



Ogden City

City Council Meeting Agenda

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

City Council Chambers

Municipal Building – Third Floor

2549 Washington Boulevard, Ogden, Utah 84401

AMENDED

1. Roll Call.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Recognitions:
 - a. **Idle Free Week.** Joint Proclamation declaring February 7-14, 2016 as “Idle-free Week” in Ogden City. (*Adopt joint proclamation – voice vote*)
5. Request to be on the Agenda:
 - a. **Weber State Downtown/Start-Up Ogden.** Presentation of the progress report for Weber State Downtown and Start-up Ogden by Tom Christopulos.
 - b. **Ogden Weber Chamber of Commerce.** Presentation of the vision for the future of the Ogden Weber Chamber of Commerce by Chuck Leonhardt.
6. Common Consent: (*Voice vote*)
 - a. **FY2015-2016 Arts Grants.** Proposed Resolution 2016-4 awarding Arts Grants for FY2015-2016 and setting forth findings pursuant to Utah Code Ann. § 10-8-2 (2002). (*Set public hearing for February 16, 2016*)
 - b. **FY2016 Budget Amendment – WACOG and Miscellaneous Grant Funds.** Proposed Ordinance 2016-4 amending the FY2016 in the amount of \$3,150,000. (*Set public hearing for February 16, 2016*)
7. Reports from the Planning Commission:
 - a. **Mobile Food Trucks.** Proposed Ordinance 2016-5 amending the Ogden Municipal Code by amending Section 15-13-27 regarding provisions related to mobile food trucks. (*Receive input; adopt/not adopt ordinance – roll call vote*)
8. ***Reports from Administration:
 - a. **Temporary Land Use Regulation – Gibson Community Area.** Proposed Ordinance 2016-6 adopting a temporary land use regulation regarding development in the Gibson Community Area. (*Receive input; adopt/not adopt ordinance – roll call vote*)
9. Public Comments. This is an opportunity to address the Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comments will be limited to three minutes per person. Participants are to state their name and address for the record. Comments which cannot be made within these limits should be submitted in writing to the City Council Office (citycouncil@ogdencity.com).

The Council encourages civil discourse for everyone who participates in our meetings. Comments pertaining to an agenda item that includes a public hearing or public input should be given during the meeting as that item is discussed.

10. Comments:

- a. Mayor.
- b. Council members.

11. **Closed Executive Session.** Consideration of adjourning into a Closed Executive Session pursuant to one or more of the provisions of Section 52-4-205(1) of the Open and Public Meetings Law:

- a. Discussion of the character, professional competence, or physical or mental health of an individual
 - b. Strategy session to discuss collective bargaining
 - c. Strategy session to discuss pending or reasonably imminent litigation
 - d. Strategy session to discuss the purchase, exchange, or lease of real property
 - e. Strategy session to discuss the sale of real property
 - f. Discussion regarding deployment of security personnel, devices, or systems
 - g. Investigative proceedings regarding allegations of criminal misconduct.
- (Adjourn/not adjourn into closed session – roll call vote)*

12. Adjournment.

REMINDER: *A Special Redevelopment Agency meeting will be held immediately following the City Council meeting.**

A City Council work session will be held immediately following the Council meeting in the Council work room. The purpose of the work session includes presentations and discussions regarding:

- **Landfill Closure Plan Amendment,**
- **Cemetery Ordinance Amendment,**
- **Fleet and Facilities Management and Operations Study, and**
- **Council Business.**

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

**CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and/or agenda was posted in three public places within the Ogden City Limits on this 25th day of January, 2016. These public places being: 1) City Recorder's Office on the 2nd floor of the Municipal Building; 2) 2nd floor foyer of the Municipal Building; and 3) the Weber County Library. A copy was posted to the Utah State Public Notice Website and the Ogden City Website, as well as provided to the Standard-Examiner.

TRACY HANSEN, MMC  
OGDEN CITY RECORDER



# City Council Meeting COUNCIL STAFF REVIEW

## JOINT PROCLAMATION DECLARING FEBRUARY 7-14, 2016 AS “IDLE-FREE WEEK” IN OGDEN CITY

### COUNCIL STAFF REVIEW

**ACTION:**                      **Adopt joint proclamation**

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***Request***

This joint proclamation declares February 7-14, 2016 “Idle-free Week” in Ogden City. This is intended to help our community to understand the benefits that come from reducing vehicle idling, unnecessary driving and other actions that contribute to air pollution.

Council staff is working with Weber-Morgan Health Department, Weber State University and residents to encourage participation in this effort.

This joint proclamation was framed and presented last year and a framed copy will not be presented again this year.

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

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

## **PROCLAIMING FEBRUARY 7-14, 2016 “IDLE-FREE WEEK” IN OGDEN CITY**

**WHEREAS,** The Ogden City Council and Mayor Caldwell recognize the importance of maintaining clean air because this contributes to our quality of life and promotes the health, safety and well-being of our community; and

**WHEREAS,** Vehicle emissions are a significant contributor to air pollution and release harmful pollutants into the air which cause asthma and other respiratory diseases. One easy way to help mitigate poor air quality is to reduce unnecessary idling and driving; and

**WHEREAS,** There are many simple ways to reduce unnecessary idling. Some of these include turning off a vehicle when going through a drive-thru window and picking-up and dropping-off children at school, and choosing not to idle to warm up the car in the morning; and

**WHEREAS,** Vehicle emissions can also be reduced by planning travel ahead of time and using other transportation options. Taking the bus or train, walking, bicycling and carpooling can all help to improve our air quality; and

**WHEREAS,** Those who reduce unnecessary idling and driving are able to save on fuel costs, conserve energy and provide a positive contribution to the overall health of our community.

**NOW, THEREFORE,** the Ogden City Council and Mayor Michael P. Caldwell hereby proclaim February 7-14, 2016 as:

### **“IDLE-FREE WEEK”**

in Ogden City. We challenge residents, schools, businesses and community groups to join in this effort to reduce unnecessary idling and driving throughout this week and the entire year.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of January 2016.

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Marcia L. White, Council Chair

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Michael P. Caldwell, Mayor

ATTEST:

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Tracy Hansen, City Recorder



# City Council Meeting COUNCIL STAFF REVIEW

## PRESENTATION – PROGRESS REPORT ON WEBER STATE DOWNTOWN AND START-UP OGDEN

**DETERMINATION:** None

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### *Executive*

#### *Summary*

Community and Economic Development Director Tom Christopulos will provide a progress report on Weber State Downtown and Start-up Ogden.

#### *Background*

##### **April 24, 2012**

The City Council approved Resolutions authorizing the expenditure of matching funds for an Economic Development Agency (EDA) grant to purchase the building located at 2314 Washington (the Ogden Rox building) and supporting creation of a Mobile Apps Program to be known as Start-up Ogden.

##### Start-up Ogden

Start-up Ogden is a joint venture with the Weber State University Research Foundation (WSURF). WSURF is a for-profit foundation created to manage intellectual property and other revenue generating ventures for the University. Start-up Ogden uses a business model that brings together investment, mentorship, and facilities to create a synergistic environment that fosters growth and expansion.

WSURF created Start-up Ogden to manage the apps program and the facility and entered into a Management Agreement with the City, the owner of the building. The primary responsibilities of the parties outlined in the Agreement are as follows:

##### *Ogden City*

- Obtain EDA grant (\$1 M) to be used for purchase of a suitable building to house program operations
- Enter into Lease Agreements with the following building tenants:
  - Start-up Ogden
  - Weber State Continuing Education



# City Council Meeting

## COUNCIL STAFF REVIEW

- Weber State Book Store
- Various mobile apps development companies
- Provide \$285,000 to be used towards EDA grant match
- Provide \$215,000 for loan fund to be used as seed money to assist mobile app developers
- Pay a management fee to Start-up Ogden for property and loan funds management
- Allow all lease proceeds to be used to replenish loan funds

### *Start-up Ogden*

- Lease office space from City at market rates
- Collect lease payments from building tenants
- Establish and manage loan application process
- Manage loan funds
- Assist loan recipients in accessing other needed resources
- Collect on loans as new companies are successful and refund Ogden City funds

### **November 2013**

The Weber State Downtown and Start-up Ogden facility was opened.

### **Program Benefits**

The Apps Program is part of the City's national marketing and recruiting plan. In 2012 it was projected that the City's investment would bring 750 high-paying jobs to the community over the next fifteen (15) years. This should provide jobs for Utah's science, technology, engineering and mathematics (STEM) graduates who may otherwise leave the state for employment. It is also hoped that as the Apps Program becomes successful, other high tech companies will be drawn to the area.

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



DEC 22 2015

**DATE:** December 3, 2015

**TO:** Ogden City Council

**FROM:** Tom Christopulos, CED Director

**THROUGH:** Mark Johnson, Chief Administrative Officer

**RE:** Request to be on Agenda – Executive Director of Weber State University Research Foundation to make progress report for Weber State Down Town and Startup Ogden

**STAFF CONTACT:** Tom Christopulos, Director Community and Economic Development

**REQUESTED TIMELINE:** January 26, 2016

**REQUESTED ACTION:** None – Information Only

**DOCUMENTS:** None. Slides available during presentation

**DISCUSSION:** In November 2013, after years of collaboration, hard work, and investment, Weber State University and Ogden City partnered together to celebrate the opening of the Weber State Down Town and Startup Ogden Facility located at 2314 Washington Blvd. Housed in a historic setting, this world-class innovation is home to the Weber State Bookstore, the Startup Ogden Technology Development Center, and numerous entrepreneurs, businesses, and creatives.

Owned by Ogden City, the Bookstore and programmatic elements, such as state-of-the-art coworking space, technology incubator, and business accelerator (collectively “**Startup Ogden**”), are operated and managed by the Weber State University Research Foundation (“**WSURF**”).

The operation and management of the facility is advised by a board consisting of four individuals representing the City, Weber State University and selected technical advisors:

- Gary Crittenden currently with Huntsman Gay International Equity an investment banking and equity firm. He was also a past President of Citi Bank and American Express.
- Robert P. Dotson served as Senior Vice President of Marketing and Sales at Omnipoint Corporation. Mr. Dotson served as the Chief Executive Officer of T-Mobile USA Inc.(formerly, VoiceStream Wireless Corp.) from March 2003 to November 1, 2010 and its President from April 2002 November 1, 2010. He served as a Member of the Board of Management T-Mobile International AG & Co. KG since June 2002, responsible for US Operations.
- Steve Nabor who represents the book store and general interests of the University and has been with the University for nearly 30 years.
- Tom Christopulos represents the City of Ogden and has extensive entrepreneurial background in startups
- Alex Lawrence--represent WSURF

There have been a number of companies that have emerged from Start-up Ogden. Because information is confidential to those companies only a profile is given:

COMPANY 1:

Software Developers

2015 Sales = \$1.4MM

2016 Sales Target = \$3MM

Growth since WSU Downtown Opening = 2.5X revenue and 2X FTE Staff

Current FTE = 15

Status - Profitable, growing and hiring (programmers, designers and product management jobs)

COMPANY 2:

SaaS Product

2015 Sales = \$50K monthly recurring revenue (SaaS Product)

2016 Sales Target = \$100K monthly recurring (target is to get to 1M monthly recurring)

Growth since WSU Downtown Opening = 10 active customers at start, now up to 94 active customers. 1

new customer a month at SUO opening, now at 20+ new customers per month

Current FTE = 8

Status - Profitable, growing, hiring (sales and tech jobs)

COMPANY 3:

Software and Services

2015 Sales = \$2MM

2016 Sales = \$3.2MM

Growth since WSU Downtown Opening = 9 FTE to 13 FTE

Status - Target of \$30MM annual revenue in 5 years; profitable, growing and hiring (sales, support and tech jobs)

COMPANY 4:

Software and Services

2015 Sales = \$1.1MM

2016 Sales = \$2MM

Growth since WSU Downtown Opening = 4 FTE to 8 FTE

Status = Target of \$10MM in 3 years; profitable, growing and hiring (technical talent - programmer jobs)

COMPANY 5:

Software Development

2015 Sales = \$500K

2016 Sales = \$2-3MM

Growth Since WSU Downtown Opening = 3 FTE to 6 FTE

Status - Profitable, Growing and Hiring (technical talent - programmer jobs)



The advisory board suggests directions and strategic goals to WSURF. But has no direct authority in day to day management.

During the past year of operation the operation continues to meet its budgets. The Advisory board has suggested greater focus on establishing new business scholarships and developing more funding for these purposes.

The financial statements through August of this year are attached. Projected income and expenses for the remaining portion of the year show statements as if they were a full operational year

STARTUP OGDEN  
All Sources  
As of August 31, 2015

| REVENUES/RESOURCES      | Year 2<br>Actuals | Year 2<br>Pro-forma | Difference |                       |
|-------------------------|-------------------|---------------------|------------|-----------------------|
| Campus Stores           | \$26,133          | \$32,667            | \$39,200   | (\$13,667) (\$6,333)  |
| Continuing Education    | \$7,008           | \$8,760             | \$10,512   | (\$1,304) (\$1,752)   |
| Membership Dues         | \$51,495          | \$64,368            | \$34,740   | \$16,755 \$29,628     |
| Annual Dues             | \$7,205           | \$9,007             | \$10,890   | (\$1,685) (\$1,883)   |
| Gifts                   | \$40,325          | \$50,406            | \$10,000   | \$30,325 \$40,406     |
| CS and CE Scholarships  | \$0               | \$0                 | \$15,000   | (\$15,000) (\$15,000) |
| Total Revenue/Resources | \$132,167         | \$165,208           | \$120,342  | \$11,825 \$44,866     |

EXPENDITURES

|                            |          |          |          |                       |
|----------------------------|----------|----------|----------|-----------------------|
| Program Operating Expenses | \$51,603 | \$64,504 | \$36,000 | \$15,603 \$28,504     |
| Custodial Services         | \$8,321  | \$10,402 | \$16,500 | (\$8,179) (\$6,098)   |
| Utilities and Internet     | \$18,114 | \$22,642 | \$36,000 | (\$17,886) (\$13,358) |
|                            | **       |          |          |                       |
| Total Expenditures         | \$78,038 | \$97,547 | \$88,500 | (\$10,462) \$9,047.4  |

\*\* (includes \$6,776.04 reimbursement for FY15 Internet & Security Cameras)

|                               |          |  |          |            |
|-------------------------------|----------|--|----------|------------|
| Operational Surplus/(Deficit) | \$54,129 |  | \$31,842 | \$22,287   |
| Operating Cash Balance        | \$54,129 |  | \$15,000 | \$39,049   |
| Startups Funded               | \$0      |  | \$55,000 | (\$55,000) |

Net Assets - as of December 31, 2014 \$129,163



# City Council Meeting **COUNCIL STAFF REVIEW**

## **PRESENTATION BY THE OGDEN-WEBER CHAMBER OF COMMERCE**

### **COUNCIL STAFF REVIEW**

**ACTION:**               None

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#### ***Background***

Chuck Leonhardt, President & CEO of the Ogden-Weber Chamber of Commerce, will provide a presentation about the vision and role of the Chamber and how these services impact the greater Ogden community.

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



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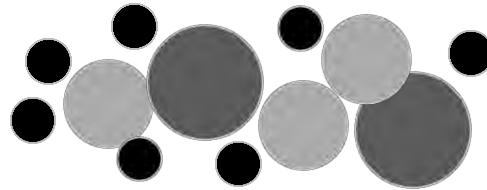
# Leading Northern Utah Business

## January 26, 2016

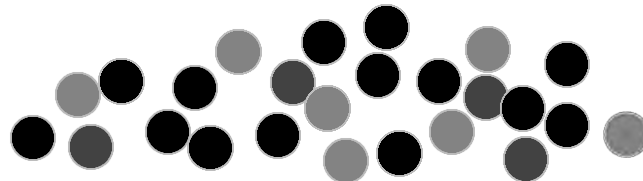
# Footprint



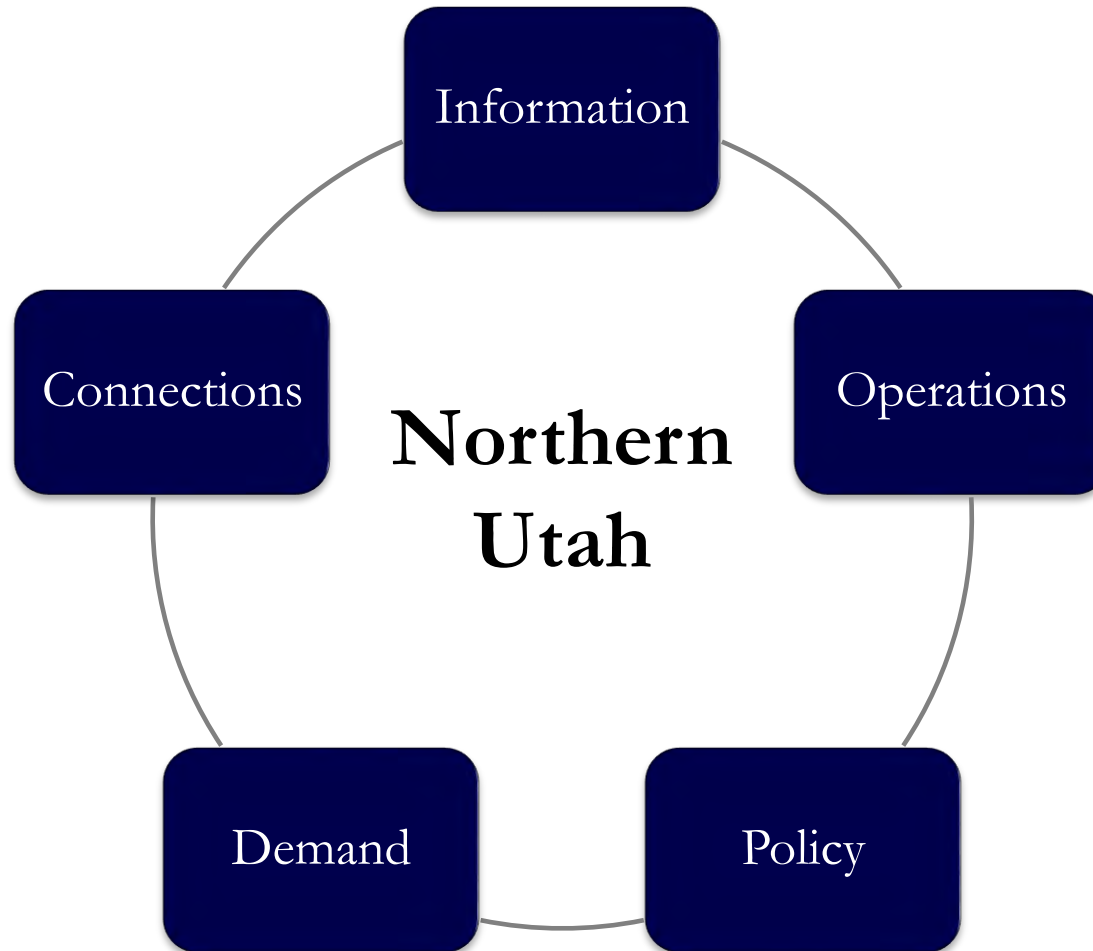
→ 700 Organizations



25,000 Employees



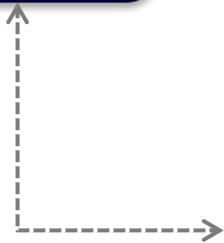
# Vision: Lead Business





# Business Information

Information



- Expanded Communication Channels:  
700 members/25,000 employees
- Northern Utah Business Blog
  - ✓ Industry Sector Dialog
  - ✓ Industry Leader Bloggers
- Northern Utah Business Symposium
- Northern Utah Economic Forecast

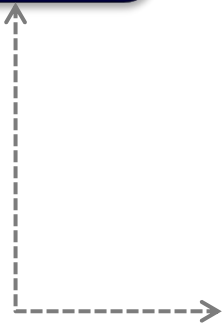
# Business Connections

Connections

- Board of Governors
- 11 Action-Based Committees
- Business After Hours: City To City
- 4 Contacts Referral Exchange Groups
- Leadership Northern Utah
- New: Young Professionals
- New: Utah Hispanic Chamber Partners
- “The most socially-connected chamber in the country”

# Business Operations

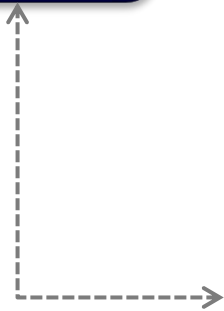
Operations



- Group Discounts
  - ✓ Reduced costs on real expenses
- Chamber to Chamber Discounts
  - ✓ Tangible employee benefits
- Business Support
  - ✓ Mentors, Q&A Facebook Groups
- Internship Network
- Corporate/Workforce Tours

# Business Demand

Demand



- Media Articles & Ads:
  - ✓ Standard Examiner & The Source
- Member Press Releases
- Premier Event Sponsorships
- Directory Listings & Links
- Website Spotlight Articles
- Member Mailing List

# Business Policy

Policy

- Legislative Priorities
  - ✓ Legislative Brochure
  - ✓ Legislator Kickoff
- Policy Needs Audit
- Government Connections
- Community Voice



# Sheryl Cox, America First Credit Union

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“The Chamber provides the greatest value that an organization can invest in. You can’t put a price tag on what it offers.”

# Core Member Benefits

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- New member luncheon and orientation
- Spiker ribbon cuttings, ground breakings and re-grand openings
- Subscription to Hashtag email newsletter
- Event promotions through the Hashtag newsletter
- Chamber directory listing with web hotlink
- Event listings on the Chamber web calendar
- Social media promotion for events/news

# Core Member Benefits

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- Member mailing list
- Participation in Contacts referral exchange group
- Participation on Small Business, Partners in Education, Workforce Development and Transportation committees
- Free entrance to first Business After Hours
- New member referral credit for Chamber dues or Business After Hours
- Group and employee discounts

# Leader Member Benefits

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- Premier Promotion (events and communications including top tier logo association and membership card sponsorship)
- Northern Utah Business Sponsorship (Symposiums, Blog and Economic Forecast)
- Business After Hours Passes
- Chairman's Golf Passes
- Annual Dinner Seats
- Paid Partner Organization Memberships
- Board of Governors Participation
- Leadership Northern Utah Tuition





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Questions?





# City Council Meeting COUNCIL STAFF REVIEW

## ARTS GRANTS, FISCAL YEAR 2016

### COUNCIL STAFF REVIEW

**COUNCIL OPTIONS:**      **Set/not set Public Hearing for February 16, 2016**

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#### **Background**

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

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

In recent years the City Council has appropriated money for the purpose of supporting the arts in Ogden by providing grants to arts organizations. The Budget Guideline with respect to the arts grants is shown below:

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

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

#### **Process for Awarding Arts Grants**

- ◆ City Council approves an amount with the budget to be used as grant money for arts in the City.



# City Council Meeting COUNCIL STAFF REVIEW

- ◆ An application process is completed during which applicants submit requests for grant money from the City.
- ◆ The Arts Committee in conjunction with the Administration formulates recommendations outlining which applicants the Arts Committee feels should receive grant money and in what amounts. The recommendations are accompanied by a study detailing the findings for the recommendations as per state law.
- ◆ During a work session, the City Council reviews the recommendations for grant awards from the Administration. The Committee's study accompanies the Administration's recommendations.
- ◆ The City Council sets a public hearing date. A minimum 14-day notice of the hearing is required.
- ◆ The City Council holds a public hearing and adopts a resolution approving the awards for the specific organizations.
- ◆ Agreements between the City and the grantee are developed and signed.
- ◆ The Ogden Arts staff monitors and follows up on each grant.

**Current Proposal** The Administration, along with the Ogden City Arts Advisory Committee, has submitted its recommendations for arts grants. The recommendations include summaries and analysis from the Committee that satisfy State law regarding the study required.

There were fourteen (14) applications this year. The Administration is recommending that eleven (11) of the organizations receive grant funding. The amounts requested and the amounts recommended by both the Arts Committee and the Administration are summarized below.

| <u>Category</u>                   | <u>Requested</u> | <u>Recommended</u> |
|-----------------------------------|------------------|--------------------|
| <b>General Support:</b>           |                  |                    |
| Eccles Community Art Center       | \$7,000          | \$7,000            |
| Treehouse Children's Museum       | \$12,000         | \$12,000           |
| Ogden Symphony Ballet Association | \$5,000          | \$5,000            |
| Ogden Friends of Acoustic Music   | \$20,000         | \$16,860           |
| Chamber Orchestra Ogden           | \$4,000          | \$4,000            |
| WSU – String Project              | \$5,000          | \$2,640            |
| WSU – Shaw Gallery                | \$12,000         | \$0                |



# City Council Meeting

## COUNCIL STAFF REVIEW

### ***Project Support:***

|                                          | (Requested)     | (Recommended)   |
|------------------------------------------|-----------------|-----------------|
| Ogden Nature Center – Earth Day          | \$2,000         | \$2,000         |
| Ogden Nature Center – Birdhouses         | \$2,000         | \$2,000         |
| Weber/Morgan Health Dep't                | \$500           | \$500           |
| Ogden Opera Guild                        | \$1,000         | \$1,000         |
| Good Company Theater – “High Hopes”      | \$7,000         | \$7,000         |
| Good Company Theater – “Pirated”         | \$11,000        | \$0             |
| Historic 25 <sup>th</sup> St. Foundation | \$2,500         | \$0             |
| <b>Totals</b>                            | <b>\$91,000</b> | <b>\$60,000</b> |

### ***FY2016 Review Process and Applicants***

The process for reviewing the FY16 applicants was slightly different from the past processes. During the review for this year's grants, an arts subcommittee was convened which included a Council staff representative. Council staff was present for the initial review and ranking of the applicants. These rankings were forwarded to the Arts Advisory Committee and ultimately forwarded to the Mayor for final review and to the Council for final consideration.

In this year's applicant pool, there were three applications for events that are planned during the 2016-2017 fiscal year. These applications, which consist of the WSU Shaw Gallery, the Good Company Theater's "Pirated" production and the Historic 25<sup>th</sup> St. Foundation's Harvest Moon Festival, were given a recommendation of zero funding because they fall outside of the parameters for the current year's funding. With these three applications not recommended for funding the remaining applications totaled only \$5,500 more than the budgeted amount of \$60,000. To match the total amount available, only two applications were recommended for lower funding levels than requested. The application for the Ogden Friends of Acoustic Music (OFOAM) was recommended at \$16,860, a decrease of \$3,140 from that which was requested. The OFOAM organization requested \$11,000 during the FY15 application cycle and was awarded \$8,000. Even though the FY16 award amount is lower than requested, the amount recommended for this year is more than double that which the organization received last year. The other applicant recommended for lower funding is the WSU String Project. This organization has previously submitted requests under the Project Support category. This organization last requested grant funding during the FY13 grant cycle and was awarded \$4,200. The recommendation is to award \$2,640, a decrease of \$2,360 from that which was requested.



# City Council Meeting COUNCIL STAFF REVIEW

## ***Attachments***

1. Transmittal
2. Resolution 2016-4
3. Ogden City Arts Grants Analysis and Report FY 2016 (Applications are available but not included with the report)
4. Arts grants history chart FY11 - FY16 (Recommended)

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***Memos Prepared By--***      Administrative Staff: Christy McBride, 629-8547  
                                         Council Staff: Glenn Symes, 629-8164

## **Ogden City Council Transmittal**

Date: November 30, 2015  
To: Ogden City Council  
From: Tom Christopulos, Director, Community & Economic Development  
RE: Arts Grants / Public Hearing

Staff Contact: Christy McBride  
Requested Timeline:  
Recommendation: Approve funding for Ogden City Arts grant program  
Documents: Ogden City Arts Grants recommendations, General Support Grant Review Worksheet, Project Support Grant Review Worksheet, Ogden City Arts Grants Applicant Spreadsheet, Grant Analysis and Report, Proposed Resolution

### **Executive Summary**

The Ogden City Arts Advisory Committee has conducted the arts grant process including advertising to recruit applicants and reviewing and grading the applications. Ogden City Staff formed a grading system for the committee in compliance with the Arts Committee Ordinance allowing each grant application to be measured equally using the grant criteria. The individual scores for each grant were combined then averaged to determine a final overall score for each application. Those scores were used to rank the grants in both the General Support and Project Support categories. The review committee included four representatives from the Ogden City Arts Advisory Committee, a representative from City Council staff and a representative for Community and Economic Development. The committee's recommendations for disbursement are attached. Sample grant review worksheets for both of the categories are attached. Three applications were not recommended for funding because, in all cases, their proposals fell outside of the current grant cycle. Those applicants are encouraged to submit for the FY2017 grant cycle.

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

### **Background**

For FY2016 \$60,000 was allocated for grants. The City Council's role in the grant process is to make a determination that the value of the tangible and intangible public benefits that will result from the proposed grants equal or exceeding the monetary value of the grants. The Council's determination of value is presumptively correct: "[a] determination of value received, made by the [City Council], shall be presumed valid unless it can be shown that the determination was arbitrary, capricious, or illegal." Utah Code Ann. §10-8-2(3)(b).

### **Proposal**

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



## **Ogden City Arts Grants Recommendations 2015-2016**

| Organization | Committee<br>Recommendation |
|--------------|-----------------------------|
|--------------|-----------------------------|

### **General Support**

|                                 |                 |
|---------------------------------|-----------------|
| Eccles Community Arts Center    | \$ 7,000        |
| Treehouse Children's Museum     | \$12,000        |
| Ogden Symphony Ballet Assn.     | \$ 5,000        |
| Ogden Friends of Acoustic Music | \$16,860        |
| Chamber Orchestra Ogden         | \$ 4,000        |
| Strings Project – WSU           | \$ 2,640        |
| Shaw Gallery - WSU              | not recommended |

### **Project Support**

|                                          |                 |
|------------------------------------------|-----------------|
| Ogden Nature Center – Earth Day          | \$ 2,000        |
| Ogden Nature Center – Birdhouses         | \$ 2,000        |
| Weber Morgan Health Dept.                | \$ 500          |
| Ogden Opera Guild                        | \$ 1,000        |
| Good Company Theatre – High Hopes        | \$ 7,000        |
| Good Company Theater – “Pirated”         | not recommended |
| Historic 25 <sup>th</sup> St. Foundation | not recommended |

### **Fiscal Impact**

The funding of \$60,000 for Arts Grants was allocated in the FY 2016 budget, line item #1000-1-01-300300-14609. Grant applications recommended for funding total \$60,000.

## GENERAL SUPPORT GRANTS - Review Criteria

*General Support Grants offer general, non project support to Ogden City's established arts organizations which have developed a broad range of programming and have contributed extensively to the cultural life of the city. Made Available on a one-to-one cash matching basis, GENERAL SUPPORT GRANTS assist arts organizations with general operating expenses and the continuation or expansion of arts programming for the people of Ogden.*

Applicant / Organization  Project (if applicable)

Annual Budget \$  Grant Amount Requested \$  % of ann bud funded by grant  %  
(max 20%)

### Eligibility

Nonprofit, 501c-3 - Arts Organization for 3 years, primary purpose is arts programming, support or services?

Based in Ogden City?

Record of professional management & programming?

Presents professional quality arts experiences & programming by paid performers, artists, staff?

### Guidelines

Applicant demonstrates at least (1:1) matching funds?

Applicant is requesting less than 20% of their operating budget?

Applicant included in application the organizations total estimated current fiscal year budget?

Applicants services will be performed between July 2014 and June 2015?

Applicant made at least 2 free tickets available for on-site evaluation?

Applicant submitted copy of IRS tax exemption letter?

Applicant is not receiving any another Ogden City Arts Grant in this year?

Applicant submitted a complete application on time?

### Review Criteria

- A Artistic **quality**
- B **Ability** to administer and implement the project, including the development of a realistic budget
- C Projected income reflects cash and in-kind **match** from a broad range of sources
- D Constituency served and number of **people** served through this project
- E Sound organizational planning and fiscal **management**
- F **Community impact**, as evidenced by community support, public profile, types of programs, and services offered
- G Demonstrated **need** for support?
- H Payment of professional fees to **artists**?
- I Programs and services open to the public and **not restricted** to members only? (6&7?)
- J **Access** for underserved and general populations (ie; disabled, minority, senior, at risk youth, lower income, rehabilitative, etc.)
- K Demonstration of professional **community relations** and support for artists and the arts community
- L Completeness and clarity of **application**

### Arts Development As a Public Purpose

- M Application project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden
- N Application project provides tangible and intangible value to Ogden City

Add up total marks in each column - TOTAL

x # of marks by corresponding #

lowest score 12 - highest score 36

| Y / N |
|-------|
|       |
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|       |

| Poor | Moderate | Excellent | REF #         |
|------|----------|-----------|---------------|
| N/A  | N/A      | N/A       | 1             |
| N/A  | N/A      | N/A       | 2             |
|      |          |           | b             |
|      |          |           | 3             |
|      |          |           | o,b           |
|      |          |           | 3,4,5,6,7,8,9 |
|      |          |           | b             |
|      |          |           | b,4           |
|      |          |           | 6,7           |
|      |          |           | 6,7,8         |
|      |          |           | 4,5           |
|      |          |           | o,b           |

|    |    |    |          |
|----|----|----|----------|
|    |    |    | 8        |
|    |    |    | 9        |
|    |    |    | 12 total |
| x1 | x2 | x3 |          |
| =  |    |    |          |

overall score

## PROJECT SUPPORT GRANTS - Review Criteria

*Project Support Grants are available to non-profit organizations for specific arts projects and programs that have been determined to be of value to the community. Exhibits, concerts, performances, festivals, shows, workshops, and readings are among projects eligible for funding through Project Support Grants. Project Support Grants must be funded on at least a one-to-one (1:1) cash matching basis. Projects may also include consultant assistance related to improving the quality or management of arts or cultural programs, such as program planning, marketing, facility design, fundraising, long-range planning, and board development.*

|                          |    |                        |                         |                           |   |
|--------------------------|----|------------------------|-------------------------|---------------------------|---|
| Applicant / Organization |    |                        | Project (if applicable) |                           |   |
| Annual Budget            | \$ | Grant Amount Requested | \$                      | % of proj funded by grant | % |
| Project Budget           | \$ |                        |                         |                           |   |

|                                                                                                                  |              |
|------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Eligibility</b>                                                                                               | <b>Y / N</b> |
| Nonprofit, 501c-3 - Arts Organization for 1 year?                                                                |              |
| Request support only for arts projects?                                                                          |              |
| Record of professional management & programming?                                                                 |              |
| Presents professional quality arts experiences & programming by paid performers, artists, staff?                 |              |
| Based in Ogden City?                                                                                             |              |
| <b>Guidelines</b>                                                                                                | <b>Y / N</b> |
| Applicant demonstrates at least (1:1) matching funds?                                                            |              |
| Applicant included in application the organizations total estimated current fiscal year budget & Project Budget? |              |
| Applicants services/project will be performed between July 2014 and June 2015?                                   |              |
| Applicant made at least 2 free tickets available for on-site evaluation?                                         |              |
| Applicant submitted copy of IRS tax exemption letter?                                                            |              |
| Applicant submitted a complete application on time?                                                              |              |

## Review Criteria

- A Artistic **quality**
- B **Ability** to administer and implement the project, including the development of a realistic budget
- C Projected income reflects cash and in-kind **match** from a broad range of sources
- D Constituency served and number of **people** served through this project
- E Sound organizational planning and fiscal **management**
- F **Community impact**, as evidenced by community support, public profile, types of programs, and services offered
- G Demonstrated **need** for support?
- H Payment of professional fees to **artists**?
- I Programs and services open to the public and **not restricted** to members only? (6&7?)
- J **Access** for underserved and general populations (i.e.; disabled, minority, senior, at risk youth, lower income, rehabilitative, etc.)
- K Demonstration of professional **community relations** and support for artists and the arts community
- L Completeness and clarity of **application**

## Arts Development As a Public Purpose Utah Code 10-8-2

- M Application project enhances the safety, health, prosperity, moral well-being, peace, order, comfort and convenience of the inhabitants of Ogden
- N Application project provides tangible and intangible value to Ogden City

**Add up total marks in each column - TOTAL**  
x # of marks by corresponding #

lowest score 14 - highest score 42

|  | Poor | Moderate | Excellent | REF #<br>o = overall<br>b = budget |
|--|------|----------|-----------|------------------------------------|
|  |      |          |           | 1                                  |
|  |      |          |           | 2                                  |
|  |      |          |           | b                                  |
|  |      |          |           | 3                                  |
|  |      |          |           | o,b                                |
|  |      |          |           | 3,4,5,6,7,8,9                      |
|  |      |          |           | b                                  |
|  |      |          |           | b,4                                |
|  |      |          |           | 6,7                                |
|  |      |          |           | 6,7,8                              |
|  |      |          |           | 4,5                                |
|  |      |          |           | o,b                                |
|  |      |          |           |                                    |
|  |      |          |           | 8                                  |
|  |      |          |           | 9                                  |
|  |      |          |           | 14 total                           |
|  | x1   | x2       | x3        |                                    |
|  |      |          |           | overall score                      |

OGDEN CITY ARTS GRANT APPLICANT SPREADSHEET

FY 2016

| Ranking               | Organization                        | Contact             | Phone        | Email                                                                            | 501(c)(3) | Project                 | requested | recommended     | total benefitting | \$ per person | % ofAnnual Budget   |
|-----------------------|-------------------------------------|---------------------|--------------|----------------------------------------------------------------------------------|-----------|-------------------------|-----------|-----------------|-------------------|---------------|---------------------|
| General Support       |                                     |                     |              |                                                                                  |           |                         |           |                 |                   |               |                     |
| 1                     | Eccles Community Art Center         | Pat Poce            | 801-392-6935 | <a href="mailto:patpoce@ogden4arts.org">patpoce@ogden4arts.org</a>               | Yes       | N/A                     | \$7,000   | \$ 7,000        | 30,000            |               | 1%                  |
| 2                     | Treehouse Children's Museum         | Lynne Goodwin       | 801-394-9663 | <a href="mailto:lgoodwin@treehousemuseum.org">lgoodwin@treehousemuseum.org</a>   | Yes       | N/A                     | \$12,000  | \$12,000        | 160,000           | \$ 0.08       | 1%                  |
| 3                     | Ogden Symphony Ballet Assoc.        | Sharon MacFarlane   | 801-399-9214 | <a href="mailto:sharon@symphonyballet.org">sharon@symphonyballet.org</a>         | Yes       | N/A                     | \$5,000   | \$5,000         | 15,000            | \$ 0.33       | 1%                  |
| 4                     | OFOAM                               | Michelle Tanner     | 801-391-9182 | <a href="mailto:michelle.foam@gmail.com">michelle.foam@gmail.com</a>             | Yes       | N/A                     | \$20,000  | \$16,860        | 4,553             | \$ 4.39       | 10%                 |
| 5                     | Chamber Orchestra Ogden             | Michael Palumbo     | 801-624-9232 | <a href="mailto:mpalumbo@weber.edu">mpalumbo@weber.edu</a>                       | Yes       | N/A                     | \$4,000   | \$4,000         | 1,600             | \$ 2.50       | 10%                 |
| 6                     | String Project - WSU                | Francisco De Galvez | 801-675-6902 | <a href="mailto:fgalvez@weber.edu">fgalvez@weber.edu</a>                         | Yes       | N/A                     | \$5,000   | \$2,640         | 5,000             | \$ 1.00       | 15%                 |
| 7                     | Shaw Gallery -WSU                   | Lydia Gravis        | 801-626-6420 | <a href="mailto:lydiagravis@weber.edu">lydiagravis@weber.edu</a>                 | Yes       | N/A                     | \$12,000  | not recommended | 12,000            | \$ 1.00       | 28%                 |
| Total General Support |                                     |                     |              |                                                                                  |           |                         | \$65,000  | \$ 47,500       |                   |               |                     |
| Project Support       |                                     |                     |              |                                                                                  |           |                         |           |                 |                   |               | % of Project Budget |
| 1                     | Ogden Nature Center - Earth Day     | Sabrina Foster      | 801-621-7595 | <a href="mailto:sfoster@ogdennaturecenter.org">sfoster@ogdennaturecenter.org</a> | Yes       | Earth Day               | \$2,000   | \$2,000         | 2300              | \$ 0.87       | 21%                 |
| 2                     | Ogden Nature Center - Birdhouses    | Sabrina Foster      | 801-621-7595 | <a href="mailto:sfoster@ogdennaturecenter.org">sfoster@ogdennaturecenter.org</a> | Yes       | Birdhouses              | \$2,000   | \$2,000         | 16,000            | \$ 0.13       | 37%                 |
| 3                     | Weber Morgan Health Dept.           | Sunny Hayes         | 801-399-7188 | <a href="mailto:shayes@co.weber.ut.us">shayes@co.weber.ut.us</a>                 | Yes       | Mural                   | \$500     | \$500           | 240,475           | \$ 0.00       | 50%                 |
| 4                     | Ogden Opera Guild                   | Judith Vander Heide | 801-479-8977 | <a href="mailto:jhheide@aol.com">jhheide@aol.com</a>                             | Yes       | Opera performance       | \$1,000   | \$1,000         | 150               | \$ 6.67       | 50%                 |
| 5                     | Good Company Theatre - "High Hopes" | Alicia Washington   | 801-564-0783 | <a href="mailto:goodcotheatre@gmail.com">goodcotheatre@gmail.com</a>             | N/A       | Performance Series      | \$7,000   | \$7,000         | 6,000             | \$ 1.17       | 17%                 |
| 6                     | Good Company Theatre - "Pirated"    | Alicia Washington   | 801-564-0783 | <a href="mailto:goodcotheatre@gmail.com">goodcotheatre@gmail.com</a>             | N/A       | musical in Amphitheater | \$11,000  | not recommended | 3,000             | \$ 3.67       |                     |
| 7                     | Historic 25th St. Foundation        | Carolyn Brierley    | 801-940-0436 | <a href="mailto:director@historic25.com">director@historic25.com</a>             | Yes       | Harvest Moon            | \$2,500   | not recommended | 20,000            | \$ 0.13       |                     |
| Total Project Support |                                     |                     |              |                                                                                  |           |                         | \$26,000  | \$12,500        |                   |               |                     |

\$91,000

\$60,000

Allocated funds FY16

\$60,000

|                 | Requested    | Recommended  |
|-----------------|--------------|--------------|
| General Support | \$ 65,000.00 | \$ 47,500.00 |
| Project Support | \$ 26,000.00 | \$ 12,500.00 |
| Total           | \$ 91,000.00 | \$ 60,000.00 |

# **Ogden City Arts**

## **Ogden City Arts Grants Analysis and Report: FY 2016**

December 1, 2016

Pursuant to Ogden City Resolution # 2003-14 in support of UT Code Ann §10-8-2 (2002), the Ogden City Arts Advisory Committee (OCAAC) has reviewed fourteen arts grant applications from Ogden based arts and cultural organizations requesting funding from Ogden City for FY 2016.

In the interest of proper stewardship, a grant subcommittee comprised of OCAAC members was convened to consider and determine recommendations. Joining them ex officio were representatives from the Ogden City Council staff and the Business Development staff per the revised Arts Committee ordinance. (3-16-5) Each member of the subcommittee reviewed every application and was asked to base their recommendation for funding on specific criteria included in the grant application guidelines and in the state regulation Ann. 10:8:2(e). These criteria govern the proper disbursement of funds by municipalities to locally based non-profit organizations for general support and to arts organizations and artists for specific projects. The subcommittee rated the merits of each grant application and determined from that information the level of funding to recommend. At the regular meeting of the full committee the subcommittee's recommendations were ratified.

Pages three through sixteen of this study are the synthesis of the findings from the OCAAC describing how each grant applicant fulfills the required city and state criteria, and stating the recommended levels of funding for each organization and project. Ogden City Arts Advisory Committee members have determined that eleven of the fourteen grant applicants for FY 2016 fulfill the necessary criteria and merit municipal funding by providing much needed arts enrichment programs to diverse segments of our community, and by promoting arts related educational and developmental opportunities for the residents of Ogden and for its visitors.

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

Respectfully,

Diane Stern  
Ogden City Arts Coordinator

## Ogden City Arts Grant Recommendations FY 2016

### General Support

| Organization                             | Requested       | Recommended     |
|------------------------------------------|-----------------|-----------------|
| Eccles Community Art Center              | \$ 7,000        | \$ 7,000        |
| Treehouse Children's Museum              | \$12,000        | \$12,000        |
| Ogden Symphony Ballet Association        | \$ 5,000        | \$ 5,000        |
| Ogden Friends of Acoustic Music          | \$20,000        | \$16,860        |
| Chamber Orchestra Ogden                  | \$ 4,000        | \$ 4,000        |
| Strings Project – Weber State University | \$ 5,000        | \$ 2,640        |
| Mary Elizabeth Dee Shaw Gallery          | \$12,000        | Not recommended |
| <b>Total General Support Grants FY16</b> | <b>\$65,000</b> | <b>\$47,500</b> |

### Project Support

| Organization                                        | Requested       | Recommended     |
|-----------------------------------------------------|-----------------|-----------------|
| Ogden Nature Center – Earth Day                     | \$ 2,000        | \$ 2,000        |
| Ogden Nature Center – Birdhouse contest and exhibit | \$ 2,000        | \$ 2,000        |
| Weber Morgan Health Department                      | \$ 500          | \$ 500          |
| Ogden Opera Guild                                   | \$ 1,000        | \$ 1,000        |
| Good Company Theater – High Hopes                   | \$ 7,000        | \$ 7,000        |
| Good Company Theater – “Pirated”                    | \$11,000        | Not recommended |
| Historic 25 <sup>th</sup> Street Foundation         | \$ 2,500        | Not recommended |
| <b>Total Project support Grants FY16</b>            | <b>\$26,000</b> | <b>\$12,500</b> |

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|                                  |                        |                          |
|----------------------------------|------------------------|--------------------------|
| <b>Total Allocation for FY16</b> | <b>Total Requested</b> | <b>Total Recommended</b> |
| <b>\$60,000</b>                  | <b>\$91,000</b>        | <b>\$60,000</b>          |

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

### **General Support Grant**

#### **Eccles Community Art Center**

**2580 Jefferson Avenue, Ogden 84401**

Annual Budget: \$657,996

Requested Funding: \$7,000

Recommended Funding: \$7,000

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

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

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

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

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

*Project provides tangible and intangible benefit to Ogden City:*

**The Ogden First Friday Art Stroll in which the Eccles Community Art Center participates is building Ogden's reputation as an arts community and brings an influx of arts related tourism. The classes offered at the Art Center are offered in a non-competitive and non-grade based setting which allows students to learn at their own pace. With the variety of special events provided by the Eccles Community Arts Center, members of the community should have no difficulty in finding their voice through the arts. Estimated number of individuals to benefit from project/grant: 30,000 patrons, 737 artists**

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

### **General Support Grant**

#### **Treehouse Children's Museum**

**347 22<sup>rd</sup> Street, Ogden 84401**

Annual Budget: \$983,000

Requested Funding: \$12,000

Recommended Funding: \$12,000

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

Treehouse Children's Museum has provide high quality arts based exhibits and interactive learning experiences for families and schools that focus on family literacy and the arts and the humanities. With signature programs that they have developed, including "ParticiPlays" , "Treehouse Troupe" and "Step into a Story"© the Treehouse Children's Museum offers enrichment to augment public education. Treehouse is also recognized for its daily visual arts programming centered around children's literature, and its hand-crafted exhibits that are created in house by staff and volunteers. Over 23,000 students come annually to the Treehouse and the Museum offers two discount family literacy programs each week and provides 300 sponsored memberships to local families with children enrolled in area Head Start programs.

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

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

*Project provides tangible and intangible benefit to Ogden City:*

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

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

160,000 --children and adults annually; 6-8 artists annually plus Treehouse staff artists



### **General Support Grant**

#### **Ogden Symphony Ballet Association**

**638 26<sup>th</sup> Street, Ogden 84401**

Annual Budget: \$986,150

Requested Funding: \$5,000

Recommended Funding: \$5,000

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

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

Funding from the grant from Ogden City Arts will support educational and community outreach programs and "The Ride" – transportation to and from concerts for seniors living in Weber County. This season's programming includes:

- Utah Symphony – 4 pops, 4 classical and 3 family concerts with guest artists and conductors
- Ballet West- 3 performances of "The Nutcracker" on Thanksgiving weekend and "Beauty and the Beast" for a Spring matinee
- BYU – Award-winning Ballroom Dance Company
- “5 Carols for Christmas & Jingle Jacks” directed by Jim Christian

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

**For the citizens of Ogden to be able to experience the performance of these concerts in our city offers access to music and dance of an internationally recognized excellence. Because of generous patrons, corporations, foundations, and government funding, we are able to keep ticket prices affordable and considerably below those charged in Salt Lake City for the same concerts. Our venue features an outstanding auditorium with unmatched sightlines of the performance, comfortable seating, convenient and free parking, and the need to drive to Salt Lake City is eliminated. This is a great opportunity for those who have never seen a live concert to have the convenience of these concerts right here in Ogden.**

*Project provides tangible and intangible benefit to Ogden City:*

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

*Estimated number of individuals to benefit from project/grant: 15,000 patrons and 425 artists each season*

### **General Support Grant**

#### **Ogden Friends of Acoustic Music**

**1744 24<sup>th</sup> Street, Ogden, UT 84401**

Annual Budget: \$100,000

Requested Funding: \$20,000

Recommended Funding: \$16,860

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

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

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

*Project provides tangible and intangible benefit to Ogden City:*

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

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

**4,553 audience members, 75 artists**

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

### **General Support Grant**

#### **Chamber Orchestra Ogden**

**5463 S 125 E, Ogden, UT 84405**

Annual Budget: \$39,500

Requested Funding: \$4,000

Recommended Funding: \$4,000

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

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

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

*Project provides tangible and intangible benefit to Ogden City:*

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

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

**2,000 patrons, 75 artists**

### **General Support Grant**

#### **Strings Project – Weber State University**

**3950 West Campus Drive, Ogden, UT 84408**

Annual Budget: \$17,600

Requested Funding: \$5,000

Recommended Funding: \$2,640

City Council Ward: 3

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

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

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

*Project provides tangible and intangible benefit to Ogden City:*

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

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

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

### **General Support Grant**

**Mary Elizabeth Dee Shaw Gallery – Weber State University**

**3964 West Campus Drive, Dept. 2001, Ogden, UT 84408-2001**

Annual Budget: \$39,500

Requested Funding: \$5,000

Not Recommended:

While this community asset and its programs offer a valuable resource to Ogden its scope of work was outside of this granting period and they were encouraged to submit an application in the next Arts Grant cycle (FY17)

## **Findings re: General Support Funding**

### **Arts Grant Recommendations: FY 2016**

#### **SUMMARY of FINDINGS**

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

#### **General Support**

| Organization                    | Requested       | Recommended     |
|---------------------------------|-----------------|-----------------|
| Eccles Community Arts Center    | \$ 7,000        | \$ 7,000        |
| Treehouse Children's Museum     | \$12,000        | \$12,000        |
| Ogden Symphony Ballet Assn.     | \$ 5,000        | \$ 5,000        |
| Ogden Friends of Acoustic Music | \$20,000        | \$16,860        |
| Chamber Orchestra Ogden         | \$ 4,000        | \$ 4,000        |
| Strings Project – WSU           | \$ 5,000        | \$ 2,640        |
| Shaw Gallery - WSU              | \$12,000        | not recommended |
| <b>TOTAL</b>                    | <b>\$58,000</b> | <b>\$47,500</b> |

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

### **Project Support Grant**

#### **Ogden Nature Center**

**966 W. 12<sup>th</sup> Street, Ogden, UT 84404**

Annual Budget: \$736,100

Project Budget: \$ 9,320

Requested: \$ 2,000

Recommended: \$2,000

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

#### **Project: Earth Day Art Poster Contest and Exhibit**

Founded and developed by volunteers over 37 years ago, the Ogden Nature Center is a nonprofit organization which offers educational programs for all ages at their 152-acre nature preserve. Over 36,000 people visit the Nature Center annually for nature education programs, special events, community programs, or simply to connect with the natural world. Their focus is nature education but the arts are integrated into each of their programs.

Based on previous successful events, Ogden Nature Center will host nature themed art activities; a poster contest and exhibit combined with their Annual Outdoor Earth Day Celebration. The art contest will be open to school aged children and will promote “artistic expression of children’s concepts of their role as citizens of the environment and their view of the world they live in.” Close to 27,000 call for entries will be distributed to local elementary, private and charter schools in Weber and Ogden School Districts. Winners will receive recognition at the Earth Day Celebration.

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

**Ogden Nature Center’s goal for this project is to keep their Earth Day Celebration affordable so that more families can attend, learn, and enjoy the festivities. This popular event observes the importance of environmental stewardship and inspires citizens of all ages to take action in creating a sustainable society through an art poster contest for school aged children, nature crafts, earth friendly exhibitors, live music and dance performances, presentations focused on green living, and guided outdoor activities.**

*Project provides tangible and intangible benefit to Ogden City:*

**The Nature Center’s Earth Day event increases their offerings to the public through highlighting works of art from local school children representing their role as active citizens, their perspective about the environment, and their creative expression of those views. Young people also learn to use nature as an inspiration for art and lay the foundations of awareness about the land that we inhabit.**

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

27,000--students, teachers, volunteers & ONC staff; 700 artists

### **Project Support Grant**

#### **Ogden Nature Center**

**966 W. 12<sup>th</sup> Street, Ogden, UT 84404**

Annual Budget: \$736,100

Project Budget: \$ 5,450

Requested: \$ 2,000

Recommended: \$2,000

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

#### **Project: Birdhouse contest and exhibit**

Founded and developed by volunteers over 37 years ago, the Ogden Nature Center is a nonprofit organization which offers educational programs for all ages at their 152-acre nature preserve. Over 36,000 people visit the Nature Center annually for nature education programs, special events, community programs, or simply to connect with the natural world. Their focus is nature education but the arts are integrated into each of their programs.

Based on previous successful events, Ogden Nature Center will host nature themed art activities; a poster contest and exhibit combined with their Annual Birdhouse contest and exhibit. The contest will be open to school aged children and will promote “artistic expression of children’s concepts of their role as citizens of the environment and their view of the world they live in.”

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

**Ogden Nature Center’s goals for this project are to encourage appreciation for the arts through the creation of whimsical birdhouse and an understanding of birds and wildlife habitats. With an emphasis on creativity, use of recycled materials, and an education in design, construction and appreciation of both urban and rural habitats for birds this annual community event promotes health, moral well-being, and creativity.**

*Project provides tangible and intangible benefit to Ogden City:*

**The Nature Center’s Earth Annual Birdhouse contest and exhibit brings art and nature together creatively and shows off the work of community members along the trail to Visitor Center. Young and older people alike also learn to use nature as an inspiration for art and lay the foundations of awareness about the land that we inhabit. The use of recycled materials fosters awareness about resources and encourages ingenuity in design and construction. The path offers a community building and involvement opportunity for the viewers.**

*Estimated number of individuals to benefit from project/grant:* 16,000 artists and observers    700 artists

### **Project Support Grant**

**Weber Morgan Health Dept.**

**477 23<sup>rd</sup> Street, Ogden, UT 84401**

Annual Budget: \$12,000

Project Budget: \$ 1,000

Requested: \$ 500

Recommended: \$ 500

City Council Ward: 1

### **Project: Mural along Bluff Trail trailhead to the Botanic Gardens**

The Weber Morgan Health Department (WMHD)'s mission is to assess, promote, serve, and protect the needs of our community, enhance the quality of our environment, and assure access to appropriate services delivered by professional staff dedicated to excellence and innovation.

The beautification of the Bluff Trail by local artists will enhance the environment and promote physical activity of Ogden City residents and its visitors. The WMHD plans to partner with the Ogden High School Arts Department to paint a mural that promotes physical activity on the 20' x 7' wall located on the Bluff Trail. Once the project is complete, WMHD plans to collaborate with Ogden community partners (e.g. Eccles Community Art Center, Weber State University Arts Department, the Botanical Gardens, Ogden Trails Network, Weber Pathways and the GOAL Foundation) to host two free events, one hike and one art hike that will display art from local artists including the Ogden River Parkway Tunnel art project.

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

**Creating the mural will be a community building project designed to promote safety by offering an alternative to graffiti and health benefits for those who use it. It enhances a public corridor and will serve as a source of pride and identity.**

*Project provides tangible and intangible benefit to Ogden City:*

**Tangible benefit gained from this project include the community creation process and the improvement of the thoroughway. Intangible value is found in a feeling of increased safety and the health benefits that it gives access to.**

*Estimated number of individuals to benefit from project/grant: 13 Students, 13 artists, Many trail users*



### **Project Support Grant**

#### **Ogden Opera Guild**

**2560 Jefferson, Ogden, UT 84401**

Annual Budget: \$20,000

Project Budget: \$ 2,000

Requested: \$ 1,000

Recommended: \$1,000

City Council Ward: 1

#### **Project: Exposure and outreach for students new to opera**

The Ogden Opera Guild is a non-profit, educational and charitable organization which has been in existence for over thirty years. It is composed of dedicated volunteers who give of their time, energy and talents to promote the awareness of the art of Opera. The Guild encourages the growth of opera in UT and especially seeks to stimulate the interest of school aged children in the art form. Specifically the Guild seeks funding to provide educational materials and transportation to dress rehearsals of full Opera performances at the Capital Theater in Salt Lake City. The Guild also provides free symposia featuring apprentice singers from the UT Opera and trains Youth Impact students in assisting the audience and performers.

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

**The students and chaperones selected bear no financial responsibility for this cultural experience. A live classical performance is enlightening and broadening culturally. Students dress up and rub shoulders with other schools from the Salt Lake Valley who are attending the dress rehearsal. Students are taught about the vigorous training that each performer must undergo to reach the level of perfection that they seek. This opportunity is an expansion of their world.**

*Project provides tangible and intangible benefit to Ogden City:*

**This project has earned merit from the prestigious group Opera Volunteers International. An award at this level goes far in putting Ogden on the map in relation to arts education and volunteerism.**

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

140 Students, 14 chaperones, 100 artists, 40 support staff

### **Project Support Grant**

#### **Good Company Theatre**

**260 25<sup>th</sup> Street, 2<sup>nd</sup> Floor, Ogden, UT 84401**

Annual Budget: \$41,000

Project Budget: \$ 41,000

Requested: \$ 7,000

Recommended: \$7,000

City Council Ward: 1

#### **Project: “High Hopes”- season of performance**

Good Company Theatre is committed to presenting high-quality, diverse, and innovative productions and events in Ogden’s backyard. Artistic Director, Alicia Washington is a Weber State alumna who has been active in Utah professional theatre since 2007. Set to take place throughout the spring and summer of 2016, Good Company Theatre is excited to launch its inaugural season themed, “High Hopes” Their aim is to produce the following three shows, each of which varies in size and scope: *Appropriate* by Brandon Jacobs-Jenkins; *It’s a Two – Bit Town*, by Babs DeLay and *The Nether* by Jennifer Haley. With plans to stage each of the three productions at Good Company Theater on Historic 25<sup>th</sup> Street utilizing local talent, the season will offer live theater in the heart of Ogden.

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

**The core mission of Good Company Theatre is to further enrich the local cultural scene by providing a fresh, innovative, theatergoing experiences that appeal to the aficionado, the newcomer, and everyone between. With this season of theatre we hope to appeal to as many communities and resources possible in order to encourage deeper engagements with downtown Ogden and its vibrant landscape of businesses, cultural establishments, and public spaces.**

*Project provides tangible and intangible benefit to Ogden City:*

**Good Company Theatre seeks to produce a season that is accessible to a range of audiences, enhancing their experiences of living in the city. By forging partnerships with local businesses, community centers, and independent enthusiasts, these productions will bolster the creative landscape of Ogden. Through strong connections within the artistic and business communities in the city, the company is excited to provide the public at-large with more opportunities to engage with all that Ogden has to offer.**

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

**1,500 patrons, 30 artists**

**Project Support Grant**

**Good Company Theatre**

**260 25<sup>th</sup> Street, 2<sup>nd</sup> Floor, Ogden, UT 84401**

Annual Budget: \$41,000

Project Budget: \$44,500

Requested: \$ 11,000

Not Recommended

City Council Ward: 1

**Project: "Pirated" Performance of an original musical by Jim Christian in the Ogden Amphitheater**

While this community theater group is a valuable asset to our arts landscape in Ogden the scope of work in the application was outside of this granting period and they were encouraged to submit an application in the next Arts Grant cycle. (FY17)

**Project Support Grant**

**Historic 25<sup>th</sup> Street**

**PO Box 1776, Ogden, UT 84402**

Annual Budget: \$41,000

Project Budget: \$ 41,000

Requested: \$ 7,000

Not Recommended

City Council Ward: 1

**Project: Arts activities at Harvest Moon Festival**

While this community organization and its application for arts activities at the Harvest Moon Festival offers a valuable community resource, its scope of work was outside of this granting period and they were encouraged to submit an application in the next Arts Grant cycle. (FY17)

## Findings re: Project Support Funding

### Arts Grant Recommendations: FY 2016

#### SUMMARY of FINDINGS

After reviewing the seven Project Support arts grant applicants for FY 2016, the Ogden City Arts Advisory Committee has unanimously determined that five of the seven applications merit funding according to the proposed projects which they will provide to benefit residents and visitors of Ogden City. As outlined in the studies above, and in compliance with Ogden City Council's Resolution governing disbursement of city funds, the five projects promote diverse areas of the arts & humanities, utilize multiple sources of funding, and demonstrate community partnerships and cultural diversity while reaching out to all segments within our community by providing specific projects for arts enrichment and education. Many of these projects and events are unique to Ogden and are not available in other communities, as such they benefit local residents by providing arts experiences here at home. These programs bring Ogden City increased visitors and economic revenue, along with the critical, yet intangible benefit of home-town pride and identification with "place."

| <b>Project Support</b>                                  | <b>Requested</b> | <b>Recommended</b> |
|---------------------------------------------------------|------------------|--------------------|
| Ogden Nature Center – Earth Day                         | \$2,000          | \$ 2,000           |
| Ogden Nature Center – Birdhouses                        | \$2, 000         | \$ 2,000           |
| Weber Morgan Health Dept. - Mural                       | \$ 500           | \$ 500             |
| Ogden Opera Guild – Exposure to Opera                   | \$1,000          | \$ 1,000           |
| Good Company Theatre – High Hopes                       | \$ 7,000         | \$ 7,000           |
| Good Company Theater – “Pirated”                        | \$11,000         | not recommended    |
| Historic 25 <sup>th</sup> St. Foundation – Harvest Moon | \$ 2,500         | not recommended    |
| <b>Total Project Support</b>                            | <b>\$26,000</b>  | <b>\$12,500</b>    |

**RESOLUTION NO. 2016-4**

**A RESOLUTION OF THE OGDEN CITY COUNCIL AWARDING ARTS GRANTS FOR FY2015-16 AND SETTING FORTH FINDINGS PURSUANT TO UTAH CODE ANN § 10-8-2 (2002).**

**WHEREAS**, the Ogden City Council in its FY2016 Budget set aside \$60,000 in the Non-Departmental budget to support arts groups and provide additional opportunities to encourage arts development within Ogden;

**WHEREAS**, on March 25, 2003, the Ogden City Council Adopted Resolution No. 2003-14 establishing criteria for determination of arts grants consistent with Utah Code Ann §10-8-2 (2002);

**WHEREAS**, pursuant to Resolution No. 2003-14, the Ogden Arts Advisory Committee submitted a written study of findings and recommendations to the Ogden City Council for FY 2015-16 arts grants recipients;

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

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

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

| Organization | Committee Recommendation |
|--------------|--------------------------|
|--------------|--------------------------|

|                                     |                 |
|-------------------------------------|-----------------|
|                                     |                 |
| <b>General Support</b>              |                 |
|                                     |                 |
| Eccles Community Art Center         | \$7,000         |
| Treehouse Children's Museum         | \$12,000        |
| Ogden Symphony Ballet Association   | \$5,000         |
| Ogden Friends of Acoustic Music     | \$16,860        |
| Chamber Orchestra Ogden             | \$4,000         |
| Strings Project - WSU               | \$2,640         |
|                                     |                 |
| <b>Project Support</b>              |                 |
|                                     |                 |
| Ogden Nature Center – Earth Day     | \$2,000         |
| Ogden Nature Center - Birdhouses    | \$2,000         |
| Weber Morgan Health Dept.           | \$500           |
| Ogden Opera Guild                   | \$1,000         |
| Good Company Theater – “High Hopes” | \$7,000         |
|                                     |                 |
| <b>TOTAL</b>                        | <b>\$60,000</b> |

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

**APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHAIR

ATTEST:

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

APPROVED AS TO FORM \_\_\_\_\_  
LEGAL DATE

City of Ogden Arts Grant History  
Fiscal Years 2006-2016

| General Support                                | Total Requested FY06- |            | Total Granted and |           | FY'16     |           | FY'15     |           | FY'14     |           | FY'13     |          | FY'12     |           | FY'11     |           |
|------------------------------------------------|-----------------------|------------|-------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|
|                                                | FY16                  |            | FY16              |           | Requested |           | Requested |           | Requested |           | Requested |          | Requested |           | Requested |           |
|                                                |                       |            |                   |           |           |           |           |           |           |           |           |          |           |           |           |           |
| Chamber Orchestra Ogden                        | \$                    | 4,000.00   | \$                | 4,000.00  | \$        | 4,000.00  | \$        | 4,000.00  | \$        | -         | \$        | -        | \$        | -         | \$        | -         |
| DaVinci Academy                                | \$                    | 5,850.00   | \$                | -         | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         | \$        | -         |
| Eccles Community Art Center                    | \$                    | 38,000.00  | \$                | 35,500.00 | \$        | 7,000.00  | \$        | 7,000.00  | \$        | 6,000.00  | \$        | 5,000.00 | \$        | 6,000.00  | \$        | 5,000.00  |
| Egyptian Theater Foundation                    | \$                    | 5,000.00   | \$                | 1,000.00  | \$        | -         | \$        | -         | \$        | 5,000.00  | \$        | 1,000.00 |           |           | \$        | 3,000.00  |
| Foursite Film Festival                         | \$                    | 38,000.00  | \$                | 22,000.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 6,000.00  | \$        | 3,000.00  |
| Imagine Ballet Theater                         | \$                    | 67,000.00  | \$                | 23,400.00 | \$        | -         | \$        | -         | \$        | 10,000.00 | \$        | 2,400.00 | \$        | 10,000.00 | \$        | 3,000.00  |
| Nurture the Creative Mind                      | \$                    | 8,000.00   | \$                | 6,500.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 2,500.00  | \$        | 2,000.00  |
| Ogden Dinosaur Park                            | \$                    | 1,500.00   | \$                | -         | \$        | -         | \$        | -         | \$        | 1,500.00  | \$        | -        |           |           |           |           |
| Ogden Friends of Acoustic Music                | \$                    | 52,000.00  | \$                | 35,860.00 | \$        | 20,000.00 | \$        | 16,860.00 | \$        | 11,000.00 | \$        | 8,000.00 | \$        | 11,000.00 | \$        | 5,500.00  |
| Ogden Symphony Ballet Association              | \$                    | 50,000.00  | \$                | 41,950.00 | \$        | 5,000.00  | \$        | 5,000.00  | \$        | 5,000.00  | \$        | 4,500.00 | \$        | 5,000.00  | \$        | 5,000.00  |
| Redemption Art                                 | \$                    | 5,000.00   | \$                | 1,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 2,000.00  | \$        | -         |
| Treehouse Children's Museum                    | \$                    | 86,138.00  | \$                | 69,300.00 | \$        | 12,000.00 | \$        | 12,000.00 | \$        | 9,100.00  | \$        | 9,100.00 | \$        | 9,200.00  | \$        | 9,000.00  |
| Utah Musical Theater                           | \$                    | 10,000.00  | \$                | 2,300.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| WSU - Shaw Gallery                             | \$                    | 12,000.00  | \$                | -         | \$        | 12,000.00 | \$        | -         |           |           |           |          |           |           |           |           |
| WSU - String Project                           | \$                    | 5,000.00   | \$                | 2,640.00  | \$        | 5,000.00  | \$        | 2,640.00  |           |           |           |          |           |           |           |           |
| Project Support                                |                       |            |                   |           |           |           |           |           |           |           |           |          |           |           |           |           |
| America Dream Foundation                       | \$                    | 10,000.00  | \$                | -         | \$        | -         | \$        | -         | \$        | 10,000.00 | \$        | -        |           |           |           |           |
| Chamber Orchestra Ogden                        | \$                    | 8,000.00   | \$                | 5,500.00  | \$        | -         | \$        | -         | \$        | 4,000.00  | \$        | 3,000.00 |           |           |           |           |
| DaVinci Academy                                | \$                    | 35,825.00  | \$                | -         | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         | \$        | 35,825.00 |
| Eccles Community Art Center                    | \$                    | 6,000.00   | \$                | 6,250.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Egyptian Theater Foundation - Friday Concerts  | \$                    | 9,900.00   | \$                | 1,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 9,900.00  | \$        | 1,000.00  |
| Egyptian Theater Foundation - M.O.V.I.E.       | \$                    | 3,990.00   | \$                | -         | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 3,990.00  | \$        | -         |
| Egyptian Theater Foundation--Kids Act Up       | \$                    | 1,500.00   | \$                | 900.00    | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Egyptian Theatre Foundation                    | \$                    | 8,496.00   | \$                | 4,000.00  | \$        | -         | \$        | -         | \$        | 8,496.00  | \$        | 4,000.00 |           |           |           |           |
| Good Company Theater - "High Hopes"            | \$                    | 7,000.00   | \$                | 7,000.00  | \$        | 7,000.00  | \$        | 7,000.00  |           |           |           |          |           |           |           |           |
| Good Company Theater - "Pirated"               | \$                    | 11,000.00  | \$                | -         | \$        | 11,000.00 | \$        | -         |           |           |           |          |           |           |           |           |
| Historic 25th Street Foundation                | \$                    | 2,500.00   | \$                | -         | \$        | 2,500.00  | \$        | -         |           |           |           |          |           |           |           |           |
| Imagine Ballet Theater                         | \$                    | 16,450.00  | \$                | 1,500.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 10,000.00 | \$        | 1,500.00  |
| Mary Elizabeth Dee Shaw Gallery--WSU           | \$                    | 1,000.00   | \$                | 1,700.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| National String Project Consortium             | \$                    | 5,000.00   | \$                | 4,000.00  | \$        | -         | \$        | -         | \$        | 5,000.00  | \$        | 4,000.00 |           |           |           |           |
| Ogden Arts Festival at Union Station           | \$                    | 48,000.00  | \$                | 35,000.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 7,000.00  | \$        | 7,000.00  |
| Ogden Eccles Conference Center                 | \$                    | 2,000.00   | \$                | 2,000.00  | \$        | -         | \$        | -         | \$        | 2,000.00  | \$        | 2,000.00 |           |           | \$        | 6,000.00  |
| Ogden Friends of Acoustic Music                | \$                    | 24,000.00  | \$                | 11,000.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         | \$        | 8,000.00  |
| Ogden Nature Center                            | \$                    | 16,000.00  | \$                | 14,000.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 2,000.00  | \$        | 2,000.00  |
| Ogden Nature Center/Birdhouse Project          | \$                    | 2,000.00   | \$                | 2,000.00  | \$        | 2,000.00  | \$        | 2,000.00  |           |           |           |          |           |           |           |           |
| Ogden Nature Center/Earth Day Poster Contest   | \$                    | 7,396.00   | \$                | 7,000.00  | \$        | 2,000.00  | \$        | 2,000.00  | \$        | 2,500.00  | \$        | 2,500.00 |           |           |           |           |
| Ogden Opera Guild                              | \$                    | 8,135.00   | \$                | 8,400.00  | \$        | 1,000.00  | \$        | 1,000.00  | \$        | 1,000.00  | \$        | 1,000.00 | \$        | 1,100.00  | \$        | 1,000.00  |
| Ogden School Foundation                        | \$                    | 17,700.00  | \$                | 17,300.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 2,500.00  | \$        | 2,000.00  |
| Palette Club of Ogden                          | \$                    | 3,000.00   | \$                | 500.00    | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Pioneer Heritage Foundation                    | \$                    | 2,000.00   | \$                | 500.00    | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Project Success Coalition/ Juneteenth Festival | \$                    | 23,000.00  | \$                | 11,400.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 3,000.00  | \$        | -         |
| St. Anne's Center                              | \$                    | 3,600.00   | \$                | 2,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 3,600.00  | \$        | 2,000.00  |
| United Way of Northern Utah                    | \$                    | 3,500.00   | \$                | 1,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Utah Film Center                               | \$                    | 16,000.00  | \$                | -         | \$        | -         | \$        | -         | \$        | 8,000.00  | \$        | -        |           |           |           |           |
| Weber/Morgan Health Department                 | \$                    | 500.00     | \$                | 500.00    | \$        | 500.00    | \$        | 500.00    |           |           |           |          |           |           |           |           |
| WSU String Project                             | \$                    | 32,000.00  | \$                | 23,400.00 | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 5,000.00  | \$        | 4,200.00  |
| Development Support                            |                       |            |                   |           |           |           |           |           |           |           |           |          |           |           |           |           |
| Ars Visualis L3C (d/b/a Whitespace)            | \$                    | 10,200.00  | \$                | 3,000.00  | \$        | -         | \$        | -         | \$        | 7,500.00  | \$        | 2,000.00 | \$        | 2,700.00  | \$        | 1,000.00  |
| Beehive Theatre Company                        | \$                    | 20,000.00  | \$                | 4,500.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Foursite Film Festival                         | \$                    | 4,400.00   | \$                | 700.00    | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Foursite Film Festival                         | \$                    | 6,000.00   | \$                | -         | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Good Company Theater                           | \$                    | 13,585.00  | \$                | 9,500.00  | \$        | -         | \$        | -         | \$        | 5,840.00  | \$        | 4,000.00 | \$        | 4,070.00  | \$        | 3,000.00  |
| Imagine Ballet Theater                         | \$                    | 4,000.00   | \$                | 1,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Junction City Theatre Company                  | \$                    | 8,100.00   | \$                | 5,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         | \$        | 3,000.00  |
| Movement Coalition                             | \$                    | 6,800.00   | \$                | 1,800.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Ogden Chamber Orchestra                        | \$                    | 4,000.00   | \$                | 1,800.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 4,000.00  | \$        | 1,800.00  |
| Ogden Friends of Acoustic Music                | \$                    | 6,000.00   | \$                | 2,000.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Ogden Repertory Theater                        | \$                    | 12,000.00  | \$                | 5,200.00  | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | -         |           |           |
| Mini Grant                                     |                       |            |                   |           |           |           |           |           |           |           |           |          |           |           |           |           |
| Richard Milner                                 | \$                    | 200.00     | \$                | -         | \$        | -         | \$        | -         | \$        | -         | \$        | -        | \$        | 200.00    | \$        | -         |
| Totals                                         | \$                    | 818,265.00 | \$                | 447,800   | \$        | 91,000    | \$        | 60,000    | \$        | 81,436    | \$        | 50,000   | \$        | 98,866    | \$        | 50,000    |

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



# City Council Meeting COUNCIL STAFF REVIEW

## **FY2016 BUDGET AMENDMENT (\$3,150,000)**

- *Recognize and Appropriate Revenue from WACOG for North Street Improvements (CIP Fund- \$3,000,000)*
- *Recognize and Appropriate Grant Funds from State of Utah for Wayfinding Signs (CIP Fund - \$50,000)*
- *Recognize and Appropriate Revenues from Fund Balance for Marshall White Repairs (\$40,000)*
- *Recognize and Appropriate Emergency Management Grant Funds for Fire Equipment (Grants Fund - \$10,000)*
- *Reappropriate CIP Funds (Centennial Trails PY002) for Recreation Master Plan (\$50,000)*

**DETERMINATION:**                      **Set or Not Public Hearing for February 16, 2016**

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### ***Executive***

#### ***Summary***

The Council will consider setting a public hearing on Ordinance 2016-XX, a budget amendment that proposes to increase the FY2016 budget by \$3,150,000 by recognizing and appropriating funds from various grants and fund balance to the General Fund and CIP and transferring funds from the a CIP Trails Project for the Recreation Master Plan.

#### ***Background***

**January 12, 2016**

The Council office received an Administrative Transmittal requesting an amendment to the FY2016 Budget.

#### ***Proposal***

The Administration is proposing an Ordinance that will increase the FY2016 budget by \$3,150,000. The proposed amendment recognizes and appropriates funds from several grants and General Fund fund balance to the General Fund, CIP and Miscellaneous Grants Funds. The proposed amendment also transfers funds from a CIP project account to fund the Recreation Master Plan.





# City Council Meeting COUNCIL STAFF REVIEW

The Administration is requesting the Council amend the FY2016 Budget as follows:

| Revenues                   |             | Appropriations             |             |
|----------------------------|-------------|----------------------------|-------------|
| General Fund               |             | General Fund               |             |
| Fund Balance               | \$40,000    | Marshall White Maintenance | \$40,000    |
| Transfer from CIP (Trails) | \$50,000    | Recreation Master Plan     | \$50,000    |
| CIP FUND                   |             | CIP FUND                   |             |
| WACOG Funds                | \$3,000,000 | North Street Improvements  | \$3,000,000 |
| Waypoint Trail Signs Grant | \$50,000    | Trail Signs - 17th Street  | \$50,000    |
| Miscellaneous Grants Fund  |             | Miscellaneous Grants Fund  |             |
| Public Safety Grants       | \$10,000    | Fire Department Equipment  | \$10,000    |
| TOTAL \$3,150,000          |             | TOTAL \$3,150,000          |             |


## *Question*

1. Does the \$50,000 appropriated for the Recreation Master Plan cover the full cost of the contract?
2. Will construction on North Street begin in 2016?
3. Please review the revenues and appropriations outlined in the proposed Budget Amendment.

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

## OGDEN CITY TRANSMITTAL

Date: December 28, 2015  
To: Ogden City Council  
From: Lisa Stout, Comptroller   
RE: Budget Opening – FY 2016 BUDGET OPENING WACOG AND RECREATION MASTER PLAN

Staff Contact: Lisa Stout, Comptroller, ext. 8713  
Recommendation: Set public hearing and adopt ordinance  
Documents:

- Ordinance
- Schedule A (Revenue)
- Revenue Detail Schedule
- Schedule B (Appropriations)
- Appropriation Detail Schedule
- EN074 Project Brief – North Street Improvements, Monroe - Washington
- EN082 Project Brief – 17<sup>th</sup> Street Reconstruction

### Executive Summary

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

The City has been awarded a Weber Area Council of Governments (WACOG) award in the amount of \$3,000,000 for improvements to North Street between Monroe and Washington Boulevard. This budget opening will recognize the WACOG funding in the CIP fund as project EN074. No City match is required with this grant.

Funding from the Centennial Trails project, PY002 in the amount of \$50,000 is being re-appropriated for use in the general fund recreation budget to pay for a recreation plan study. This budget opening will transfer the budget from the CIP fund to the general fund.

The City has been awarded a Wayfinding Sign Grant in the amount of \$50,000 through the State of Utah. These funds are being appropriated in the CIP fund as project EN082. These signs will be placed as part of the trail system during the construction of 17<sup>th</sup> Street, project EN082. There is a match required from the City in the amount of \$50,000, the matching funds will come from the existing Centennial Trail project budget.

The City deposited \$40,000 with OWCAP when they took over operations of the Marshal White Center. Those funds were returned to the City when the contract ended and the City took back operations at the facility. The City is proposing appropriation of the \$40,000 to the Marshal White Center building maintenance and repairs budget for repairs and improvements at the Marshal White Center.

The City has been awarded an emergency management grant to purchase equipment for the fire department in the amount of \$10,000 in the miscellaneous grants fund. Any match will come from the existing Fire department operating budget.

**Background**

Council action is required to appropriate.

**Proposal**

Review and adopt ordinance.

**Fiscal Impact**

An increase to the City Budget of \$3,150,000.

ORDINANCE NO. 2016-4

AN ORDINANCE OF OGDEN CITY AMENDING THE BUDGET FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016 BY INCREASING THE ANTICIPATED REVENUES FOR A GROSS INCREASE OF \$3,150,000 FROM SOURCES AS DETAILED IN THE BODY OF THIS ORDINANCE; AND INCREASING THE APPROPRIATIONS FOR A GROSS INCREASE OF \$3,150,000 AS DETAILED IN THE BODY OF THIS ORDINANCE; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

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

**The Council of Ogden City hereby ordains:**

**SECTION 1.** Anticipated revenues, transfers and adjustments for the 2015-2016 budget altered, increased and decreased. The anticipated revenues, transfers and adjustments for the various funds of the 2015-2016 budget are hereby changed as hereinafter set forth, with net adjustments of \$3,150,000, as detailed in Schedule "A", which is attached hereto and made a part by reference.

**SECTION 2.** Appropriations from the 2015-2016 budget altered, increased and decreased. The appropriations for various funds of the 2015-2016 budget are herein altered, increased and decreased by net adjustments of \$3,150,000, as follows:

Appropriations increased since June 30, 2015 as detailed in Schedule "B", which is attached hereto and made a part hereof by reference.

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

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Ogden City, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
CHAIR

ATTEST:

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

Transmitted to the Mayor on \_\_\_\_\_

Mayor's Action: \_\_\_\_ Approved \_\_\_\_ Vetoed

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

ATTEST:

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

Posting Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_  
Legal Date

**OGDEN CITY**  
**BUDGET OPENING - FY 2016 WACOG AND RECREATION MASTER PLAN**  
**REVENUE SCHEDULE**  
**SCHEDULE "A"**

|                                     | <u>Account Title</u> | <u>Account Number</u> | <u>Amount</u>              |
|-------------------------------------|----------------------|-----------------------|----------------------------|
| <b><u>GENERAL FUND</u></b>          |                      |                       |                            |
| BEGINNING FUND BALANCE              |                      | 1000-1-83002          | \$ 40,000                  |
| TRANSFER FROM CIP                   |                      | 1000-1-84001          | \$ 50,000                  |
| SUB TOTAL GENERAL FUND              |                      |                       | <u>\$ 90,000</u>           |
| <b><u>CIP FUND</u></b>              |                      |                       |                            |
| WACOG FUNDS                         |                      | 4100-1-35002          | \$ 3,000,000               |
| WAYPOINT TRAIL SIGNS GRANT          |                      | 4100-1-3New           | \$ 50,000                  |
| SUB TOTAL CIP FUND                  |                      |                       | <u>\$ 3,050,000</u>        |
| <b><u>MISCELLANEOUS GRANTS</u></b>  |                      |                       |                            |
| PUBLIC SAFETY GRANTS                |                      | 7120-1-32011          | \$ 10,000                  |
| SUB TOTAL MISCELLANEOUS GRANTS FUND |                      |                       | <u>\$ 10,000</u>           |
| TOTAL REVENUE BUDGET                |                      |                       | <u><u>\$ 3,150,000</u></u> |

**OGDEN CITY**  
**BUDGET OPENING - FY 2016 WACOG AND RECREATION MASTER PLAN**  
**REVENUE DETAIL SCHEDULE**

| <u>Item Title</u>                          | <u>Description</u>                                                                                                                                                                                                           | <u>Amount</u>       |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b><u>GENERAL FUND</u></b>                 |                                                                                                                                                                                                                              |                     |
| BEGINNING FUND BALANCE                     | Return of deposit from OWCAP for Marshal White Center.                                                                                                                                                                       | \$ 40,000           |
| TRANSFER FROM CIP                          | Funding from the Centennial Trails project transferred from the CIP fund for a recreation plan study.                                                                                                                        | \$ 50,000           |
| <b>SUB TOTAL GENERAL FUND</b>              |                                                                                                                                                                                                                              | <b>\$ 90,000</b>    |
| <b><u>CIP FUND</u></b>                     |                                                                                                                                                                                                                              |                     |
| WACOG FUNDS                                | WACOG funded project, to widen North Street in order to address current and future traffic demands, install curb and gutter, install sidewalk and install improvements at the Monroe Blvd and Washington Blvd intersections. | \$ 3,000,000        |
| WAYPOINT TRAIL SIGNS GRANT                 | Grant funding for waypoint signs along the Ogden area trails system.                                                                                                                                                         | \$ 50,000           |
| <b>SUB TOTAL CIP FUND</b>                  |                                                                                                                                                                                                                              | <b>\$ 3,050,000</b> |
| <b><u>MISCELLANEOUS GRANTS</u></b>         |                                                                                                                                                                                                                              |                     |
| PUBLIC SAFETY GRANTS                       | Emergency Management Performance Grant (EMPG) through the STATE OF UTAH.                                                                                                                                                     | \$ 10,000           |
| <b>SUB TOTAL MISCELLANEOUS GRANTS FUND</b> |                                                                                                                                                                                                                              | <b>\$ 10,000</b>    |
| <b>TOTAL REVENUE BUDGET</b>                |                                                                                                                                                                                                                              | <b>\$ 3,150,000</b> |

**OGDEN CITY**  
**BUDGET OPENING - FY 2016 WACOG AND RECREATION MASTER PLAN**  
**APPROPRIATION SCHEDULE**  
**SCHEDULE "B"**

| <u>Account Title</u>                       | <u>Account Number</u>   | <u>CIP #</u> | <u>Amount</u>       |
|--------------------------------------------|-------------------------|--------------|---------------------|
| <b><u>GENERAL FUND</u></b>                 |                         |              |                     |
| BUILDING REPAIR & MAINTENANCE              | 1000-1-05-850411-14101  |              | \$ 40,000           |
| CONTRACTUAL AGREEMENTS                     | 1000-1-05-850401-13410  |              | \$ 50,000           |
| <b>SUB TOTAL GENERAL FUND</b>              |                         |              | <b>\$ 90,000</b>    |
| <b><u>CIP FUND</u></b>                     |                         |              |                     |
| NORTH STREET IMPROVEMENTS                  | 4100-1-03-855201-330new | EN074        | \$ 3,000,000        |
| CENTENNIAL TRAIL CONSTRUCTION              | 4100-1-05-850212-33010  | PY002        | \$ (50,000)         |
| INTERFUND TRANSFER                         | 4100-1-09-300200-41000  |              | \$ 50,000           |
| WAYPOINT TRAIL SIGNS                       | 4100-1-05-850212-33032  | EN082        | \$ 50,000           |
| <b>SUB TOTAL CIP FUND</b>                  |                         |              | <b>\$ 3,050,000</b> |
| <b><u>MISCELLANEOUS GRANTS</u></b>         |                         |              |                     |
| GRANT PROJECT EXPENSES                     | 7120-1-02-400100-14415  |              | \$ 10,000           |
| <b>SUB TOTAL MISCELLANEOUS GRANTS FUND</b> |                         |              | <b>\$ 10,000</b>    |
| <b>TOTAL APPROPRIATIONS</b>                |                         |              | <b>\$ 3,150,000</b> |



**OGDEN CITY**  
**BUDGET OPENING - FY 2016 WACOG AND RECREATION MASTER PLAN**  
**APPROPRIATION DETAIL SCHEDULE**

| <u>Item Title</u> | <u>Description</u> | <u>Amount</u> |
|-------------------|--------------------|---------------|
|-------------------|--------------------|---------------|

**GENERAL FUND**

|                               |                               |                                                                                                                                         |                  |
|-------------------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Public Services               | BUILDING REPAIR & MAINTENANCE | Proceeds from return of deposit from OWCAP for Marshal White Center. Appropriating for the repairs to the Mashal White Center building. | \$ 40,000        |
| Public Services               | CONTRACTUAL AGREEMENTS        | Appropriation of transfer from the CIP fund for a recreation plan study.                                                                | \$ 50,000        |
| <b>SUB TOTAL GENERAL FUND</b> |                               |                                                                                                                                         | <b>\$ 90,000</b> |

**CIP FUND**

|                           |                               |                                                                                                                                                                                                                              |                     |
|---------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Public Services           | NORTH STREET IMPROVEMENTS     | WACOG funded project, to widen North Street in order to address current and future traffic demands, install curb and gutter, install sidewalk and install improvements at the Monroe Blvd and Washington Blvd intersections. | \$ 3,000,000        |
| Public Services           | CENTENNIAL TRAIL CONSTRUCTION | Use of Centennial Trails funding to use for a recreation plan study.                                                                                                                                                         | \$ (50,000)         |
| Public Services           | INTERFUND TRANSFER            | Appropriation of Centennial Trails funding for transfer to the general fund to fund a recreation plan study.                                                                                                                 | \$ 50,000           |
| Public Services           | WAYPOINT TRAIL SIGNS          | Grant funding for waypoint signs along the Ogden area trails system.                                                                                                                                                         | \$ 50,000           |
| <b>SUB TOTAL CIP FUND</b> |                               |                                                                                                                                                                                                                              | <b>\$ 3,050,000</b> |

**MISCELLANEOUS GRANTS**

|                                            |                        |                                                                          |                  |
|--------------------------------------------|------------------------|--------------------------------------------------------------------------|------------------|
| Fire                                       | GRANT PROJECT EXPENSES | Emergency Management Performance Grant (EMPG) through the STATE OF UTAH. | \$ 10,000        |
| <b>SUB TOTAL MISCELLANEOUS GRANTS FUND</b> |                        |                                                                          | <b>\$ 10,000</b> |

|                             |                     |
|-----------------------------|---------------------|
| <b>TOTAL APPROPRIATIONS</b> | <b>\$ 3,150,000</b> |
|-----------------------------|---------------------|



# City Council Meeting COUNCIL STAFF REVIEW

## AMENDMENTS TO THE MOBILE FOOD TRUCKS ORDINANCE

### COUNCIL DETERMINATION:

- Approve/not approve ordinance amendment

### PLANNING COMMISSION

RECOMMENDATION: Approval of the amendment (6-0)

---

### ***Executive Summary***

In August of 2014, the Council passed a newly developed ordinance allowing mobile food trucks in the City's downtown and commercial areas. Food trucks had already been permitted in the City's manufacturing zones. As part of the discussion and as a condition of passage, the ordinance was to be revisited in April 2015 to review the efficacy of the ordinance and the impacts of allowing food trucks in the downtown area. The Council revisited the issue in April of 2015 and developed a list of potential changes on which the Council requested a recommendation from the Planning Commission. The Planning Commission has since reviewed the issues and forwarded its recommendation to the Council.

### ***Background***

In the summer of 2014, David and Carol Hasratian submitted a petition to the City to allow mobile food trucks in the City's downtown area. The petition was reviewed by the Planning Staff and considerable research was done on the topic. Ordinances from other cities were analyzed in addition to published information on the topic including information from the American Planning Association (APA). A draft ordinance was prepared and presented to the Planning Commission. The Commission subsequently provided a recommendation of approval to the Council to allow mobile food trucks in the downtown area and the C-2 and C-3 zones with certain conditions.

In July and August of 2014, the Council reviewed the ordinance and on August 12, 2014 adopted the proposal as recommended by the Planning Commission. As part of the discussions, Council members directed that the ordinance be revisited in April of 2015 to review the efficacy of the ordinance and to determine whether further changes needed to be made to the ordinance.

At a work session on April 28, 2015, the Council reviewed the mobile food truck ordinance. As a result of the April 28<sup>th</sup> discussion, the Council sent a formal request to the Planning Commission to provide a recommendation on potential changes.



# City Council Meeting COUNCIL STAFF REVIEW

*January 12, 2016*

The proposed revisions to the ordinance were discussed with the Council at the work session on January 12, 2016. There were no specific changes to the proposal; however, Council member Lopez indicated a strong desire to revisit the prohibition of mobile food trucks at or near parks for the East Central community area. Administration acknowledged the desire to revisit the issue. It was determined that the issue will be reviewed in once the current proposal was approved and in place.

**Current Proposal** The current proposal includes several recommendations for changes to the mobile food trucks ordinance as requested by the Council. The Planning Commission is recommending that the 200-foot buffer be reduced to 100 feet, that food trucks may play music but that the volume must be within the City's noise ordinance restrictions, and that the limit of five (5) food trucks in the downtown area be eliminated. The Planning Commission did not recommend changes to allow food trucks to operate at or near city parks if they are within a residential zone.

## **Planning Commission**

The Planning Commission reviewed the proposal at the October 7, 2015 meeting and voted to recommend approval of the changes with a 6-0 vote. The Commission's motion was made with the findings that proposed amendment is consistent with the intent of the zoning ordinance for mobile food trucks and that the proposal is consistent with the policies outlined in the general plan.

## **Public Input**

Carol and David Hasratian spoke at the Planning Commission meeting. They stated that they have found success when locating with a large number of food trucks in gatherings. They indicated that they would like to be able to operate near parks. They also indicated that they would like the City to look at special food events where a larger number of food trucks may be present.

## **Attachments**

1. Transmittal
2. Ordinance 2016-5
3. Planning Commission Report
4. Council Letter to Planning Commission, date May 18, 2015

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|                           |                                |                                  |
|---------------------------|--------------------------------|----------------------------------|
| <b>Memos Prepared By:</b> | <b>Administrative Contact:</b> | <b>Greg Montgomery, 629-8931</b> |
|                           | <b>Council Staff</b>           | <b>Glenn Symes, 629-8164</b>     |

## OGDEN CITY COUNCIL TRANSMITTAL

RECEIVED

OCT 27 2015

OGDEN CITY  
COUNCIL OFFICE

**DATE:** October 8, 2015  
**TO:** Ogden City Council  
**THRU:** Mark Johnson, CAO  
**FROM:** Tom Christopulos, CED Director  
**RE:** Amend 15-13-37 to Mobile Food Trucks  
**STAFF CONTACT:** Greg Montgomery, Planning Manager  
**REQUESTED TIMELINE:** November 17, 2014

**RECOMMENDATION:** Approval of amendments to 15-13-37 for Mobile Food Trucks.

**DOCUMENTS:** Ordinance, Planning Staff report

### DISCUSSION

Staff explained that a year ago the Mobile Food Truck Ordinance was created in Ogden City. Since that time only one truck has obtained a license. The City Council had asked the Commission to evaluate the present ordinance and look at possible revisions. Staff contacted other jurisdictions in our area (Salt Lake, Provo and Logan) that have found success with mobile food trucks.

Staff explained that a work session was held to explain findings and the presentation tonight was based on the direction discussed in the work session. Staff discussed the 200' distance requirement from restaurants and indicated that most cities contacted had 100' distance requirement or none. Staff felt that a 100' distance requirement would be appropriate to protect the brick and mortar buildings. Discussion then focused on the limit of 5 food trucks in the CBD. It was discussed that larger gatherings of trucks is where cities contacted found success. There was discussion that special event licenses would presently allow more trucks but this revision effects day to day operations.

The Commission then discussed if music was important and Staff indicated that all cities contacted allowed for music but suggested the Commission make sure it does not exceed our noise ordinance. Staff discussed if food trucks would be appropriate around City parks. It was indicated that most parks are located in residential areas and a commercial operation could have an impact on the residence who abut the parks. Commissioner Schade and Blaisdell felt the trucks could provide an amenity for those who use the park. The individual who has a business license in Ogden City for a food truck has found success when operating around parks. The Commission discussed this



item and ultimately felt that food trucks would have more of an impact on residence than the benefit it would create around the parks.

The Commission discussed if the regulation of one food truck per linear block should be modified. Staff indicated that the intent of one per linear block was so that business parking is not impacted. Staff reminded the Commission that large gathering of food trucks can occur under the present ordinance when part of a special event. It was also discussed that there are some trucks operating in the City that are not licensed and these revisions may encourage them to get licensed.

#### **PLANNING COMMISSION ACTION**

The Planning Commission reviewed this item on October 7, 2015. A motion was made based on the findings the proposed amendment is consistent with the intent of the zoning ordinance for mobile food trucks and the proposal is consistent with the policies outlined in the general plan to recommend approval of the proposed zoning ordinance amendment 15-13-37 to allow modifications to the mobile food truck ordinance of:

1. No limit on the amount of food trucks;
2. Not to operate within 100' distance from the entrance door of a restaurant;
3. Music is allowed provided it does not exceed the noise ordinance.

#### **PLANNING COMMISSIONERS VOTE**

|                | <u><b>Yes</b></u> | <u><b>No</b></u> |
|----------------|-------------------|------------------|
| Blaisdell..... | X                 |                  |
| Herman.....    | X                 |                  |
| Holman.....    | X                 |                  |
| Orton.....     | X                 |                  |
| Patterson..... | X                 |                  |
| Schade.....    | X                 |                  |

#### **CONCERNS OF CITIZENS**

Carol and David Hasratian who have a mobile food truck business license in Ogden City indicated they have found more success when located in large food truck gatherings. There is no real market for single truck service. They felt the proposed amendments would help but felt they should be allowed around parks and the City should look at special food events which is where the success of the food trucks is found.

ORDINANCE NO. 2016-5

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE OGDEN MUNICIPAL CODE BY AMENDING SECTION 15-13-27 TO AMEND PROVISIONS RELATED TO MOBILE FOOD TRUCKS; AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Section amended. Section 15-13-37 of the Ogden Municipal Code is hereby amended to read and provide as follows:

**15-13-37: [MOBILE FOOD TRUCKS:]**

- A. **[Location:]** When allowed in the use regulations applicable to a specific zoning category, mobile food trucks may be:
1. Located in a private parking lot with property owner approval for that location; or
  2. Parked parallel to the curb in a public right of way.
- B. **[Parked In Private Parking Lot:]** When parked in a private parking lot, a mobile food truck shall:
1. Have access to a permanent bathroom facility;
  2. Be located on an improved portion of the lot; and
  3. Be located on a lot where an occupied business is operating.
- C. **[Parked In Public Right Of Way:]** When parked in the public right of way, a mobile food truck:
1. May only be parked for the period of time allowed on the street where the food truck is located;
  2. Is limited to operating on any one linear block once per day;
  3. Is limited to one mobile food truck per linear block;
  4. May have a maximum two foot (2') canopy extension projecting toward the public sidewalk;
  5. Shall be parked so that the serving window faces the public sidewalk; and
  6. May not supply street furnishings other than a garbage can located next to the truck.

D. **[Conditions That Apply:]** Regardless of where a mobile food truck is operated or parked, the following conditions apply:

1. It shall not operate within ~~[two]~~ one hundred feet (~~[200]~~100') of the entrance door of a restaurant.
2. It shall not operate within one hundred feet (100') of the property line of a church unless invited by the church.
3. It shall not operate within one hundred feet (100') of a sidewalk vending cart.
4. All signs are limited to those that are permanent and physically attached to the vehicle.
5. The operator shall provide trash and recycling containers which shall be removed from site when truck leaves site.
6. Vehicles are to be maintained in a neat and professional manner.
7. Hours of operation are between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. with no overnight parking except at commissary location.
8. Vehicles are not allowed to idle.
9. ~~[No music or sound is allowed from the vehicle.]~~ Music is allowed provided it does not exceed the noise ordinance.

~~[E. **[Number Allowed:]** The total number of mobile food trucks licensed to operate in the CBD and CBDI zones of the city shall be limited to no more than five (5).]~~

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

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Ogden City,  
Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
CHAIR

**ATTEST:**

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

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

**MAYOR'S ACTION:** ☐ Approved ☐ Vetoed

\_\_\_\_\_  
MAYOR

**ATTEST:**

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

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

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

**APPROVED AS TO FORM:**

MLH 10/14/15  
Legal Date

- \* The headings, catchlines or catchwords suggested for use in the Ogden Municipal Code and which are bracketed at the beginning of sections or subsections, shall not be considered to be a part of the ordinance adopted herein.



Report by Rick Grover

**Agenda Name: CONSIDERATION TO AMEND ZONING ORDINANCES 15-13-37 TO ALLOW AMENDMENTS TO MOBILE FOOD TRUCKS**

**Petitioner/ Developer:** Ogden City Planning  
2549 Washington Blvd. #140  
Ogden, Utah 84401

**Planning Staff's Recommended Action**

Approval to amend zoning ordinances 15-13-37 to allow modifications to the mobile food truck ordinance.

**Planning Commission's determination for action**

1. The zoning ordinance amendments are/ are not consistent with the intent of the zoning ordinance for mobile food trucks.
2. The zoning ordinance amendments are/ are not consistent with the policies outlined in the general plan.

**Past History**

June 2015- Work Session to discuss current ordinance for mobile food trucks. Commission felt many of the provisions of the ordinance are needed in order to protect existing businesses. Encouraged the City to sponsor an ongoing event which would invite the food trucks to a particular area.

May 2015- City Council sent a letter to the Planning Commission to review certain issues related to food trucks.

August 2014- Approval of an ordinance was made to allow food trucks in certain areas of the City with special regulations.

**Description of request**

The purpose of this request is to review the mobile food truck ordinance after a year and determine how well the ordinance is working. Items the City Council has requested the Commission review as indicated in their attached letter is the following:



1. Distance requirement of 200' from existing brick and mortar restaurants.
2. The number limit of 5 food trucks in the downtown area.
3. The feasibility of allowing food trucks to operate in or near City parks.
4. The possibility to play music.

## What Planning Commission reviews

The Commission is required to review ordinance amendments and make a recommendation to the City Council. The Commission will need to determine whether or not the ordinance amendment is consistent with the intent of the zoning ordinance and policies of the general plan. The key component to this consideration is how the current mobile food truck ordinance relate to brick and mortar restaurants and should ordinance amendments be made to encourage more mobile food trucks in the City.

Once the Commission takes an action regarding the proposed amendment, the recommendation is then forwarded to the City Council for their determination on the final action the City should take regarding the ordinance amendment.

## Factors for consideration of action

### **1. Review the distance requirement of 200' from existing brick and mortar restaurants.**

When the Commission originally approved the 200' distance requirement from brick and mortar restaurants it was based upon limiting conflict between these two types of operations. The restaurant owners were concerned about the proximity of mobile food trucks impacting their businesses. As Staff has looked at other cities in Utah they either have a 100' separation or none. They have indicated the distance requirement was not a problem for these type of uses to integrate. As we contacted the one food truck that is licensed in the City they indicated that this could improve business. Staff would recommend the Commission consider the 100' distance and see how it works.

### **2. Review the number limit of 5 food trucks in the downtown area.**

Due to this use being relatively new and to see how this would integrate into commercial areas was the reason for limiting the food truck number. The intent was they be reviewed in a year to see how they were operating. As Staff has contacted other cities in the area they all have no limit on the amount of food trucks. It was indicated when contacting Provo and Salt Lake City that larger gathering of food trucks in certain areas increased business and encouraged people to come into the City. Staff would recommend the Commission consider removing a number limit.

**3. Review the feasibility of allowing food trucks to operate in or near City parks.**

Other municipalities have typically not allowed them in parks in residential areas due to traffic and litter problems they create when next to residential areas. Staff would recommend that the language stay the same which is that they are not allowed around parks. This would further limit a potential conflict with the Parks Department concession rights.

**4. Review the regulations disallowing food trucks to play music.**

The intent was that food trucks may have an impact on office type uses. The noise ordinance would not allow for the max decibel level to be greater than 65 dBA. In commercial areas music could be an amenity that could be inviting with outdoor dining. When reviewing other municipalities they all allow music. Staff would recommend the Commission consider music provided it does not exceed the noise ordinance regulation.

**5. Review the regulations of one food truck per linear block.**

The intent of one food truck per linear block was so that public parking is not impacted. However, it has been noted that in other cities they have large gathering of food trucks in certain areas which have led to the success of these uses. Typically they occur by way of a special event permit through the city or on private property. At the present time this could occur in Ogden City the same way except on private property we have a limit of 5 under the current ordinance but if we do not limit the number of food trucks it increases the possibility of this occurring. The Commission may also consider allowing more than one food truck per linear block on a certain day or days of the week. Staff would recommend the current ordinance language for one food truck per linear block stay in place so public parking is not impacted and leave the large gathering of food trucks for special events or on private property.

**Attachments**

1. Staff recommended ordinance amendment
2. City Council letter dated May 18, 2015 (2 pages)
3. Review of other Cities regulations





## Ogden City

### CITY COUNCIL

2549 WASHINGTON BLVD., SUITE 320 - OGDEN, UTAH 84401  
OFFICE (801) 629-8153 FAX (801) 629-8733  
<http://council.ogdenclty.com>

### CITY COUNCIL

BART E. BLAIR  
NEIL K. GARNER  
CAITLIN K. GOCHNOUR  
RICHARD A. HYER  
DOUG STEPHENS  
MARCIAL L. WHITE  
AMY L. WICKS

May 18, 2015

Ogden City Planning Commission  
2549 Washington Boulevard  
Ogden, UT 84401

Dear Planning Commission,

On April 28, 2015, the City Council revisited the issue of food trucks in Ogden City. When the Council passed the initial ordinance in August 2014, the approval was given with the direction that the issue would be looked at again once there was a chance for food trucks to operate legally in the City. The review was to determine how well the ordinance was working and to specifically review several items of discussion. These items included business licensing regulations, the potential impact food trucks may have on existing brick and mortar businesses, the inclusion of food trucks in the downtown special assessment area, how taxes would be collected, how food trucks are regulated with regard to special events, and how food trucks are regulated on school/university property. Many of these issues were discussed by the Planning Commission during your initial review. The Council is very appreciative of the research done and the efforts put into understanding the issues by Planning Staff and the Planning Commission.

As the Council reviewed these issues last month, there were several issues that the Council felt should have additional discussion. The Council respectfully requests the Planning Commission review and provide a recommendation on the following issues related to food trucks:

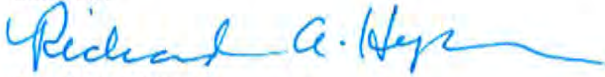
1. Review the distance requirement of 200 feet from existing brick and mortar restaurants. With so few food trucks applying for licensing, the Council would like a recommendation from the Planning Commission on whether this restriction should be reduced as a way to promote food trucks in Ogden or if the Commission feels that the existing 200 foot restriction is appropriate and should be kept in place to protect the existing restaurants.
2. Review the limit of five food trucks in the downtown area. Once again, with so few food trucks applying for a license, the Council would like further review on whether a limit of five food trucks in the downtown area is too restrictive and therefore keeping food trucks away or if the limit is still appropriate.
3. Review the feasibility of allowing food trucks to operate in or near city parks. The Council understands that there are issues related to the proximity of City concessions and the introduction

of food trucks into residential areas if food trucks are allowed in or near city parks. However, the Council would be interested in knowing if the Commission feels that there are reasonable options available to allow this.

4. Review the regulations disallowing food trucks to play music. It is understood that many restaurants are allowed to play music outside for outdoor dining. Based on this, the Council would be interested in knowing if there are reasonable standards that could be put in place to allow food trucks to play music while serving food.

As always, we are grateful for the service of the Planning Commission and continue to recognize the value of the Commission's reviews and recommendations. If there are any questions about this request, please contact the Council Office at (801) 629-8153.

Sincerely,

A handwritten signature in blue ink, reading "Richard A. Hyer".

Richard A. Hyer  
Chair, Ogden City Council

| <b>Mobile Food Trucks</b> | <u>Distance from Restaurants</u>                              | <u>Limit the Number of Trucks</u> | <u>Allowed by Parks</u>                                                                                                               | <u>Allowed by Churches</u>                                | <u>Play Music</u>                                        | <u>Time parked</u>                                                            | <u>Parking R-of-W location</u>                       |
|---------------------------|---------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------------|
| <b>Ogden</b>              | 200'                                                          | 5                                 | No                                                                                                                                    | No                                                        | No                                                       | Posted Street Time                                                            | Parallel                                             |
| <b>SLC</b>                | 100' (Can be closer with written consent of Restaurant owner) | None                              | Yes commercial<br><br>No Residential                                                                                                  | Yes commercial<br><br>No residential                      | Yes provided it does not exceed noise ordinance          | 2 hrs. / unless permit is obtained from Transportation Division 12 hours Max. | Parallel                                             |
| <b>Provo</b>              | 100' (Can be closer with written consent of Restaurant owner) | None                              | No                                                                                                                                    | Yes in Commercial<br><br>Not allowed in residential zones | Yes                                                      | Posted Street Time                                                            | Parallel                                             |
| <b>Logan</b>              | None                                                          | None                              | Not allowed within 300' of any public property that already contains licensed concessionaires' in commercial and manufacturing areas. | Yes in Commercial<br><br>Not allowed in residential zones | 95 max decibel level/<br>Greater Mayor approval required | 30 min. max                                                                   | Parallel with side window or angled with rear window |





# City Council Meeting COUNCIL STAFF REVIEW

## PROPOSED TEMPORARY ZONING REGULATION FOR THE GIBSON COMMUNITY PLAN AREA

### COUNCIL DETERMINATION:

- Approve/not approve temporary zoning regulation

### PLANNING COMMISSION

RECOMMENDATION: Not required

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### ***Executive Summary***

The Utah State Municipal Land Use, Development, and Management Act, or LUDMA, allows a municipality to enact a temporary zoning regulation for a given area as a means to temporarily halt development to allow that municipality to adopt zoning ordinances or general or master plans specific to the subject area. This is a means for cities to temporarily halt new development in an area where new plans are being developed. The temporary halt prevents new development in the subject area that may be incompatible with the newly proposed general or master plan. The Administration is proposing the adoption of a such a temporary zoning regulation for the Gibson Community Plan area. The plan area ranges from Wall Avenue to the west city boundary and from 12<sup>th</sup> Street to the Ogden River. The proposed temporary zoning regulation would be in place for a period of up to six (6) months.

### ***Background***

When cities are updating or creating general plans or master plans, often times those cities prefer to halt any new development that may be in conflict with the new plan. Because the development or rewriting of a general plan or master plan often brings with it a change in direction and new goals for a given area, halting any new development until after the adoption of the plan helps to ensure that future development is consistent with the new direction and goals for that area.

The Utah state code does allow for the temporary halt of new development to take place for a short period of time. Section 10-9a-504 of the Utah state code, located in the Municipal Land Use, Development, and Management Act section, or LUDMA, allows a city's legislative body to enact a temporary zoning regulation that may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure within any part or all of the city. The temporary zoning regulation may last no more than six (6) months and the legislative body must make a finding of compelling, countervailing public interest to do so.



# City Council Meeting COUNCIL STAFF REVIEW

Even though the action is land use related, no prior Planning Commission recommendation is required.

Over the past year, the City's Planning Department has been working with the residents and business owners in the Gibson Community Plan area to develop a new community plan. The Gibson Plan area is located between Wall Avenue and the western city boundary and between 12<sup>th</sup> Street and the Ogden River. This is one of the few areas in the City that has not previously had a community plan created for it. The plan has been developed over the past year and is now ready for Planning Commission review at a public hearing. Proposed within the plan are a number of significant land use changes that are meant to change the image and direction of that community. To ensure the plan's goals are not derailed by new and potentially incompatible development in some critical areas, a temporary zoning regulation consistent with state code is being proposed for the Gibson Community Plan area.

**Current Proposal** The current proposal is to have the City Council approve a temporary zoning regulation for a period of six (6) months for the Gibson Community Plan area. The six-month temporary zoning regulation allows time for the Gibson Community Plan to be reviewed and approved by both the Planning Commission and the City Council. The temporary zoning regulation would prohibit any new development on any property within the designated plan area. The temporary zoning regulation would not, however, prevent the regular maintenance and repair of existing buildings and businesses in the area. The temporary zoning regulation would also not prevent any existing land use from continuing to operate and would not stop the review and approval of any development where permits have already been issued or are in the process of review.

## **Planning Commission**

In the case of temporary land use regulations, the City's legislative body may enact the regulation without prior review and recommendation from the Planning Commission. No Planning Commission review has been completed for the proposed temporary land use regulation.

Although no Planning Commission recommendation has been provided, the City's Administration is recommending approval of the temporary land use regulation. The Council must make a finding of compelling, countervailing public interest to enact the regulation. In this case, the compelling public interest is that a community plan process has been undertaken and it is the desire of the City to ensure the plan is successful and that future land uses are consistent with the proposed Gibson Community Plan.





# City Council Meeting COUNCIL STAFF REVIEW

## ***Issues for the Council***

The issue for the Council is the balance between property rights of those individuals and businesses currently residing within the Gibson Community Plan area and the desire of the City to enact a Community Plan that sets the vision for an area that has not previously had one. The development of community plans in Ogden involves significant public outreach and many conversations with residents and stakeholders in the plan areas. It is critical for the plan's success to ensure future land uses are consistent with the newly developed vision. However, current property and business owners have vesting in the current land use regulations and may have planned on developing in a way they feel is best for them that is also consistent with the existing land use regulations. The Council must weigh the desires of existing property owners with the desires of the community that have come about through the community plan process.

## ***Attachments***

1. Transmittal
2. Ordinance 2016-6
3. Maps of the Gibson Community Plan area

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|                           |                                |                                  |
|---------------------------|--------------------------------|----------------------------------|
| <b>Memos Prepared By:</b> | <b>Administrative Contact:</b> | <b>Greg Montgomery, 629-8931</b> |
|                           | <b>Council Staff</b>           | <b>Glenn Symes, 629-8164</b>     |

**OGDEN CITY COUNCIL TRANSMITTAL**

**DATE:** January 22, 2016  
**TO:** Ogden City Council  
**THRU:** Mark Johnson, CAO  
**FROM:** Tom Christopulos, CED Director

**RECEIVED**

**JAN 25 2016**

OGDEN CITY  
COUNCIL OFFICE

**RE:** Temporary Land Use Regulation prohibiting certain development activities in the Gibson Community area from the west side of Wall west to the city limits and between 12<sup>th</sup> Street and the Ogden River.

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

**REQUESTED TIMELINE:** January 26, 2016

**RECOMMENDATION:** Approval of the temporary regulation prohibiting certain development activities in the Gibson Community area from the west side of Wall west to the city limits and between 12<sup>th</sup> Street and the Ogden River.

**DOCUMENTS:** ordinance, proposed plan map

**DISCUSSION:**

Ogden has been in the process of developing the Gibson Community Plan for the last year. An open house was held on January 20, 2016 to present to the community the suggestions of land use and other objectives that can help this Ogden neighborhood reach its potential. One of the key factors to the plan is to change the development trends in the neighborhood from more disruptive heavier industrial uses which typically have been storage and outdoor activity land uses to more productive community uses. The plan suggests this be done by rezoning areas of the community. Land use under the proposed zoning can change the character of the area for the positive. The properties along the Wall Avenue frontage and along the Ogden River are of prime concern as some have been vacant for many years. Development under existing zoning in key, identified plan areas however has the potential to be disruptive to the future of the area.

The public displayed concept plans at the open house calls for rezoning the Wall Avenue frontage to commercial to create a better image of the community, provide sales tax opportunities and create a reason to then help develop residential areas in this community rather than people having to live next to all industrial uses. Creating housing opportunities by rezoning in areas presently zoned manufacturing could also be thwarted if developed under the present zoning. Rezoning manufacturing areas to lower intensity manufacturing is also part of the plan to avoid large land uses that do not add value to the community but create environmental and image problems.

The development actions in this area prior to the plan adoption and rezonings can either help forward the plan or undermine the plan objectives now that the concept have been made available to the public. Development under existing zoning without some

immediate restrictions the temporary ordinance would provide may actually hinder the attainment of the plan that is developing. Some may try to piecemeal development of critical parcels or make investments that really do not help the redevelopment of this area.

The proposed temporary ordinance allows the city time to have the plan adopted and do the necessary rezonings that would allow both the development that is envisioned and a way to look at options that have design guidelines that would improve the area. These changes would also prohibit some undesirable uses allowed under the present zoning. The temporary regulation would then allow the overall goal of the Gibson plan to be achieved. It would also preclude hindering the Gibson Community plan visions now that they are made public by inappropriate actions. The six month time period would allow the adoption of the plan and appropriate rezonings and regulation development that are necessary to retain the quality and concept of the Gibson plan.

The temporary ordinance would not restrict normal maintenance and repair work in keeping buildings under their present uses nor prohibit development plans currently under review. The temporary ordinance would however give the needed time so that the plan could be adopted and zoning and ordinances could be developed.

#### **STAFF RECOMMENDATION**

Approval of the six month temporary regulation.

**ORDINANCE NO. 2016-6**

**AN ORDINANCE OF OGDEN CITY, UTAH, ADOPTING A TEMPORARY LAND USE REGULATION REGARDING DEVELOPMENT IN THE GIBSON COMMUNITY AREA; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.**

**WHEREAS**, Ogden City has been in the process of developing a new community plan for the Gibson Community for about the last year; and

**WHEREAS**, an open house was held on January 20, 2016 to present to the community the suggestions of land use and other objectives that can help this Ogden neighborhood reach its potential; and

**WHEREAS**, one of the key factors to the plan is to change the development trends in the neighborhood from more disruptive heavier industrial uses which typically have been storage and outdoor activity land uses to more productive community uses; and

**WHEREAS**, development under existing zoning in key, identified plan areas has the potential to be disruptive to the future growth of the area; and

**WHEREAS**, the development actions in this area prior to the plan adoption and implementation can either help forward the plan or undermine the plan objectives now that the concepts have been made available to the public; and

**WHEREAS**, a temporary land use regulation ordinance allows the city time to have the updated community plan adopted and complete the necessary zoning changes that would allow the development that is envisioned and provide an opportunity to establish options for design guidelines that would improve the area; and

**WHEREAS**, a temporary land use regulation would also provide an opportunity to address some undesirable uses allowed under the present zoning; and

**WHEREAS**, pursuant to Utah Code Annotated, section 10-9a-504, Ogden City has the authority, without prior consideration or recommendation from the Planning Commission, to enact an ordinance establishing a temporary land use regulation for any area within the City.



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

**SECTION 1. Finding of Countervailing Public Interest.** Pursuant to Utah Code Annotated, section 10-9a-504(1), the City Council expressly finds that the adverse effects of allowing further any erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval within the area described in Section 2 of this ordinance is not in the best interest of the City and constitutes a compelling, countervailing public interest sufficient to justify a six-month prohibition as specified in this ordinance.

**SECTION 2. Affected Area.** The moratorium imposed by this ordinance shall apply to the properties in the Gibson Community, extending from the west side of Wall Avenue west to the city limits and between the south side of 12<sup>th</sup> Street and the Ogden River

**SECTION 3. Balancing of Public versus Private Interests.** The City Council further finds that any harm to private interests is *de minimus* and outweighed by the City's obligation to protect the orderly growth and development of the Gibson Community and to allow for the adoption and implementation of the new Gibson Community Plan.

**SECTION 4. Vested Rights.** The City Council finds that within the affected area, no developments, the plans for which were not submitted prior to 5:00 p.m. on January 26, 2016, in full compliance with existing zoning regulations, and other City ordinances and requirements applicable to new construction, have any right to develop under those existing regulations. In addition, any development plan applications within the affected area submitted prior to 5:00 p.m. on January 26, 2016, which have been disapproved due to incompleteness, inaccuracies or non-compliance are specifically determined to have no vested right to develop under existing regulations and the City shall not accept any re-submittals of these disapproved applications, or proceed with any further hearings for approval of those incomplete applications, during the period of this ordinance.

**SECTION 5. Prohibitions.** During the period of this Ordinance the City shall not accept, process or grant an application for any subdivision approval, change of use, demolition, building permit, conditional use, planned development or other development approval for new construction, remodeling or additions, unless such application

complies with the standards and procedures of the new zoning proposed for such property by the new Gibson Community Plan. The prohibition contained in this section does not extend to any city approved capital improvement project.

**SECTION 6. Duration.** This temporary land use regulation shall be effective for a period of six months from the effective date of this ordinance or until the effective date of the City Council's action addressing the proposed zoning amendments in the new Gibson Community Plan, whichever occurs first.

**SECTION 7. Effective Date.** This ordinance shall be effective immediately upon posting after final passage.

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Ogden City,  
Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHAIR

**ATTEST:**

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

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

**MAYOR'S ACTION:** ☐ Approved ☐ Vetoed

\_\_\_\_\_  
MAYOR

**ATTEST:**

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

PUBLICATION DATE: \_\_\_\_\_

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

APPROVED AS TO FORM: MMJ 1/23/16  
Legal Date

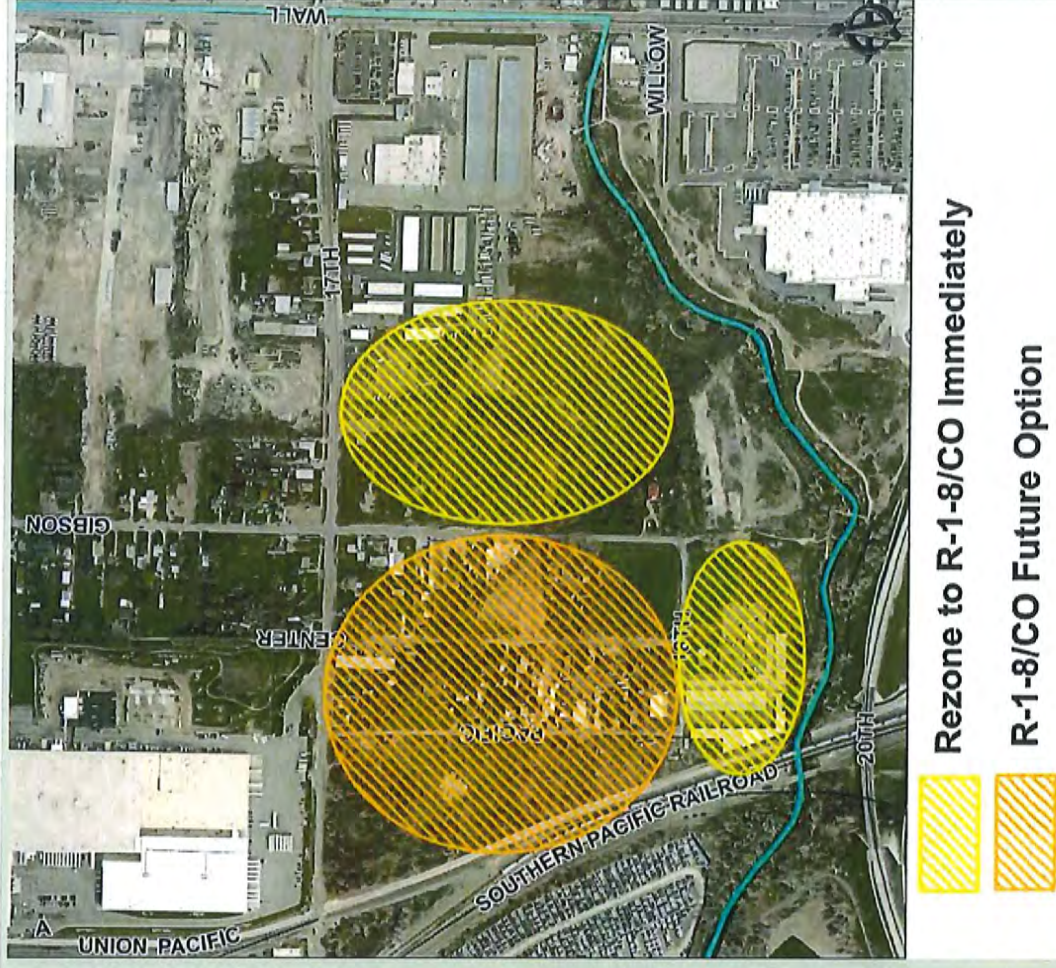
- \* The headings, catchlines or catchwords suggested for use in the Ogden Municipal Code and which are bracketed at the beginning of sections or subsections, shall not be considered to be a part of the ordinance adopted herein.



# LAND USE

## OPPORTUNITIES EXIST FOR ADDITIONAL LAND USE DESIGNATIONS AND DEVELOPMENT IN THE COMMUNITY

- Rezone unused UTA property and area south of 18<sup>th</sup> Street to R-1-8 immediately; property along Pacific and Center as future option
- Consider conditional overlay to residential zones to allow townhomes or row houses
- Increase community population to work towards attracting a school, church, or community facility

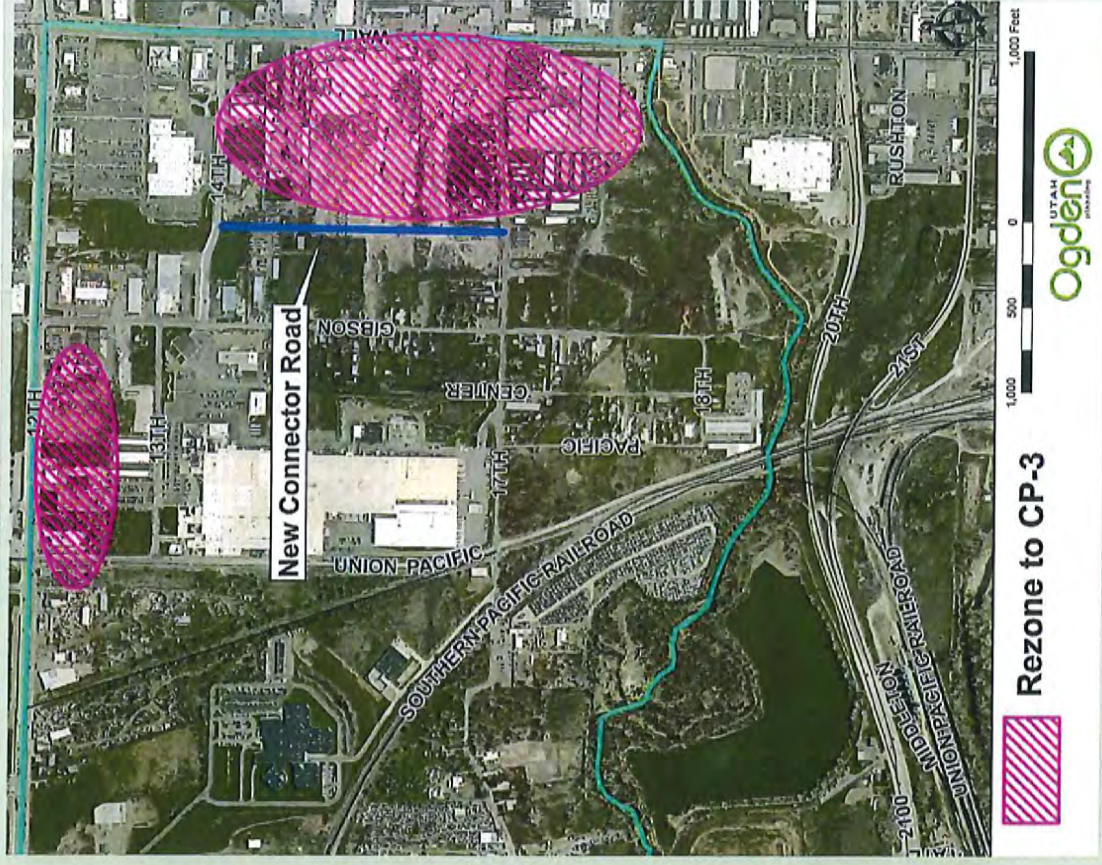




# LAND USE

## OPPORTUNITIES EXIST FOR ADDITIONAL LAND USE DESIGNATIONS AND DEVELOPMENT IN THE COMMUNITY

- Rezone area to CP-3 east of Union Pacific railroad on 12<sup>th</sup> Street
- Rezone area to CP-3 along Wall Ave as development needs dictate

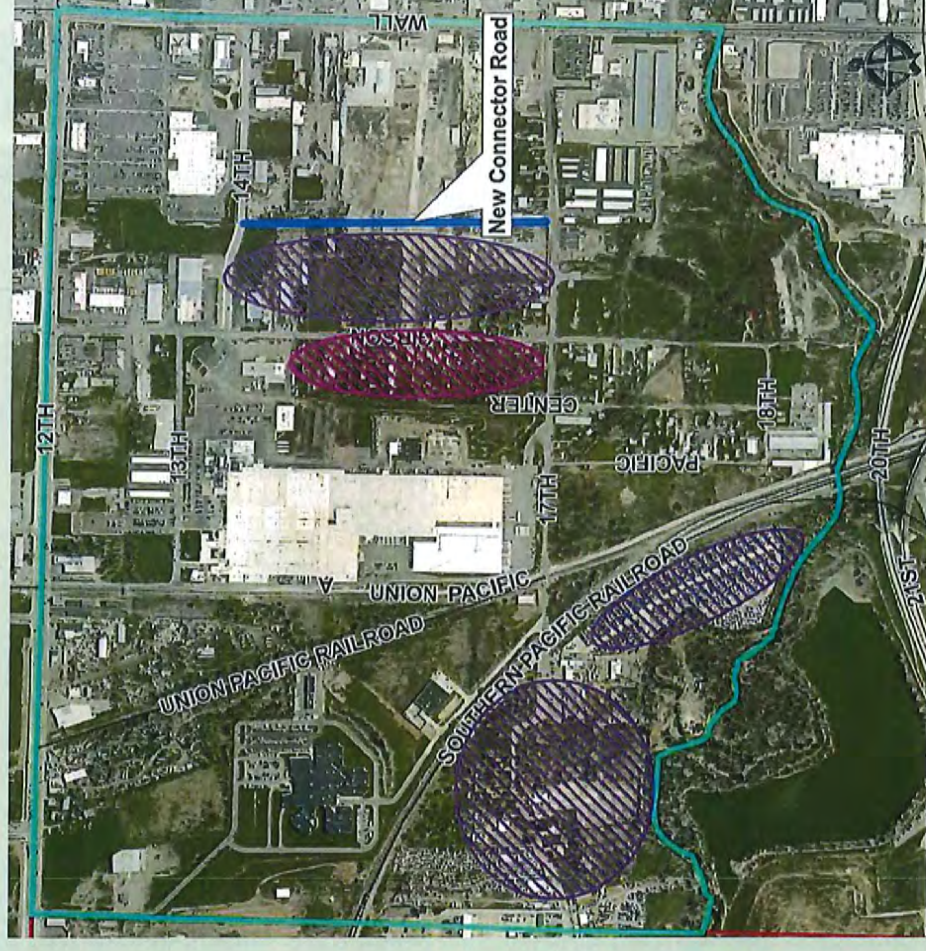




# LAND USE

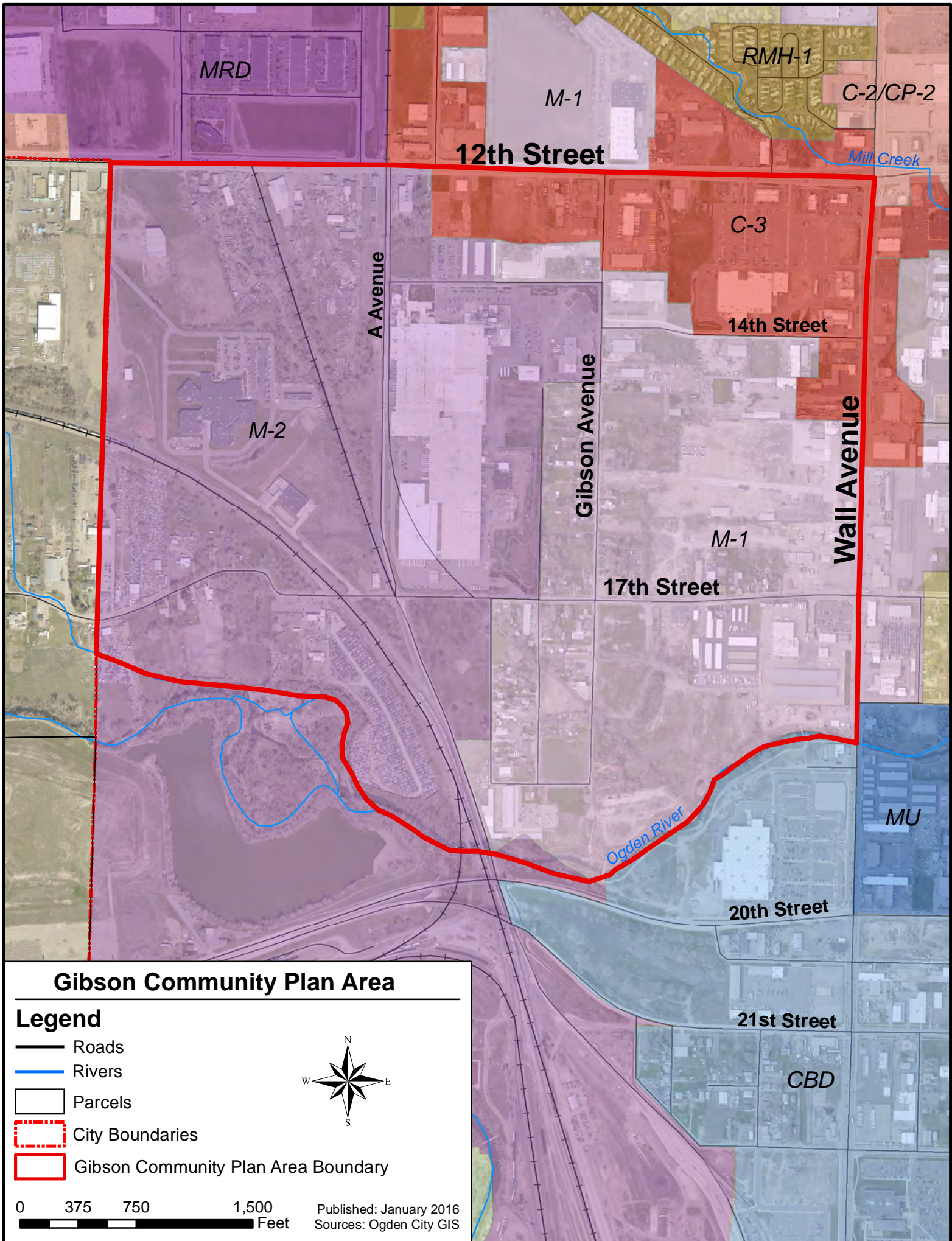
## OPPORTUNITIES EXIST FOR ADDITIONAL LAND USE DESIGNATIONS AND DEVELOPMENT IN THE COMMUNITY

- Rezone area to M-1 east of Gibson as development needs dictate from 14<sup>th</sup> - 17<sup>th</sup>
- Rezone area to M-2 west of Gibson between 13<sup>th</sup> and 17<sup>th</sup>
- Rezone to M-1 everything west of Southern Pacific railroad



- Rezoned to M-2
- Rezoned to M-1/CO





MRD

M-1

RMH-1

C-2/CP-2

12th Street

Mill Creek

C-3

14th Street

A Avenue

Gibson Avenue

Wall Avenue

M-2

M-1

17th Street

Ogden River

MU

20th Street

21st Street

CBD

## Gibson Community Plan Area

### Legend

- Roads
- Rivers
- Parcels
- City Boundaries
- Gibson Community Plan Area Boundary



0 375 750 1,500 Feet

Published: January 2016  
Sources: Ogden City GIS