavano explained that with the Class C Road funds, there is no defined street width, requirements for curb and gutter, etc. There are issues if the road is considered an "alley" rather than a road.

Councilman Rogers said the HOA members are concerned that their fee will not be reduced after the city takes over the road and park. Can the city make conditions concerning the HOA fee as part of taking back the private streets? City Attorney Wall said he would recommend against such a condition. They do not know all of the HOA expenses. It is difficult to interfere with their contractual relationship.

Glen Pettit, Homecenter Construction, said he was not involved in the planning and developing of the subdivision. When he bought it, the HOA was not functioning correctly. The streets were not getting plowed. He bought the remaining lots and brought in a management company.

Councilman Rogers said the residents have expressed a concern over what would be done with the HOA if the city took over the roads and the park. What is the intent for the HOA?

Mr. Pettit said the HOA has a few thousand dollars in a savings account. To bring everything up to city standards is \$40,000-\$50,000. They will negotiate with phase 7 of the subdivision and with the current residents and figure out how to share in that number. They will come up with a bondable amount shared between all parties. Right now, everyone is paying \$40 a month for their HOA fees. At the worst, the residents would continue to pay \$40 a month until the improvements are paid for.

Mr. Pettit indicated that it is not their intent to increase the HOA fee. Once the bond is paid for and everything is removed from the HOA, the intent is to dissolve the HOA. There will be no dissolution of the restrictive covenants in the neighborhood.

Councilman Rogers said he is in favor of the change. He said if the residents decided to maintain this themselves, it would cost \$6,000 a year. The cost to the city is \$700, after the Class C Road fund reimbursement. This would reduce the cost and the burden to the residents. There could be conditions in the future where the city did not want to take the private roads back if they are in gated communities or if club houses are involved, etc. For roads, the city should presumptively approve these applications for cost and efficiency. If garbage trucks, fire trucks, etc. can get in the subdivision, the city should take them over. In this case, it can be seen as a double tax because they pay their share of taxes for all streets in the city and the subdivision streets are quasi public, and they have no control over who accesses those streets. He is in favor of this Resolution.

Councilman Seethaler said they should address this on a case by case basis. If the developer was given a benefit for the private roads and then they want to give the private streets back, the presumption breaks down at that time. They need to look at the situations individually.

Councilman Shelton said the homeowners are also benefitting from the HOA because it cost less to buy the smaller lots, the property values are lower, and the total tax bill is lower. He does not feel it is a double tax issue. He feels in the future, private streets should rarely be allowed unless they are gated.

City Attorney Wall explained the difference between a tax and a fee. From a legal point, this is not a double taxation issue. It is a valid point from a public policy standpoint.

Mayor Alvord said he does not feel double taxation is the correct term. He noted that the total property taxes being paid in a higher density area is greater than a lower density HOA. There is an argument that as a group, they are paying greater taxes. They need to carefully consider the precedent as other applications could be filed. They should be careful about taking over parks, street lights, etc. They do not want to take on too much burden.

Councilman Newton said the developer must bring the roads and park up to city standards first. He appreciates the efforts of the developer. On future similar applications, they might want to make sure that the developer has a financial plan to communicate to the residents and outline what the HOA fee could change to if the city takes over the roads.

A.2. Potential Action Item – (See VII. A.1.) Resolution R2014-05

Councilman Barnes made a motion to approve Resolution R2014-05. Councilman Newton seconded the motion.

Councilman Barnes amended his motion to include all conditions listed in the staff report. Councilman Newton seconded the motion. Roll call vote. The vote was unanimous in favor.

The City Council moved to V. D.1. on the agenda.

V. PUBLIC HEARINGS AND POTENTIAL LEGISLATIVE ACTION ITEMS

- D.1. PUBLIC HEARING – Ultradent Parking LUA & Lot Rezone; Resolution R2014-06 approving an amendment to the Future Land Use plan Map of the General plan to adjust the boundary to Industrial (IND) as described in Exhibit A – Future Land Use and Rezone Ordinance 2014-02-Z, amending the Zoning Map to change the zoning from Agricultural (A-1) and Commercial-Freeway (C-F) to Industrial-Freeway (I-F) on property generally located at the southwest corner of Shields Lane and Jordan Gateway. Bob Morrison-Ultradent Products, Inc. Applicant. *(By Community Development Director George Shaw)*

Community Development Director Shaw reviewed the background information on this item.

Councilman Newton said the C-F zone also allows parking. The area that Ultradent currently owns with a building could be redeveloped at a future time to commercial. That is the point of the TOD area, to have more commercial than industrial.

Director Shaw said the TOD has a mixture of uses. They would love to have more retail. They need uses that would support ridership. Retail is fed by rooftops and office workers. He noted that there is an application further south for housing.

Councilman Newton said they have a TOD consultant, they haven't even addressed the area, and the last two meetings, they are piece meal developing the area. They don't know what is being proposed by the consultant. If they approve more industrial, what else could the applicant do if they expand their operation that might be an undesirable use? Director Shaw said the zoning doesn't matter because of the power easement. The only logical use for this area is a parking lot. They can't put a building under the power line. Councilman Newton said they could develop the corner property. Director Shaw said staff feels that the I-F zone matches better with the current use. They can zone it C-F. He reviewed the surrounding zoning and said I-F zone is more consistent. Councilman Newton said he feels the C-F zone provides them some protection in the future, even if it is used for a parking lot. Director Shaw said parking is an accessory use in both the I-F and C-F zones.

Mr. Fisher, Ultradent representative, said they just want to get the land cleared for parking. They don't care if it is I-F or C-F. He said he was not even aware that the section with the building was part of the land use change. The lease they have for the property under the power lines indicates that it will be used for parking purposes only. They have no other plans for the

property. Director Shaw said if they expand, their operation is light manufacturing, and they need the I-F zone. If they want it for office space, they need the C-F zone. They feel that the I-F zone gives them more options long term.

Councilman Newton said they can zone the whole area C-F, and then spot zone the small parcel IND at a later time, if needed.

Councilman Shelton asked what is the use in the building to the south? Mr. Fisher said a weld shop and a few offices. Director Shaw said he is unsure if that is supported by the C-F zone. The I-F zone fixes all the uses in the building.

Mr. Fisher indicated that the application is not a rush. They are planning to do the parking lot in the spring.

Councilman Newton said he feels they should keep the C-F zone, and they can rezone the southern portion, if needed. They should allow the applicant to come back without an application fee.

Mr. Fisher reviewed the property owned or leased by Ultradent. For safety reasons for the employees, they are trying to get parking on the west for the facilities on the west, and vice versa.

Councilman Seethaler asked if there is a plan to improve the aesthetics of the parking lot. Mr. Fisher said they are planning a greenstrip, sidewalk, trees, and pedestal lights. It will be an improvement over what is there now.

Mayor Alvord noted Ultradent's philanthropic efforts.

Mr. Shaw noted that they are burning the landscaping so they see more greenspace and less asphalt.

Mayor Alvord opened the public hearing. There were no comments. He closed the public hearing.

D.2. Potential Action Item – (See V. D.1.) Resolution R2014-06

Councilman Newton made a motion to approve Resolution R2014-06, with a land use of C-F rather than IND.

Councilman Shelton said Ultradent intends to make the whole area industrial. What is the point of C-F? Councilman Newton said there will be future items for zoning that would be limited where they could occur, and limited to certain zones, and it would provide some protection for the city. Ultradent can still move forward with their plans. They can change the southern section for industrial in the future, if needed, without an application fee.

Councilman Shelton said C-F feels inconsistent. Councilman Newton said it has nothing to do with the Ultradent use. It has to do with three other types of businesses that might wish to locate in the city that they have to provide some zoning for them to locate. If those uses are restricted to certain zones, and the zones are not available to build in, the chances of those businesses locating in the city are unlikely.

Councilman Seethaler said he does not yet see how they are bettered by the C-F zone. Councilman Newton said if Ultradent were not taking the northern area and there were no power lines, and it was C-F and the other businesses could come into the C-F zone, the businesses could come there. They cannot prohibit these specific uses, but they can limit the zones that they are permitted in. If this area was zoned C-F, and there is a power corridor that prohibits development, it is a solution to their problem. This change has nothing to do with Ultradent.

Councilman Rogers seconded the motion.

Director Shaw said they can either change the whole area to a commercial land use, or leave it as is. They can still rezone the property C-F and leave the land use. The change in the future land use map is not needed.

Councilman Newton withdrew his motion.

Councilman Newton made a motion to approve Rezone Ordinance 2014-02-Z, and change the zoning from A-1 to C-F, so that the entire area would now be zoned C-F, and to allow the applicant to come back at a future date and change the zoning to IND to a portion of the property, if desired, without fee. Councilman Rogers seconded the motion.

Councilman Seethaler made a substitute motion to approve Resolution R2014-06 and Rezone Ordinance 2014-02-Z, as presented. Councilman Shelton seconded the motion. The vote was 3-2 in favor, with Councilman Newton and Councilman Rogers opposed.

The City Council moved back to item IV.

IV. SHORT RECESS PRIOR TO BEGINNIG BUSINESS & PUBLIC HEARINGS

Councilman Barnes made a motion to recess. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

V. PUBLIC HEARINGS AND POTENTIAL LEGISLATIVE ACTION ITEMS

- A.1. PUBLIC HEARING – Resolution R2014-04, Amending Fiscal Year Budget 2013-14. (By City Finance Director Sunil Naidu)

This item was discussed after item V. B.1.

B.1. PUBLIC HEARING – Ordinance 2014-03, Amending Code Section 02.04.020 establishing time for adjournment for City Council Meetings and making technical corrections. *(By Councilman Christopher Rogers)*

Councilman Rogers reviewed the background information and highlights of the Ordinance. He noted the change in names of the work session to study session and closed meeting to executive meeting. In addition, no new item would be allowed at the regular City Council meeting after 11 pm, unless the City Council agrees to continue an item. Any unaddressed issues would automatically go to the next City Council agenda, unless otherwise noted.

Mayor Alvord opened the public hearing.

Larry Short, 2234 W. Autumn Farm Dr., said he has a problem ending the meeting at 11 pm because people have made the effort to come. He said they should limit what is put on the agenda so they can finish in a timely fashion.

Mr. Short also noted that when the Ultradent representative was pointing to a map, no one in the audience could see the map. To move the meeting along, the City Council should get their questions answered before the meeting.

Susan Egbert, 11323 S. 2700 W., read a prepared statement (Attachment D).

Carol Brown, 10221 S. 1040 W., said there is freedom of speech. People come to meetings to be heard. They don't come to repeat each other. They have thought out what they say. Everyone from their neighborhood public hearing came from a different point of view. The City Council meetings need to allow adequate time for discussion. She said she is concerned about them cutting off the time at 11 p.m., especially on contentious random rezones.

Mayor Alvord closed the public hearing.

Councilman Newton said he understands the desire for everyone to be heard. In the December meeting that went to 3:30 am, the same things were being repeated. It wasn't fair for the last rezone that didn't start until 2 a.m. There has to be a balance of free speech. That is why they ask for representatives of communities to make their points. They also get many emails from residents prior to the meetings. They need to balance all points of views. There is validity at having a cutoff point. This could become problematic depending on their level of growth. They need to reach a balance. This Ordinance would be good to try. This could better serve the citizens. It is hard to ask valuable questions and make good decisions early in the morning.

Councilman Barnes said it is frustrating for residents when they have something that they are so passionate about that they get the whole neighborhood out, only to be cut off in the interest of expediency. It may not be as effective to have only one person speak to prove their point. The people have a right to weigh in on their opinion. He said regarding the 3:30 am meeting, they should not have had all those items on the agenda. He said they already have the power to end the meeting by 11. If they have a mandated rule, it can keep things from being heard. There is a lot to be said about getting a group together on an issue. He said changing the verbiage to

executive sessions is sugar coating what they have always called a closed meeting. He said he is not in favor of the change from work session to study session either, but he is not as impassioned about that change. He said the Ordinance says that if a City Council meeting day falls on a holiday, the meeting shall be held the next day. He asked that it be changed to the meeting may be held the next day.

Councilman Shelton said there needs to be some work done in terms of managing the agenda. They have enough data to know the average time that a controversial rezone will take, and they can figure how long the meeting will go. They should be more predictive and set aside time for each point on the agenda. If they set a normal time of adjournment, it gives the staff a target when trying to manage that agenda. He said he is in favor of the Ordinance. He feels people repeat themselves in long public hearings.

Councilman Seethaler said the problem is not just with the residents, but with the City Council as well. The City Council should discipline themselves. This Ordinance represents a guideline. He has had comments from residents that they felt that they did not get a fair hearing because it was held late at night. This Ordinance does not bind them to stop at 11. Other cities have similar guidelines. He also likes the suggestion that if an item is held over, it be placed early on the following agenda.

Councilman Rogers said the intent is to provide fairness to everyone involved. He agreed that they need to do a better job controlling the agenda. He feels that this Ordinance promotes free speech. At the 3:30 am City Council meeting, people left and were unable to express their opinions.

Councilman Barnes said he agrees with the end that they are trying to achieve, but he disagrees with the means in which they are trying to accomplish this.

Mayor Alvord said a lot of the responsibility of the meeting running fairly falls on him. The goal to end the meeting at 11 is a tool for him. If it is an Ordinance, people won't feel slighted if an issue is pushed off to a later date. He said he wants to hear the concerns of the residents, but also with a fresh mind.

The City Council determined that they should always try to have 2 meetings in a month. One reason for the 3:30 am meeting is because they skipped the previous meeting.

B.2. Potential Action Item – (See V. B.1.) Ordinance 2014-03

Councilman Rogers made a motion to approve Ordinance 2014-03, with a change to subparagraph A to indicate that the City Council meeting will be held the following day *unless otherwise determined by the City Council*. The last word in paragraph C. 4. should be changed to reasons: and then in subparagraph A put *why the emergency meeting is being held*, and then add *early* in subparagraph A, so the item is early on the next agenda unless otherwise specified. Councilman Seethaler seconded the motion. Roll call vote. The vote was 4-1 in favor, with Councilman Barnes opposed.

The City Council moved back to item A.1.

A.1. PUBLIC HEARING – Resolution R2014-04, Amending Fiscal Year Budget 2013-14. *(By City Finance Director Sunil Naidu)*

Finance Director Naidu reviewed the background information on this item.

Mayor Alvord opened the public hearing. There were no comments. He closed the public hearing.

The City Council discussed \$60,000 allocated for holiday gift cards for the employees. That was not a line item budget, but came from savings from each department. It has been done in previous years, but is not done every year.

Councilman Rogers asked about a \$75,000 adjustment made in additional expenditures. Finance Director Naidu said that is charges for processing credit cards, which are now accepted as a means of payment. He noted that the \$75,000 adjustment should get them through June 2014. He noted that in the past, the statute did not allow the city to pass on the credit card expense. Recently, Visa and Discover Card will let them pass on a certain percentage of the charges, but it takes a lot of requirements on the city's part.

Councilman Rogers said he had a hard time correlating a charge on page 17 in operating expenditures with page 31. Finance Director Naidu said one is capital related and one is operating related.

Councilman Rogers said on page 26, why was the arbitrage not anticipated? Finance Director Naidu said it is only required every 5 years, and it was missed by staff.

They discussed the fees charged for the dumpster rental. Public Works Director Rasmussen said the fee that they charge is less than what it costs. This program was not meant to recapture costs, but to provide a dumpster to the residents.

Councilman Seethaler noted that there was no adjustment made to allow for the additional dollars paid for former CM Geilmann's retirement compensation. Finance Director Naidu said the proposal is to utilize the surplus money from last year. The expenditure has already occurred. When the City Council looks at the fund balance allocation that is one thing he will be requesting. If that is approved, it will be in the final amended budget.

It was noted that the SOJO marathon is almost a break even event (within a couple thousand dollars).

Councilman Seethaler noted that the fleet vehicle purchase is on the operating side because it was a lease. Finance Director Naidu said the goal is not to take any more loans in a couple of cycles, but replacement will be built in the budget.

Councilman Seethaler asked what the \$1,000,000 in Grants/Donations was for? Finance Director Naidu said that is from UDOT for 2700 West. That money was received in June 2013.

Finance Director Naidu reviewed the capital projects fund.

Councilman Seethaler said because the budget moves, it is easy to say that they didn't have a surplus of funds because it was all allocated. He said they will always have projects to allocate funds. He said until they fully understand the numbers including what was collected versus what was spent, they cannot address items such as reducing the tax burden. Finance Director Naidu said legally, they can't issue debt to fund operations. They can issue debt to fund capital projects. In South Jordan, they have been fortunate to cash fund capital projects.

Mayor Alvord asked where is the number reported that shows the surplus that they can use to cash fund projects, such as the purchase of the Kornwasser property, or repayments of debt? Finance Director Naidu said that is not reported here. He said the Council has not made up their mind what to do with the Kornwasser property. If they are going to sell that property, there is no use issuing a bond. He said he recommended that they cash fund that property purchase until they decide what to do with the property. Within 6 months, they need to decide what to do with that property. If they bond for the property, that is the debt and they would have to make the payment from somewhere.

Councilman Shelton asked if the fitness center is generating a profit? Finance Director Naidu said yes, in the budgetary sense. He said the debt payment for the fitness center is included in the RDA budget. The fitness center is generating a profit, but if you count that debt, it is not. They have not increased taxes as a result of the fitness center.

Finance Director Naidu briefly explained how RDA's function.

Councilman Shelton asked if Mulligans is profitable? Parks and Recreation Tingey said it is close to a break even, depending on the weather. He said it has been about 4 years since the City has made a transfer to help fund Mulligans. Overall, Mulligans owes the general fund approximately \$187,000. Public Works Director Rasmussen indicated that water is not built into the budget because they mainly use the Beckstead canal water for that property. The city owns the Beckstead canal, so there is no assessment for water. They use a small amount of culinary water as well. Finance Director Naidu indicated that he is keeping track of money that Mulligans owes the general fund. When the time is right, Mulligans will pay back the general fund.

Mayor Alvord clarified that for a \$6 million investment over 10 years, the city made a \$180,000 profit. He recognized that it is an asset that the city holds.

Councilman Seethaler said moving forward, they need to readdress the credit card policy and understand the economics behind Mulligans. They need to look into the surplus and tax burden issue. He said he does not want the past success of the city to be their downfall. Now is a good time to look at the economics of the city.

The City Council discussed having some additional budget meetings in February and March. Right now, the proposal is to have the meetings on off Tuesdays from their City Council meetings.

Councilman Barnes asked for a more detailed accounting for the \$60,000 in employee gift cards. Mr. Naidu said full time employees received a \$100 gift card; part time employees received a \$50 gift card.

The City Council discussed doing a meeting on a Saturday, rather than the Tuesday sessions. Finance Director Naidu said he can answer any questions by email or in person, and that will aid in the meetings going faster. Councilman Newton said they could add the budget meeting to the visioning meeting.

Mayor Alvord said they could hold the first Tuesday budget meeting, and then evaluate to see how many are needed.

Councilman Barnes said he does not want to add the budget discussion to the visioning meeting. Councilman Seethaler concurred. Councilman Barnes said to have a budget meeting on every off Tuesday would be difficult with his work situation.

Interim CM Whatcott said the budget is one of the most important things that they do. It requires sufficient time to handle. Historically, they have not done a good job using the budget to support their vision and goals. That is an area that could be improved.

Councilman Newton asked if they can keep the city business light on a regular council night and then hold a budget session. Interim CM Whatcott said they could. Mayor Alvord said they should have one budget meeting, and then re-evaluate. He said he would prefer more meetings rather than long meetings until midnight.

A.2. Potential Action Item – (See V. A.1.) Resolution R2014-04

Councilman Shelton made a motion to approve Resolution 2014-04. Councilman Seethaler seconded the motion.

Councilman Newton made a substitute motion to table Resolution 2014-04, pending the outcome of the executive session.

Finance Director Naidu said any adjustments can be made and included in the final amended budget. Councilman Seethaler concurred and indicated that they already know of other adjustments that will be necessary.

Councilman Newton's motion died for lack of a second.

Roll call vote on the original motion. The vote was unanimous in favor.

*Note: Items V. B.1. and B.2. were discussed earlier in the meeting.

C.1. PUBLIC HEARING – Ordinance 2014-04, Amending Section 2.28.010 and 2.28.020 of the Municipal Code clarifying City Manager Office and Duties. (*By Councilman Christopher Rogers*)

Mayor Alvord asked if this should be done in conjunction with the City Attorney duties amendment? Councilman Rogers said he feels the CM duties and office needs to be clarified, separate from the duties of the City Attorney. He said he would like it resolved before they start posting for this position.

Councilman Rogers said they have received a lot of input on this issue. He reviewed the changes as outlined in the 4th substitute of this Ordinance (Attachment E). He noted a concern that the press releases have been inconsistent with majority of the City Council.

Mayor Alvord opened the public hearing.

Larry Short, 2234 W. Autumn Farm Dr., said because of the changes that have been made to the Ordinance since it was posted, they should consider if they should vote on the issue right now. He said now the City Council has the ability to hire and fire the attorneys. The attorney answers to the City Council. Will the CM need an attorney at some point? Is there a conflict with that? He sees this change as reducing the functions of the CM and giving more to the City Council. He recognized some of the issues could be dealt with in an employment contract. He said this appears that the CM would not be included in all closed meetings. He feels the CM should go to all of the meetings so he is informed. He said they need a consensus from the City Council if they want some type of press agreement.

Mayor Alvord closed the public hearing.

Mayor Alvord asked if any of the changes are radical or objectionable for potential applicants for the CM position? City Attorney Wall said there is no problem with the changes, from a legal perspective. He concurred that the Mayor is the Chief Executive Officer. He said there is a conflict with the employee handbook that will need to be changed if this is approved. The City Council and Mayor can delegate as many executive powers as they desire. He noted that in December, he was put in a difficult spot because he was representing both the CM and the City Council. He said he does not have any issue with the changes. He said South Jordan is one of the few cities in the state that doesn't have the City Attorney appointed by the City Council. It hasn't been a problem for him. He said he does not know how this will effect recruiting. Typically, the CM deals with department heads. He said some potential candidates might have questions on their restrictions of perceived powers.

Interim CM Whatcott said they will be fine with the recruitment as long as they agree to address the issues in an employment contract. He said this form of government is not widely used. Typically, outside of Utah, in the Council/manager form of government, the CM has more latitude than is shown in the Ordinance. That may be looked at oddly by people out of state. He said the City Attorney typically has his own agreement with the City Council. He said the staff relies on the legal team every day. He said he has never seen it worded so that the staff of the

attorney is also under the control of the City Council. He said he would prefer it not be that way, but he understands the argument for why it is the way it is.

Councilman Seethaler said he understood that the 6 month cooling off period after an election was part of the state law. City Attorney Wall said that changed in 2008. In approximately 2009, the legislature also passed a corollary provision that said they cannot appoint an interim CM after the election until the new Council is seated.

Councilman Seethaler said they are more clearly defining this with their form of government so there can be a healthy partnership and the guidelines and sharing of powers can be more clearly delineated. He said the employment agreement can cover more specific issues. He said he understands \$1,000,000 is a standard bond for the CM. COS Cunningham said since 2004, the city has bonded the CM for \$1,000,000. He feels the risk is low with the internal controls.

Councilman Newton said in the former CM employment contract, it stated that the bond was for \$300,000. He said if they are bonding somebody, they need to be auditing them from time to time. He said the policy is now to audit the CM, after their exit. COS Cunningham said all employees are bonded. Councilman Newton suggested they cut the CM bond down to \$500,000.

Councilman Barnes said he feels a 30 day notice for resignation protects the city. Councilman Rogers said that can be included in the employment contract. He said if a resignation occurs, they can appoint an interim CM quickly. He said the city will still function after the resignation. He does not feel the requirement in the code is necessary.

Councilman Newton said if they require 30 days' notice, they may have to pay an employee for 30 days that they wish to remove sooner. City Attorney Wall said that is an issue you deal with in the employment agreement. The reason to include it in the Ordinance is if the CM leaves without 30 days' notice, and it is a voluntary separation, the city would then not owe the severance benefits.

Councilman Rogers said the required notice would be included in the employment contract. He said this provision was to give the Council some time to appoint an interim or CM. He does not feel that is necessary.

City Attorney Wall said if the CM does not give the required notice, they would fall to the provision in the employment contract, if there is such a provision.

Councilman Barnes asked for the reason for item 12 regarding creating new departments. Councilman Rogers said that avoids the CM having unbridled discretion to create new departments without the City Council's permission. Councilman Seethaler said it avoids the city from becoming too top heavy with management without knowing the reason for the change. Councilman Barnes asked if staff sees that as a logistical problem? Interim CM Whatcott said an outside person may see that as a restriction to get their duties and powers accomplished. He said personally, he has no problem addressing the Council, if there is a legitimate reason.

Councilman Barnes said regarding number 17, he does not feel they need to micromanage if the CM is letting a department head go. Councilman Rogers said it is just to give the City Council notice; they do not have to give approval. Councilman Newton said regarding that provision, he feels they should change the 7 day notice to 48 hour notice. Councilman Barnes concurred. Councilman Rogers said he would be agreeable to that change.

COS Cunningham said the finance director is the internal auditor, not the CM. He said the CM is not the budget officer, and that verbiage should be deleted.

COS Cunningham also suggested they remove paragraphs 9, 10, and 14. He is most concerned about paragraph 10 because it says they have to use URMMA.

C.2. Potential Action Item – (See V. C.1.) Ordinance 2014-04

Councilman Rogers made a motion to approve Ordinance 2014-04, the 4th substitute, with the following edits: in paragraph 2.28.020 A. 4., delete the line that says “act as the budget officer as established by the uniform fiscal procedures act for Utah cities as passed and amended by the state legislature”. Delete the last sentence in paragraph 4 that reads “perform as a non exclusive internal auditor to assure conformity to the financial goals and budgets and coordinate with external auditors.” In paragraph A.8., insert the word *the city finance director* along with the city recorder and the city treasurer. Remove and strike paragraphs 9 and 10, renumber the subsequent paragraphs, and eliminate paragraph 14. Edit paragraph 17 to say that the City Council will be notified *48 hours* before a department head is fired, and strike the word *executive*. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

*Note: Items D.1., D.2., and D.3. were discussed earlier in the meeting.

The City Council took a brief recess.

Councilman Newton made a motion to table the discussion of the allocation of surplus funds and the future use of the equestrian park. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

VI. PUBLIC HEARINGS AND POTENTIAL ADMINISTRATIVE ACTION ITEMS

None.

VII. OTHER BUSINESS.

*Note: Items A.1., and A.2. were discussed earlier in the meeting.

B.1. Discussion: Zoning (*By Councilman Rogers*).

B.2. Potential Action Item – (See VII. B.1.)

Councilman Rogers made a motion to place Ordinance 2014-06, repealing the RM, VMR, and VMU zones in the Land Use Code Title 17 of the South Jordan Municipal Code, on the February 11, 2014 Planning Commission agenda, and on the February 18, 2014 City Council agenda for discussion and action. Councilman Shelton seconded the motion. The vote was unanimous in favor.

Councilman Newton made a motion to direct the City Recorder to post an amended agenda, with the corrected title under the first reading report, and that a separate notice be posted on the front page of the city website indicating that this issue will be covered at the next Planning Commission meeting, and that the notice be separate from any notice from the Planning Commission meeting. Councilman Shelton seconded the motion. The vote was unanimous in favor.

VIII. REPORTS AND COMMENTS

A. MAYOR

1. Permanent City Manager Hiring Process

Mayor Alvord read a prepared statement (Attachment F).

Councilman Newton said rather than having the Council vet the candidate, he feels it would be wiser to hire an investigative firm and pay for a professional interview job. Councilman Rogers concurred. He asked if other cities do that?

Councilman Rogers asked how much time should they allow for step 2? He said he would like an application in addition to the resume. He would also like additional references from employees, subordinates, residents from the city that they've worked, etc.

COS Cunningham concurred that they should get more than just a resume. He said he also likes the idea of a firm that can ask the right questions. He recommended that they accept applications for a minimum of 30 days. He recommended they post the job by January 31st. By April 15th, they can make the decision on whom to offer the job to.

Councilman Newton recommended a 45 day application period. Mayor Alvord concurred.

COS Cunningham said they need to set some minimum standards. A master's degree is standard, and 10 years progressive experience. Councilman Rogers asked if they start with a minimum standard of a Bachelor's degree and 5 years' experience. COS Cunningham said the more they can hint about the type of candidate they want, the more helpful it is. He said they should never announce a job with no salary range. Without the salary range, people from out of state don't know if they would be interested.

Councilman Rogers said he is more comfortable setting a minimum for a salary rather than a range. COS Cunningham said one caution is that the minimum could be less than they are currently making.

COS Cunningham said he would forward the City Council a recommendation for a salary, and he would inform them of what CM's are making in similar size cities in Utah. He recommended they narrow it down to 3-5 candidates, rather than 4.

COS Cunningham said he would not mention that they want experience with crisis turnaround because they will think South Jordan has a crisis. It sends a signal to the candidates and the public.

Councilman Barnes asked regarding step 5, is it unusual to have city managers from neighboring cities participate in the process? COS Cunningham said it is done with police chiefs.

It was determined that Councilman Rogers, Councilman Barnes, and Councilman Newton would serve on the committee, along with Mayor Alvord.

Mayor Alvord indicated that he would be out of town in two weeks and they need a Mayor Pro Tempore for that meeting.

Councilman Shelton made a motion to nominate Councilman Barnes as Mayor Pro Tempore for the February 4, 2014 City Council meeting. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

B. CITY COUNCIL MEMBERS

Councilman Shelton passed out some information to the City Council from the Utah taxpayers association (Attachment G) regarding the school districts and their costs.

Councilman Newton noted two bills proposed by Jim Bird for this Legislative Session. One bill is that no cities would be allowed to create their own school district. Councilman Rogers clarified that it would require both the residents in the old and new school districts to vote on that change.

Councilman Newton said the other bill is regarding a vote by mail system. He said they have talked about the possibility of doing a vote by mail system in off election years. He said the machines are not going to be certified for elections any longer. One concern that was expressed by Representative Bird is that you have to sign the flap and revoke your privacy privileges. Mr. Bird also wants to require numerous polling locations. Councilman Newton is concerned that would drive up the costs. He said at the polling location in West Jordan's last election, they were required to bring in their vote by mail ballot, and Representative Bird felt that was onerous. He said they need to discuss the cost of the vote by mail system for the city.

City Attorney Wall said he feels that the league will oppose the vote by mail amendment. Regarding the school district split, he feels the league will be neutral or oppose it. He said he does not want to represent the City's position if the City Council is split on the issue.

Councilman Rogers said he has not yet made up his mind and recommended that they oppose both of the bills at this time. Councilman Barnes said he opposes the first bill; he does not feel as strongly about the second bill. Councilman Seethaler said he has not made up his mind and they should oppose both bills at this time. Councilman Shelton is opposed to both bills. Mayor Alvord is also opposed to both bills.

Councilman Barnes said he would like to forward the letter of support for the caucus system to their state legislators. Mayor Alvord asked that staff compose a letter for his signature to be sent to the state legislators.

Councilman Barnes indicated that he would be having a meeting next week with Susan Pulsipher, who is on the school board.

Councilman Barnes said they need to discuss the backflow prevention program before Spring, or before enforcement begins. He said they also need to discuss the sign ordinance. Because of the events of the last election, it needs to be addressed before next year's elections. They also need to address corporate signs.

Councilman Barnes recommended that as the agendas are developed, they should put things like the budget discussions towards the end, and things that either generate public interest or can be dealt with quickly at the beginning of the agenda.

C. CITY MANAGER

Interim CM Whatcott said the audit committee met and action has been proposed, but they have no authority to spend any money. Finance Director Naidu said the committee approved the scope of the audit relative to the retirement of CM Geilmann. The scope of the audit is up to 20 hours, at \$175 an hour.

Councilman Newton made a motion to direct Finance Director Naidu to hire the auditor, as outlined. Councilman Shelton seconded the motion. The vote was unanimous in favor.

Councilman Newton said the auditor would review the accounts that the CM was over or had access to including a line item budget and a credit card. The auditor will also look to see if there are multiple expenditures to one entity. They will match up receipts with the credit card, look at the credit card spending, and the line item budget spending. He noted that an audit has never been performed for an outgoing CM before. He said that needs to be done from time to time.

ADJOURNMENT

Councilman Newton made a motion to adjourn. Councilman Barnes seconded the motion. The vote was unanimous in favor.

The January 21, 2014 City Council meeting adjourned at 12:57 a.m.

This is a true and correct copy of the January 21, 2014 Council meeting minutes, which were approved on February 4, 2014.


South Jordan City Recorder

SOUTH JORDAN CITY City Council Meeting

January 21, 2014

6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME

PRINT ADDRESS

| | |
|-----------------|------------------------------|
| Julie Harrison | 1466 West 1150 S. S.J. 84095 |
| Kaime Jackman | 2610 W. 10950 So. S.J. |
| LARRY STARR | 2234 W Autumn Farm DR |
| Rebbyn Shellin | 9747 Sandwood Dr. |
| Mel F Smith | 10823 Coral Dune Dr. |
| Justin Jones | 4723 COPPER SKY DR. |
| Susan Egbert | 11323 S. 2700 W |
| Rulon Outson | 4700 Daybreak Pkwy |
| corner Benjamin | 11756 GOLD DUST Drive |
| Paula Miller | 4128 W Juniper Hills |
| BRYAN FLAMM | 1099 W South Jordan Pkwy |
| Jennifer Brown | 10822 S. Coral Dune Dr. Le |
| Carol Brown | 10221 S. 1040 W. |

INFANT BURIAL FEES AT DIFFERENT CEMETERY'S
For residents

| | |
|----------------------------|--------------|
| South Jordan City Cemetery | \$450.00 |
| Herriman city Cemetery | \$ 0.00 |
| Sandy City Cemetery | \$205.00 |
| Riverton City Cemetery | \$125.00 - 2 |
| West Jordan City Cemetery | \$255.00 |
| Bluffdale City Cemetery | \$200.00 |

Jean Jackson

INFANT BURIAL FEES AT DIFFERENT CEMETERY'S
For residents

| | |
|----------------------------|--------------|
| South Jordan City Cemetery | \$450.00 |
| Herriman city Cemetery | \$ 0.00 |
| Sandy City Cemetery | \$205.00 |
| Riverton City Cemetery | \$125.00 - 2 |
| West Jordan City Cemetery | \$255.00 |
| Bluffdale City Cemetery | \$200.00 |

Jean Jackson

Public

Citizens Comment City Council Meeting January 21, 2014

I would like to comment on remarks made two weeks ago in the city council meeting about random re-zoning. I don't think there is random re-zoning going on in the city. I think 80% of the re-zone requests are to change the existing zone to match the future use plan.

I also don't think it is random, where there is any undeveloped property in the city requests will eventually come to develop whether a zoning change is required or not. The recent increase in requests is simply a reflection of the building cycle.

I also don't feel changes to the re-zoning process in the city are necessary. Having gone through that process myself about two years ago I know first hand how it works. It is not a simple process you can do on a whim. It takes time, effort and money and there is no guarantee you will be successful. About the only thing you are guaranteed is a very courteous, knowledgeable, professional engineering staff to direct you through the process and make sure you meet all the established requirements.

The existing process works and I see no reason to change it.

Susan Egbert

11323 S 2700 W

City Council Meeting January 21, 2014

Long meetings usually happen when citizens organize large groups to come and repeat the same thing over and over, trying to bully the city council to vote their way. Left unchecked these comments can escalate and become personal attacks on the developer, property owner or city officials.

If the city council meeting is tightly scheduled, I suggest that comments from citizens in a public hearing be limited to a maximum of three repetitions of the same concern. I don't think every person that attends needs to be heard. I do think each item of concern needs to be heard, but it is totally unnecessary to have it repeated over and over. It is an insult to your intelligence as city council members and you have most likely received sufficient emails that you are fully aware of all the concerns before the meeting starts, so one repetition may be enough.

There have been many long meetings because of this problem, most recently the Dec 3:00 am city council meeting. Mayor Osborne said he would cut off comments if there were repetitions, but he didn't enforce it so they went on and on.

With a new mayor and a new year this is a good time to take control of the city council meetings and not allow one group to monopolize the meeting. As city council members please remember that you also represent the silent majority that don't come to the meetings. People seldom come to these meetings if they are not opposed to the issue.

If a group of citizens is not allowed to dominate the meeting with their comments the meeting can move along in a timely fashion. With the same regard a city council member should not be allowed to dominate the city council discussion time either.

Taking control of meetings may eliminate the need for this ordinance or passing it may give the citizens a good reason to have their comments limited.

If it passes I suggest that it states the items not addressed at that meeting be first on the agenda of the next meeting, not just on the next agenda.

Susan Egbert 11323 S 2700 W

ORDINANCE NO. 2014 - 04 (FOURTH SUBSTITUTE)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CODE SECTION 2.28.010 AND 2.28.020 TO CLARIFY THE OFFICE AND DUTIES OF CITY MANAGER.

WHEREAS, South Jordan City Code Sections 2.28.010 and 2.28.020 establishes the office and duties of city manager; and

WHEREAS, the City Council desires to amend, change, and clarify the office and duties of city manager, and

WHEREAS, The South Jordan City Council finds that amending Code Section 2.28.010 and 2.28.020 discussed herein are in the best interest of the health, safety, and welfare of the residents of the City of South Jordan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Amendment. South Jordan City Code Section 2.28.010 and 2.28.020 are hereby amended as follows:

2.28.010: OFFICE CREATED; ADMINISTRATIVE PROVISIONS:

A. Office Created: The office of the city manager, which shall be known as "city manager", is created and established pursuant to Utah Code ~~Annotated~~ section ~~10-3b-303, 10-3-830, as amended.~~ The city manager shall be referred to as the city manager or the chief administrative officer.

B. Control: The powers, duties and functions of the office of city manager shall be subject to the control and policies of the governing body.

C. Appointment: The governing body shall appoint the city manager, who shall be appointed ~~wholly~~ on the basis of ~~his or her~~ experience, administrative, executive ~~abilities~~ and qualifications.

D. Bond: Before taking office, the city manager shall furnish a fidelity bond, at the expense of the city, in the amount of one million dollars (\$1,000,000.00), conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in this state as a surety. Such bond shall be filed with the city recorder after being approved by the governing body.

E. Term Of Office: The city manager shall serve at the pleasure of the city council and may be removed at any time, with or without cause, by a majority vote of the city council, subject, however, to the provisions of the next succeeding subsections.

1. Notice: In the case of removal by the city council without cause, the city manager shall be furnished with a fourteen (14) days written notice before the effective

date of removal. In the case of removal by the city council for cause, the city council may effect removal of the city manager immediately upon notice to the city manager.

2. Discretion Of Council: In removing the city manager, the city council may use its discretion and its action shall be final and shall not depend upon any particular showing or degree of proof.

F. Employment Agreement: Nothing in this chapter shall be construed as a limitation on the power or authority of the city council to enter into any supplemental agreement with the city manager with additional terms and conditions of employment not inconsistent with any provisions of this chapter. G. Salary: The salary and other compensation of the city manager shall be established by the city council in accordance with Utah law.

H. Office and Time Spent: The city manager shall maintain an office in the city hall and shall spend such time in the performance of the duties of city manager as is necessary or may be required from time to time by the city council. The city manager shall not accept any outside employment in addition to employment by the city without prior approval of the city council.

I. Residence: The city manager need not be a resident of the city at the time of the city manager's appointment or thereafter. (Ord. 2000-15a; amd. Ord. 2002-04, as amended).

2.28.020: POWERS; DUTIES; OBLIGATIONS:

A. Pursuant to the policies and programs established by the city council, and under the ~~general~~ direction and oversight of the governing body and except as otherwise set forth by the city council in ordinance, resolution, motion, or the South Jordan City Municipal Code, the city manager shall:

1. Be responsible for managing the internal affairs of the city; develop, recommend and implement city policies, practices, rules, regulations and procedures; report to the governing body; advise the governing body regarding policy options and implementation procedures; carry out legislative directives and decisions; be responsible for contracts administration.

2. Establish and maintain effective working relationships with the governing body, the city attorney and city attorney staff, management employees, citizen committees, special interest groups, employees, press, contractors, public vendors and representatives from other city, county, special district, state and federal agencies; issue public statements to the press and respond to questions from the press related to city management, policies, procedures and administrative decisions and is consistent with the majority opinion or direction of the city council.

3. Consistant with the direction of the city council, be responsible for the full and effective use of city personnel by establishing, in consultation with the city attorney, department directors, division heads or other management employees, overall department objectives, priorities and standards consistent with the goals, direction, and objectives of the governing body; serve as a facilitator in the achievement by city divisions of governing body goals and in coordinating with management employees for effective

implementation of city service levels, ordinances, resolutions, rules, regulations and directives; exercise managerial control to ensure that the city government and its respective departments function in the most efficient and effective manner.

4. Plan, organize and supervise city financial operations and keep the governing body at all times advised as to the financial condition and needs of the city; prepare and deliver financial reports to the city council as needed; supervise the preparation and administration of the city budget under the direction of the city council; act as the budget officer as established by the uniform fiscal procedures act for Utah cities as passed and amended by the state legislature; ensure that all executive procedures and activities are in compliance with the uniform fiscal procedures act for Utah cities and Utah money management act as passed and amended by the state legislature; perform as a non-exclusive internal auditor to assure conformity to financial goals and budgets and coordinate with external auditors.

5. Represent the city at various meetings or other functions and respond to requests or inquiries about city policies, rules, ordinances, regulations, resolutions or services rendered by the city government.

6. Enforce all applicable laws, ordinances, rules, ~~and~~ regulations, and policies of the city. Assure that all franchises, leases, permits, licenses, contracts and privileges granted by the city are fully performed and observed.

7. Recommend and prepare for consideration by the governing body and advisory committees long range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the city; furnish reports to the city council as requested.

8. Except as otherwise provided, Bbe responsible for the overall personnel management function; implement city personnel ordinances, rules, and regulations that have been adopted, approved, or revised by the city council; coordinate personnel ordinances and rules and regulations adopted by the city council; coordinate personnel functions with management employees such as recruitment, selection, and appointment; have authority to appoint and remove all any employees of the city, except the city recorder, ~~and~~ the city treasurer, and the city attorney who shall be appointed, removed, or terminated by majority vote of the city council, and except for members of the city attorney's staff who shall be appointed, managed, removed, or terminated by the city attorney; ~~occupy a~~ serve as a step in the appeals process available to employees with grievances; monitor personnel actions, promotion, discipline, demotion, separation and reclassification; coordinate personnel decisions with department directors; coordinate activities of individuals rendering professional services under contract with the city.

9. Manage city data processing and information systems to accomplish city data processing and information system objectives.

10. Maintain city insurance. Provide oversight to the city risk management program and implement policies and procedures related to risk elimination, reduction or

transfer, acquire insurance and represent the city on the board of directors of the Utah Risk Management Mutual Association.

11. Investigate into the affairs of the city and any department or division thereof, and any contract for the proper performance of any obligations of the city.

12. Create all necessary departments as approved by the city council. ~~;~~ Create all necessary divisions, sections, and offices necessary for the government of the city; prepare recommendations for the governing body regarding the addition, deletion or reduction in municipal services.

13. Attend and participate in all meetings of the city council unless otherwise excluded by the city council in an executive session meeting, but shall not have a right to vote in said meetings.

14. Keep a current inventory accounting for real and personal property of the city and its location; care for and maintain all such property including equipment, buildings, parks and other city property which is not assigned to some other officer or governmental body for care and control.

15. Approve and sign commercial and residential subdivision plats on behalf of the city.

16. Perform all other duties, obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the governing body.

17. Notify the city council seven (7) days prior to the effective date of any permanent termination of any city department director. Except in the case of the city attorney or the city attorney's staff, nothing herein shall limit the city manager's ability to institute temporary employee suspensions or temporary administrative leave of city employees.

B. Department Cooperation: It shall be the duty of all subordinate employees to cooperate with the city manager in administering the affairs of the city efficiently, economically and harmoniously.

C. Planning and Land Use: Notwithstanding the foregoing, the city manager shall exercise no authority over the planning commission or the board of adjustment.

D. Performance Evaluation: The city council shall ~~annually~~ evaluate, at least annually, the performance of the city manager.

E. Powers Of The Mayor Not Delegated: Nothing in this chapter shall be construed to delegate to the city manager the legislative, executive, and judicial powers of the mayor, the mayor's position as chief executive officer of the city pursuant to Utah Code ¶ 10-3b-104(1)(a), chairperson of the governing body, or any ex officio position which the mayor shall hold. (Ord. 2000-15a; amd. Ord. 2002-04).

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

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH, ON THIS _____ DAY OF _____, 2014 BY THE FOLLOWING VOTE:

| | YES | NO | ABSTAIN | ABSENT |
|--------------------|-------|-------|---------|--------|
| Mark Seethaler | _____ | _____ | _____ | _____ |
| Chuck Newton | _____ | _____ | _____ | _____ |
| Don Shelton | _____ | _____ | _____ | _____ |
| Steve Barnes | _____ | _____ | _____ | _____ |
| Christopher Rogers | _____ | _____ | _____ | _____ |

Mayor: _____
David L. Alvord

Attest: _____
City Recorder

Approved as to form:

Office of the City Attorney

Permanent City Manager Hiring Process

South Jordan City

Jan 20, 2014

For your consideration

Step 1:

Instruct Paul Cunningham to post job listing, locally, and nationally, with preference to Utah and Mountain-west applicants. Current city employees are welcome to apply for the position. Language to be crafted with the help of Mr. Cunningham and in the opinion of this Mayor should contain the following items:

- a) Contract is negotiable, but will look very similar to other cities of our size.
- b) Compensation and benefits are also negotiable
- c) We are seeking competent, experienced manager, if possible, with some private sector management experience.
- d) Again, if possible, a manager who has served a city with good economic trajectory, as well as an individual who has experience with a city in "crisis" and may have contributed to a turnaround. (Las Vegas area city managers may be worth a look because they have had to deal with a struggling economy, and so those managers know how to make tough choices).
- e) mention that ours is the second fastest growing city in america in 2012, so a manager who has dealt with rapid growth would be preferred.

Step 2:

Collect resumes.

Step 3:

Formation of "interview committee". My recommendation is that we have three members on the committee, more if desired. The entire council could potentially serve on the committee. The three members would be:

- 1) Mayor
- 2) A newly elected Council member (Mr. Rogers has already expressed interest)
- 3) A 2 year veteran Council member (Seethaller, Barnes, or Newton)

Step 4: Committee screens applications, narrows list down to 10-12 candidates.

Step 5: First interview with "interview committee". Bring-in non applicant advisor (for example a city manager for a neighboring city) to ask a few additional questions.

Step 6: Committee scores applicants on a 1-10 score basis. Committee can deliberate before scoring applicant. Or wait until all have been interviewed before scoring.

Step 7: Committee narrows list to 4 candidates. (Top 4 scores)

Step 8: Final interview to be conducted by the entire city council. Council members will be assigned to "vet" the candidate. (background checks, speaking to city council members, speaking to residents of the city he or she comes from, etc)

Step 9: Deliberations occur in "executive meeting" (to discuss character and competence of an individual)

Step 10: Four candidates are scored (1-10)

Step 11: Winning Candidate is selected by motion and vote. Mayor gets a vote and *must* be included in the majority vote, or else council must have unanimous vote (all five members) to overturn a Mayor's "nay" vote. (Utah Code 10-3b-303(2) and 403(2).

Step 12: Contract negotiations commence, compensation negotiations also commence. I suggest we pay "fair market value" for this manager with possible raises if contract is renewed.

Step 13: City Attorney writes final contract.

Step 14: Manager is hired.

FY 2011 – 2012 Utah Public Education Revenues

Revenue Sources – Total Dollars

| | Property Taxes | Other Local | State | Federal | Total |
|--------------|------------------------|----------------------|------------------------|----------------------|------------------------|
| Operations | 823,181,790 | 206,689,589 | 2,152,125,842 | 302,294,655 | 3,484,291,876 |
| Capital | 572,406,730 | 12,461,619 | 14,557,347 | 13,920,855 | 613,346,551 |
| Nutrition | | 64,407,736 | 35,532,175 | 123,401,709 | 223,341,620 |
| Non K-12 | 47,085,158 | 13,674,885 | 39,021,690 | 21,204,287 | 120,986,020 |
| Total | \$1,442,673,678 | \$297,233,829 | \$2,241,237,054 | \$460,821,506 | \$4,441,966,067 |

Revenue Distribution by Source

| | Property Taxes | Other Local | State | Federal | Total |
|--------------|----------------|-------------|------------|------------|-------------|
| Operations | 24% | 6% | 62% | 9% | 100% |
| Capital | 93% | 2% | 2% | 2% | 100% |
| Nutrition | 0% | 29% | 16% | 55% | 100% |
| Non K-12 | 39% | 11% | 32% | 18% | 100% |
| Total | 32% | 7% | 50% | 10% | 100% |

Revenue per Student

| | Property Taxes | Other Local | State | Federal | Total |
|--------------|----------------|--------------|----------------|--------------|----------------|
| Operations | \$1,401 | \$352 | \$3,662 | \$514 | \$5,928 |
| Capital | \$974 | \$21 | \$25 | \$24 | \$1,044 |
| Nutrition | | \$110 | \$60 | \$210 | \$380 |
| Non K-12 | \$80 | \$23 | \$66 | \$36 | \$206 |
| Total | \$2,455 | \$506 | \$3,813 | \$784 | \$7,558 |

Notes

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- Revenues on this page do not match expenditures from other pages since expenditures due to facility construction are incurred immediately and property taxes to retire construction bonds are received over several years. Additionally, expenditures may not match revenues since districts may use revenues to increase reserves or may use existing reserves to increase expenditures.
- Figures include district schools and charter schools.
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- Fund 32 (capital projects) expenditures that are used for operations are counted as operations revenues.
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Utah Taxpayers Association
656 East 11400 South, Suite R
Draper, Utah 84020
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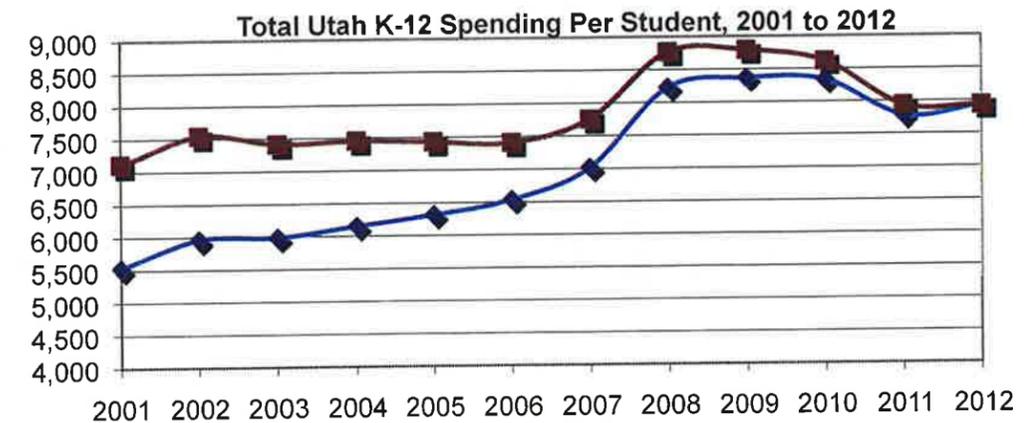
Utah School District Comparison 2011 - 2012

Every year your Utah Taxpayers Association collects the financial and statistical data for Utah's school districts and charter schools. This information compares the spending trends between districts and outlines how school districts spend taxpayer dollars. The 2011-2012 report includes all 41 school districts and all charter school schools are grouped into one line item.

Utah School District Comparison – Spending Categories

- "October 2011 Enrollment" includes all student enrollment. School districts are listed according to enrollment.
- "Instruction Services" includes salaries and benefits of teachers, substitutes, and aides; costs of teaching supplies, textbooks and materials.
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- "Total Spending" includes the total expenses from all student services, nutrition, interest, facility construction. Excludes non K-12 programs.

Over the past ten years, per pupil spending has increased at a rate of 4.3% (unadjusted for inflation) and 1.4% (adjusted for inflation).



■ Not adjusted for inflation ■ Adjusted for inflation

Utah School District Comparison 2011-2012

Per Student Spending and District Finances

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | | | |
|----------------------|-------------------------|---------------------------------|------------------------------------------|------------------|----------------|---------------------------|---------------|-------------------|--------------------|-----------|----------------|------------------------|----------------------------|----------------------------------|----------|-------|-----|------------------------|------------------------------------|------------------------|-----------------------------------------------------|--------------------------------------------|----------------------|-------------|----|
| School Districts (1) | October 2011 Enrollment | General Fund | | | | | | | Total General Fund | Nutrition | Capital Outlay | | | Average Teacher Compensation (4) | Revenues | | | Teachers as % of Staff | Assessed Valuation Per Student (5) | 2011 Property Tax Rate | Most Recent Data from 2012 | | School Districts (1) | | |
| | | Instruction | | Student Services | | | | | | | Interest | Facility Construct (3) | Total Spending Per Student | | Local | State | Fed | | | | Property Tax Rate (minus basic levy of .001591) (6) | Tax Rate as % of State Avg Excl Basic Levy | | | |
| | | Instruction Expense Per Student | Instruction Expense as % of General Fund | Student Services | Media Services | School and District Admin | Plant M&O (2) | Student Transport | | | | | | | | | | | | | | | | | |
| 1 | Alpine | 68,233 | \$3,926 | 73% | \$164 | \$227 | \$466 | \$441 | \$187 | \$5,412 | \$324 | \$224 | \$485 | \$6,444 | \$68,100 | 35% | 56% | 9% | 50% | \$214,832 | 0.008812 | 0.007221 | 133% | Alpine | 1 |
| 2 | Davis | 67,736 | 4,006 | 70% | 209 | 233 | 575 | 556 | 173 | 5,751 | 344 | 263 | 869 | 7,226 | 75,519 | 36% | 55% | 9% | 48% | 234,133 | 0.008861 | 0.007270 | 134% | Davis | 2 |
| 3 | Granite | 67,736 | 4,235 | 69% | 269 | 223 | 569 | 694 | 138 | 6,129 | 365 | 103 | 1,958 | 8,555 | 68,795 | 35% | 52% | 13% | 50% | 311,649 | 0.006796 | 0.005205 | 96% | Granite | 3 |
| 4 | Jordan | 50,581 | 3,645 | 68% | 174 | 240 | 566 | 560 | 196 | 5,382 | 358 | 93 | 1,015 | 6,843 | 66,033 | 40% | 52% | 8% | 52% | 286,303 | 0.007319 | 0.005728 | 106% | Jordan | 4 |
| 5 | Canyons | 33,490 | 4,034 | 64% | 249 | 356 | 835 | 642 | 202 | 6,318 | 355 | 292 | 2,897 | 9,862 | 64,745 | 50% | 43% | 7% | 56% | 442,431 | 0.008165 | 0.006574 | 121% | Canyons | 5 |
| 6 | Weber | 30,423 | 4,312 | 72% | 209 | 97 | 636 | 499 | 234 | 5,988 | 424 | 132 | 316 | 6,859 | 64,874 | 32% | 59% | 9% | 52% | 255,112 | 0.006833 | 0.005242 | 97% | Weber | 6 |
| 7 | Nebo | 29,724 | 3,790 | 64% | 345 | 289 | 609 | 592 | 291 | 5,917 | 351 | 285 | 1,191 | 7,744 | 62,155 | 32% | 59% | 9% | 48% | 194,638 | 0.009370 | 0.007779 | 144% | Nebo | 7 |
| 8 | Washington | 26,206 | 4,219 | 68% | 303 | 335 | 571 | 600 | 199 | 6,226 | 377 | 356 | 1,109 | 8,067 | 70,126 | 45% | 45% | 10% | 51% | 386,786 | 0.008227 | 0.006636 | 123% | Washington | 8 |
| 9 | Salt Lake | 23,919 | 5,033 | 69% | 239 | 494 | 675 | 603 | 228 | 7,272 | 562 | 178 | 1,082 | 9,095 | 77,746 | 51% | 34% | 16% | 45% | 710,360 | 0.006408 | 0.004817 | 89% | Salt Lake | 9 |
| 10 | Cache | 16,605 | 4,185 | 70% | 221 | 221 | 478 | 473 | 392 | 5,970 | 357 | 221 | 191 | 6,739 | 77,130 | 32% | 59% | 9% | 41% | 229,684 | 0.006972 | 0.005381 | 99% | Cache | 10 |
| 11 | Provo | 13,779 | 5,017 | 74% | 280 | 110 | 790 | 419 | 161 | 6,777 | 391 | 157 | 508 | 7,833 | 66,616 | 38% | 48% | 14% | 45% | 312,758 | 0.007153 | 0.005652 | 103% | Provo | 11 |
| 12 | Tooele | 13,675 | 4,152 | 70% | 229 | 157 | 528 | 654 | 218 | 5,937 | 462 | 405 | 345 | 7,148 | 64,581 | 32% | 59% | 10% | 52% | 223,713 | 0.008256 | 0.006665 | 123% | Tooele | 12 |
| 13 | Ogden | 12,652 | 3,728 | 52% | 400 | 1,459 | 767 | 648 | 162 | 7,164 | 633 | 317 | 1,028 | 9,142 | 63,669 | 32% | 49% | 20% | 47% | 250,639 | 0.008260 | 0.006669 | 123% | Ogden | 13 |
| 14 | Box Elder | 11,273 | 4,038 | 68% | 194 | 133 | 585 | 543 | 414 | 5,906 | 368 | 170 | 1,239 | 7,684 | 66,568 | 40% | 52% | 8% | 49% | 294,713 | 0.008442 | 0.006851 | 127% | Box Elder | 14 |
| 15 | Iron | 8,508 | 4,321 | 71% | 200 | 164 | 536 | 628 | 272 | 6,120 | 408 | 259 | 588 | 7,375 | 67,327 | 41% | 49% | 11% | 46% | 359,678 | 0.007528 | 0.005937 | 110% | Iron | 15 |
| 16 | Uintah | 6,993 | 3,999 | 63% | 266 | 113 | 661 | 758 | 577 | 6,374 | 434 | 229 | 1,970 | 9,006 | 71,289 | 55% | 36% | 10% | 46% | 665,733 | 0.006464 | 0.004873 | 90% | Uintah | 16 |
| 17 | Murray | 6,417 | 4,259 | 67% | 208 | 279 | 818 | 827 | 125 | 6,375 | 368 | 129 | 421 | 7,293 | 76,962 | 46% | 47% | 7% | 43% | 434,835 | 0.006201 | 0.004810 | 85% | Murray | 17 |
| 18 | Logan | 6,120 | 4,452 | 72% | 292 | 274 | 559 | 398 | 201 | 6,176 | 518 | 131 | 387 | 7,212 | 73,130 | 38% | 48% | 14% | 45% | 307,392 | 0.008285 | 0.006694 | 124% | Logan | 18 |
| 19 | Wasatch | 5,253 | 5,211 | 71% | 180 | 98 | 808 | 632 | 383 | 7,312 | 389 | 540 | 710 | 8,952 | 79,250 | 62% | 32% | 6% | 48% | 719,844 | 0.007284 | 0.005693 | 105% | Wasatch | 19 |
| 20 | Duchesne | 4,574 | 4,097 | 60% | 174 | 253 | 796 | 883 | 666 | 6,869 | 423 | 107 | 4,607 | 12,004 | 67,467 | 46% | 46% | 9% | 46% | 432,886 | 0.007821 | 0.006230 | 115% | Duchesne | 20 |
| 21 | Sevier | 4,546 | 4,696 | 70% | 164 | 63 | 612 | 826 | 334 | 6,696 | 463 | 76 | 263 | 7,499 | 64,357 | 31% | 55% | 14% | 51% | 294,807 | 0.006519 | 0.004928 | 91% | Sevier | 21 |
| 22 | Park City | 4,400 | 6,801 | 63% | 524 | 523 | 1,323 | 1,075 | 514 | 10,760 | 378 | 126 | 1,235 | 12,499 | 73,068 | 90% | 6% | 5% | 50% | 2,532,208 | 0.004405 | 0.002814 | 52% | Park City | 22 |
| 23 | Carbon | 3,423 | 4,841 | 63% | 475 | 109 | 1,138 | 747 | 403 | 7,714 | 494 | 98 | 915 | 9,221 | 66,052 | 49% | 41% | 11% | 43% | 590,158 | 0.006835 | 0.005244 | 97% | Carbon | 23 |
| 24 | So. Sanpete | 3,124 | 5,406 | 75% | 193 | 266 | 493 | 575 | 265 | 7,199 | 456 | 314 | 627 | 8,596 | 74,714 | 25% | 65% | 10% | 42% | 172,327 | 0.009018 | 0.007427 | 137% | So. Sanpete | 24 |
| 25 | San Juan | 2,922 | 6,115 | 56% | 415 | 522 | 1,097 | 1,860 | 858 | 10,867 | 504 | 0 | 1,390 | 12,761 | 76,135 | 26% | 43% | 31% | 40% | 339,399 | 0.008025 | 0.006434 | 119% | San Juan | 25 |
| 26 | Millard | 2,815 | 6,175 | 70% | 131 | 186 | 769 | 996 | 529 | 8,787 | 538 | 0 | 1,001 | 10,326 | 84,828 | 63% | 29% | 8% | 44% | 742,895 | 0.005988 | 0.004397 | 81% | Millard | 26 |
| 27 | Morgan | 2,421 | 4,138 | 70% | 97 | 81 | 749 | 543 | 336 | 5,943 | 344 | 561 | 2,049 | 8,897 | 69,767 | 45% | 50% | 5% | 51% | 350,116 | 0.007044 | 0.005453 | 101% | Morgan | 27 |
| 28 | No. Sanpete | 2,420 | 4,602 | 68% | 136 | 263 | 804 | 587 | 395 | 6,786 | 452 | 34 | 639 | 7,911 | 75,454 | 30% | 58% | 12% | 50% | 264,842 | 0.006532 | 0.004941 | 91% | No. Sanpete | 28 |
| 29 | Emery | 2,313 | 5,859 | 64% | 201 | 157 | 1,115 | 1,272 | 508 | 9,113 | 463 | 0 | 428 | 10,004 | 81,140 | 52% | 40% | 9% | 48% | 836,603 | 0.005716 | 0.004125 | 76% | Emery | 29 |
| 30 | Juab | 2,297 | 4,374 | 73% | 135 | 163 | 561 | 527 | 218 | 5,977 | 442 | 435 | 204 | 7,059 | 63,917 | 40% | 51% | 9% | 48% | 332,078 | 0.008026 | 0.006435 | 119% | Juab | 30 |
| 31 | Beaver | 1,540 | 4,777 | 64% | 495 | 63 | 1,046 | 723 | 335 | 7,440 | 392 | 833 | 8,560 | 17,226 | 78,490 | 54% | 39% | 7% | 49% | 682,561 | 0.006750 | 0.005159 | 95% | Beaver | 31 |
| 32 | Grand | 1,467 | 4,653 | 61% | 180 | 381 | 1,018 | 934 | 436 | 7,603 | 429 | 1,159 | 954 | 10,145 | 62,780 | 60% | 31% | 9% | 44% | 880,900 | 0.006230 | 0.004639 | 86% | Grand | 32 |
| 33 | So. Summit | 1,457 | 5,012 | 66% | 274 | 132 | 943 | 747 | 506 | 7,613 | 305 | 9 | 715 | 8,642 | 78,335 | 68% | 27% | 5% | 51% | 979,721 | 0.007047 | 0.005456 | 101% | So. Summit | 33 |
| 34 | Kane | 1,175 | 6,545 | 65% | 284 | 383 | 1,402 | 945 | 486 | 10,045 | 406 | 69 | 369 | 10,889 | 78,132 | 51% | 40% | 9% | 42% | 1,030,082 | 0.004977 | 0.003386 | 63% | Kane | 34 |
| 35 | No. Summit | 983 | 6,003 | 70% | 136 | 112 | 879 | 658 | 729 | 8,517 | 491 | 1,227 | 302 | 10,537 | 58,909 | 60% | 34% | 6% | 44% | 946,243 | 0.006572 | 0.004981 | 92% | No. Summit | 35 |
| 36 | Garfield | 927 | 5,953 | 65% | 263 | 190 | 1,370 | 1,101 | 339 | 9,215 | 362 | 204 | 563 | 10,344 | 71,942 | 37% | 52% | 11% | 48% | 654,748 | 0.006633 | 0.005042 | 93% | Garfield | 36 |
| 37 | Wayne | 539 | 6,458 | 68% | 120 | 271 | 1,305 | 886 | 518 | 9,559 | 357 | 0 | 219 | 10,135 | 70,883 | 27% | 64% | 10% | 50% | 511,494 | 0.003776 | 0.002185 | 40% | Wayne | 37 |
| 38 | Rich | 491 | 6,941 | 62% | 197 | 230 | 2,027 | 988 | 880 | 11,262 | 593 | 311 | 792 | 12,958 | 85,767 | 57% | 35% | 7% | 55% | 1,695,696 | 0.004660 | 0.003069 | 57% | Rich | 38 |
| 39 | Piute | 317 | 8,596 | 66% | 0 | 66 | 1,635 | 1,715 | 940 | 12,952 | 739 | 804 | 2,891 | 17,385 | 71,949 | 24% | 60% | 16% | 46% | 320,594 | 0.006677 | 0.005086 | 94% | Piute | 39 |
| 40 | Tintic | 210 | 9,290 | 63% | 341 | 440 | 2,260 | 1,656 | 702 | 14,690 | 347 | 35 | 205 | 15,277 | 70,605 | 18% | 77% | 5% | 53% | 199,895 | 0.007992 | 0.006401 | 118% | Tintic | 40 |
| 41 | Daggett | 169 | 9,019 | 53% | 472 | 712 | 2,969 | 2,607 | 1,245 | 17,024 | 618 | 35 | 8,643 | 26,320 | 66,342 | 44% | 47% | 9% | 39% | 1,577,499 | 0.004383 | 0.002792 | 52% | Daggett | 41 |
| DISTRICT AVERAGE | | 542,853 | 4,215 | 68% | 236 | 270 | 627 | 636 | 233 | 6,218 | 387 | 214 | 1,123 | 7,941 | 70,883 | 40% | 50% | 10% | 49% | 345,474 | 0.007006 | 0.005415 | 100% | | |
| CHARTER AVERAGE | | 44,892 | 3,394 | 61% | 221 | 148 | 852 | 874 | 48 | 5,538 | 155 | 828 | 1,318 | 7,839 | 48,227 | 5% | 88% | 7% | 62% | | | | | | |
| STATE AVERAGE (7) | | 587,745 | 4,152 | 67% | 235 | 261 | 645 | 654 | 219 | 6,166 | 369 | 261 | 1,138 | 7,933 | 63,500 | 38% | 52% | 10% | 50% | | | | | | |

Calculations by Utah Taxpayers Association based on data from Utah State Office of Education and the Utah State Tax Commission

- Districts are listed by enrollment in descending order. Enrollment excludes youth-in-custody (YIC).
- Facility lease/rental payments (90%) that officially appear in Fund 10 (General Fund) function 2600 facility O&M object 400 purchased property are treated as facility capital costs.
- To avoid double counting, construction expenses and interest are included, but bond principle payment is excluded.
- Teacher compensation includes salary and benefits. Statewide average is FTE-weighted median.
- Assessed valuation is adjusted for RDA diversions.
- Tax comparison excludes statewide basic levy of 0.001495.
- Grand totals are effective statewide averages.

FY 2011 – 2012 Utah Public Education Revenues

Revenue Sources – Total Dollars

| | Property Taxes | Other Local | State | Federal | Total |
|--------------|------------------------|----------------------|------------------------|----------------------|------------------------|
| Operations | 823,181,790 | 206,689,589 | 2,152,125,842 | 302,294,655 | 3,484,291,876 |
| Capital | 572,406,730 | 12,461,619 | 14,557,347 | 13,920,855 | 613,346,551 |
| Nutrition | | 64,407,736 | 35,532,175 | 123,401,709 | 223,341,620 |
| Non K-12 | 47,085,158 | 13,674,885 | 39,021,690 | 21,204,287 | 120,986,020 |
| Total | \$1,442,673,678 | \$297,233,829 | \$2,241,237,054 | \$460,821,506 | \$4,441,966,067 |

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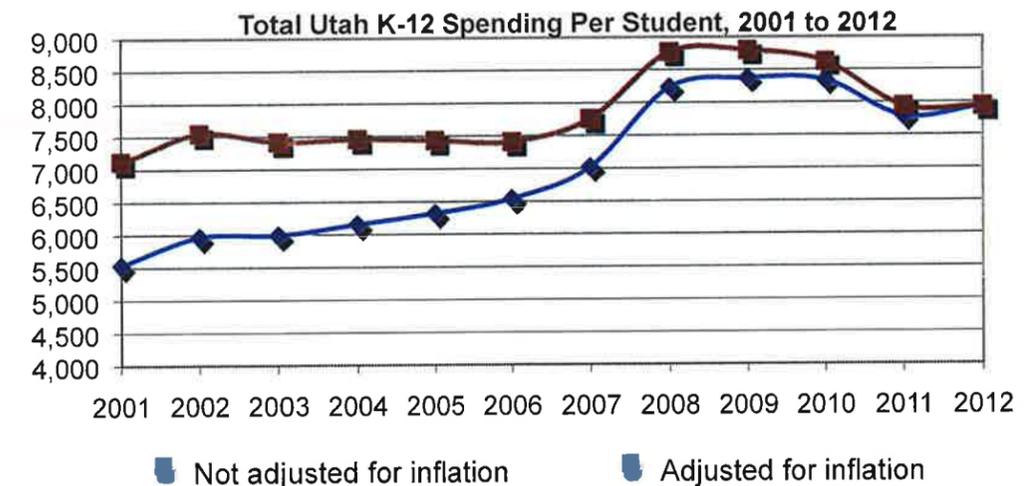
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Utah School District Comparison 2011 – 2012

Per Student Spending and District Finances

| A School Districts (1) | B October 2011 Enrollment | C General Fund | | | | | | | J Total General Fund | K Nutrition | L Capital Outlay | | N Total Spending Per Student | O Average Teacher Compensation (4) | P Revenues | | | R Teachers as % of Staff | S Assessed Valuation Per Student (5) | T 2011 Property Tax Rate | U Most Recent Data from 2012 | |
|-----------------------------|------------------------------|---------------------------------|------------------------------------------|-----------------------|----------------|---------------------------|---------------|-------------------|-------------------------|----------------|-----------------------------|--------------|---------------------------------|---------------------------------------|---------------|------------|------------|-----------------------------|-----------------------------------------|-----------------------------|----------------------------------------------------------|-------------------------------------------------|
| | | C Instruction | | D Student Services | | | | | | | M Facility Construct (3) | Total | | | Local | State | Fed | | | | V Property Tax Rate (minus basic levy of .001591) (6) | W Tax Rate as % of State Avg Excl Basic Levy |
| | | Instruction Expense Per Student | Instruction Expense as % of General Fund | Student Services | Media Services | School and District Admin | Plant M&O (2) | Student Transport | | | | | | | | | | | | | | |
| 1 Alpine | 68,233 | \$3,926 | 73% | \$164 | \$227 | \$466 | \$441 | \$187 | \$5,412 | \$324 | \$224 | \$485 | \$6,444 | \$68,100 | 35% | 56% | 9% | 50% | \$214,832 | 0.008812 | 0.007221 | 133% |
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| 4 Jordan | 50,581 | 3,645 | 68% | 174 | 240 | 566 | 560 | 196 | 5,382 | 358 | 93 | 1,015 | 6,848 | 66,033 | 40% | 52% | 8% | 52% | 286,303 | 0.007319 | 0.005728 | 106% |
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| 8 Washington | 26,206 | 4,219 | 68% | 303 | 335 | 571 | 600 | 199 | 6,226 | 377 | 356 | 1,109 | 8,067 | 70,126 | 45% | 45% | 10% | 51% | 386,786 | 0.008227 | 0.006636 | 123% |
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| 12 Tooele | 13,675 | 4,152 | 70% | 229 | 157 | 528 | 654 | 218 | 5,937 | 462 | 405 | 345 | 7,148 | 64,581 | 32% | 59% | 10% | 52% | 223,713 | 0.008256 | 0.006665 | 123% |
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| 14 Box Elder | 11,273 | 4,038 | 68% | 194 | 133 | 585 | 543 | 414 | 5,906 | 368 | 170 | 1,239 | 7,684 | 66,568 | 40% | 52% | 8% | 49% | 294,713 | 0.008442 | 0.006851 | 127% |
| 15 Iron | 8,508 | 4,321 | 71% | 200 | 164 | 536 | 628 | 272 | 6,120 | 408 | 259 | 588 | 7,375 | 67,327 | 41% | 49% | 11% | 46% | 359,678 | 0.007528 | 0.005937 | 110% |
| 16 Uintah | 6,993 | 3,999 | 63% | 266 | 113 | 661 | 758 | 577 | 6,374 | 434 | 229 | 1,970 | 9,006 | 71,289 | 55% | 36% | 10% | 46% | 665,733 | 0.006464 | 0.004873 | 90% |
| 17 Murray | 6,417 | 4,259 | 67% | 268 | 279 | 818 | 627 | 125 | 6,375 | 368 | 129 | 421 | 7,293 | 76,962 | 46% | 47% | 7% | 51% | 434,835 | 0.006201 | 0.004610 | 85% |
| 18 Logan | 6,120 | 4,452 | 72% | 292 | 274 | 559 | 398 | 201 | 6,176 | 518 | 131 | 387 | 7,212 | 73,130 | 38% | 48% | 14% | 45% | 307,392 | 0.008285 | 0.006694 | 124% |
| 19 Wasatch | 5,253 | 5,211 | 71% | 180 | 98 | 808 | 632 | 383 | 7,312 | 389 | 540 | 710 | 8,952 | 79,250 | 62% | 32% | 6% | 48% | 719,844 | 0.007284 | 0.005693 | 105% |
| 20 Duchesne | 4,574 | 4,097 | 60% | 174 | 253 | 796 | 883 | 666 | 6,869 | 423 | 107 | 4,607 | 12,004 | 67,467 | 46% | 46% | 9% | 46% | 432,886 | 0.007821 | 0.006230 | 115% |
| 21 Sevier | 4,546 | 4,696 | 70% | 164 | 63 | 612 | 826 | 334 | 6,696 | 463 | 76 | 263 | 7,499 | 64,357 | 31% | 55% | 14% | 51% | 294,807 | 0.006519 | 0.004928 | 91% |
| 22 Park City | 4,400 | 6,801 | 63% | 524 | 523 | 1,323 | 1,075 | 514 | 10,760 | 378 | 126 | 1,235 | 12,499 | 73,068 | 90% | 6% | 5% | 50% | 2,532,208 | 0.004405 | 0.002814 | 52% |
| 23 Carbon | 3,423 | 4,841 | 63% | 475 | 109 | 1,138 | 747 | 403 | 7,714 | 494 | 98 | 915 | 9,221 | 66,052 | 49% | 41% | 11% | 43% | 590,158 | 0.006835 | 0.005244 | 97% |
| 24 So. Sanpete | 3,124 | 5,406 | 75% | 193 | 266 | 493 | 575 | 265 | 7,199 | 456 | 314 | 627 | 8,596 | 74,714 | 25% | 65% | 10% | 42% | 172,327 | 0.009018 | 0.007427 | 137% |
| 25 San Juan | 2,922 | 6,115 | 56% | 415 | 522 | 1,097 | 1,860 | 858 | 10,867 | 504 | 0 | 1,390 | 12,761 | 76,135 | 26% | 43% | 31% | 40% | 339,399 | 0.008025 | 0.006434 | 119% |
| 26 Millard | 2,815 | 6,175 | 70% | 131 | 186 | 769 | 996 | 529 | 8,787 | 538 | 0 | 1,001 | 10,326 | 84,828 | 63% | 29% | 8% | 44% | 742,895 | 0.005988 | 0.004397 | 81% |
| 27 Morgan | 2,421 | 4,138 | 70% | 97 | 81 | 749 | 543 | 336 | 5,943 | 344 | 561 | 2,049 | 8,897 | 69,767 | 45% | 50% | 5% | 51% | 350,116 | 0.007044 | 0.005453 | 101% |
| 28 No. Sanpete | 2,420 | 4,602 | 68% | 136 | 263 | 804 | 587 | 395 | 6,786 | 452 | 34 | 639 | 7,911 | 75,454 | 30% | 58% | 12% | 50% | 264,842 | 0.006532 | 0.004941 | 91% |
| 29 Emery | 2,313 | 5,859 | 64% | 201 | 157 | 1,115 | 1,272 | 508 | 9,113 | 463 | 0 | 428 | 10,004 | 81,140 | 52% | 40% | 9% | 48% | 836,603 | 0.005716 | 0.004125 | 76% |
| 30 Juab | 2,297 | 4,374 | 73% | 135 | 163 | 561 | 527 | 218 | 5,977 | 442 | 435 | 204 | 7,059 | 63,917 | 40% | 51% | 9% | 48% | 332,078 | 0.008026 | 0.006435 | 119% |
| 31 Beaver | 1,540 | 4,777 | 64% | 495 | 63 | 1,046 | 723 | 335 | 7,440 | 392 | 833 | 8,560 | 17,226 | 78,490 | 54% | 39% | 7% | 49% | 682,561 | 0.006750 | 0.005159 | 95% |
| 32 Grand | 1,467 | 4,653 | 61% | 180 | 381 | 1,018 | 934 | 436 | 7,603 | 429 | 1,159 | 954 | 10,145 | 62,780 | 60% | 31% | 9% | 44% | 880,900 | 0.006230 | 0.004639 | 86% |
| 33 So. Summit | 1,457 | 5,012 | 66% | 274 | 132 | 943 | 747 | 506 | 7,613 | 305 | 9 | 715 | 8,642 | 78,335 | 68% | 27% | 5% | 51% | 979,721 | 0.007047 | 0.005456 | 101% |
| 34 Kane | 1,175 | 6,545 | 65% | 284 | 383 | 1,402 | 945 | 486 | 10,045 | 406 | 69 | 369 | 10,889 | 78,132 | 51% | 40% | 9% | 42% | 1,030,082 | 0.004977 | 0.003386 | 63% |
| 35 No. Summit | 983 | 6,003 | 70% | 136 | 112 | 879 | 658 | 729 | 8,517 | 491 | 1,227 | 302 | 10,537 | 58,909 | 60% | 34% | 6% | 44% | 946,243 | 0.006572 | 0.004981 | 92% |
| 36 Garfield | 927 | 5,953 | 65% | 263 | 190 | 1,370 | 1,101 | 339 | 9,215 | 362 | 204 | 563 | 10,344 | 71,942 | 37% | 52% | 11% | 48% | 654,748 | 0.006633 | 0.005042 | 93% |
| 37 Wayne | 539 | 6,458 | 68% | 120 | 271 | 1,305 | 886 | 518 | 9,559 | 357 | 0 | 219 | 10,135 | 70,883 | 27% | 64% | 10% | 50% | 511,494 | 0.003776 | 0.002185 | 40% |
| 38 Rich | 491 | 6,941 | 62% | 197 | 230 | 2,027 | 988 | 880 | 11,262 | 593 | 311 | 792 | 12,958 | 85,767 | 57% | 35% | 7% | 55% | 1,695,696 | 0.004660 | 0.003069 | 57% |
| 39 Piute | 317 | 8,596 | 66% | 0 | 66 | 1,635 | 1,715 | 940 | 12,952 | 739 | 804 | 2,891 | 17,385 | 71,949 | 24% | 60% | 16% | 46% | 320,594 | 0.006677 | 0.005086 | 94% |
| 40 Tintic | 210 | 9,290 | 63% | 341 | 440 | 2,260 | 1,656 | 702 | 14,690 | 347 | 35 | 205 | 15,277 | 70,605 | 18% | 77% | 5% | 53% | 199,895 | 0.007992 | 0.006401 | 118% |
| 41 Daggett | 169 | 9,019 | 53% | 472 | 712 | 2,969 | 2,607 | 1,245 | 17,024 | 618 | 35 | 8,643 | 26,320 | 66,342 | 44% | 47% | 9% | 39% | 1,577,499 | 0.004383 | 0.002792 | 52% |
| DISTRICT AVERAGE (7) | 542,853 | 4,215 | 68% | 236 | 270 | 627 | 636 | 233 | 6,218 | 387 | 214 | 1,123 | 7,941 | 70,883 | 40% | 50% | 10% | 49% | 345,474 | 0.007006 | 0.005415 | 100% |
| CHARTER AVERAGE (7) | 44,892 | 3,394 | 61% | 221 | 148 | 852 | 874 | 48 | 5,538 | 155 | 828 | 1,318 | 7,839 | 48,227 | 5% | 88% | 7% | 62% | | | | |
| STATE AVERAGE (7) | 587,745 | 4,152 | 67% | 235 | 261 | 645 | 654 | 219 | 6,166 | 369 | 261 | 1,138 | 7,933 | 63,500 | 38% | 52% | 10% | 50% | | | | |

Calculations by Utah Taxpayers Association based on data from Utah State Office of Education and the Utah State Tax Commission

- Districts are listed by enrollment in descending order. Enrollment excludes youth-in-custody (YIC).
- Facility lease/rental payments (90%) that officially appear in Fund 10 (General Fund) function 2600 facility O&M object 400 purchased property are treated as facility capital costs.
- To avoid double counting, construction expenses and interest are included, but bond principle payment is excluded.
- Teacher compensation includes salary and benefits. Statewide average is FTE-weighted median.
- Assessed valuation is adjusted for RDA diversions.
- Tax comparison excludes statewide basic levy of 0.001591.
- Grand totals are effective statewide averages.