

CLEARFIELD CITY COUNCIL
AND
CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA)
SPECIAL SESSIONS AND WORK SESSIONS
April 29, 2014

Clearfield City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

Mission Statement: To provide leadership in advancing core community values; sustain safety, security and health; and provide progressive, caring and effective services. We take pride in building a community where individuals, families and businesses can develop and thrive.

6:00 P.M. SPECIAL SESSION

Call to Order:

Mayor Shepherd

APPROVAL OF THE MINUTES:

April 15, 2014 – CUP Appeal Hearing

SCHEDULED ITEMS:

1. **CONSIDER APPROVAL OF THE AWARD OF BID FOR THE 2014 ROADWAY SURFACE IMPROVEMENT PROJECT TO STAKER PARSON COMPANIES**

BACKGROUND: Bids were received from four construction companies to make improvements to various roads throughout the City. The project includes applying a chip seal and crack seal asphalt surface treatments to various streets throughout the City and crack sealing the parking lots at the City office building. The lowest responsible bid was received from Staker Parson Companies with the bid of \$304,174.00.

RECOMMENDATION: Approve the award of bid for the 2014 Roadway Surface Improvement Project to Staker Parson Companies for the bid amount of \$304,174.00 and approve funding for the project for the bid amount of \$304,174.00 with contingency and engineering of \$48,826.00 for a total project cost of \$353,000.00; and authorize the Mayor's signature to any necessary documents.

2. **CONSIDER APPROVAL OF THE FINDINGS, CONCLUSIONS AND DETERMINATION BY THE APPEAL AUTHORITY REGARDING CUP 1402-0001**

BACKGROUND: The Clearfield City Council, acting in a quasi-judicial capacity as the Appeal Authority, convened on Tuesday, April 15, 2014, to hear an appeal from the Planning Commission's decision to grant a CUP (Conditional Use Permit) for a commercial daycare located at 573 North 1000 West (TIN: #14-262-0001). It was determined to reverse the decision and remand it back to the Planning Commission for further consideration.

RECOMMENDATION: Approve the Findings, Conclusions and Determination by the Appeal Authority regarding CUP 1402-0001 and authorize the Mayor's signature to any necessary documents.

****ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE CDRA****

1. **CONSIDER APPROVAL OF AN AGREEMENT WITH DAVIS BEHAVIORAL HEALTH TO FACILITATE THE DEMOLITION OF STRUCTURES LOCATED AT 836, 860 AND 904 SOUTH STATE STREET**

BACKGROUND: The buildings at 836, 860, and 904 South State Street are former homes that had been under commercial use for some years, but which have now been vacant for more than two years. Both the owner (Davis Behavioral Health) and the CDRA believe that demolition of the structures would enhance the potential for redevelopment of these properties. This agreement would provide for the CDRA's financial participation to accomplish the demolition.

RECOMMENDATION: Approve the agreement with Davis Behavioral Health to facilitate the demolition of structures at 836, 860, and 904 South State Street, and authorize the Chair's signature to any necessary documents.

****ADJOURN TO A CDRA WORK SESSION****

Executive Conference Room
55 South State Street
Third Floor
Clearfield, Utah

CDRA WORK SESSION IMMEDIATELY FOLLOWING CDRA SPECIAL SESSION

Discussion Regarding a Possible Land Lease with Albion Laboratories
Discussion on the 2014/2015 Fiscal Year Budget

****ADJOURN AS THE CDRA AND RECONVENE IN A CITY COUNCIL WORK SESSION****

CITY COUNCIL WORK SESSION

Discussion on the 2014/2015 Fiscal Year Budget

Dated this 24th day of April, 2014.

/s/Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.

CLEARFIELD CITY COUNCIL MEETING MINUTES
 6:00 P.M. APPEAL AUTHORITY HEARING
 (Acting in Quasi-Judicial Capacity as the Appeal Authority
 For a Decision by the Planning Commission)
 April 15, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Ron Jones Mike LeBaron Bruce Young	Councilmember Councilmember Councilmember Councilmember
RECUSED:	Keri Benson	Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Brian Brower Scott Hess Greg Krusi Nancy Dean Chris Allred	City Manager Assistant City Manager City Attorney Development Services Manager Police Chief City Recorder Attorney for Appeal Authority
PARTIES PRESENT:	Wendy Osborn Harold Osborn E. Kent Winward Robert Goupios Nick Colessides Nike Peterson	Appellant Appellant Attorney for Appellants Property Owner/Applicant Attorney for Applicant Planning Commission Chair

Visitors: Kathryn Murray, Robert Browning

Mayor Shepherd called the meeting to order at 6:02 p.m.

HEARING ON APPEAL OF THE PLANNING COMMISSION'S DECISION TO GRANT A
 CONDITIONAL USE PERMIT FOR A COMMERCIAL DAYCARE LOCATED AT 573
 NORTH 1000 WEST (TIN: 14-262-0001)

Chris Allred, attorney advising the Appeal Authority, and Brian Brower, City Attorney, reviewed procedures for conducting the hearing.

Mayor Shepherd disclosed that he was a member of the Planning Commission in 1998 and 1999. He stated that position would not interfere with his participation in the hearing. Councilmember Bush disclosed he had been working for Clearfield City during the initial process in 1998 through 2010 when he retired. Councilmember Jones disclosed he served on the Planning Commission from 2009 through 2013 when he was appointed as a council member.

Councilmember Benson disclosed she was close personal friends with the appellants and was, therefore, recusing herself from the hearing. She declared that she had not discussed any details of the appeal with any member of the Council. She continued she had only had conversations with the city attorney and Mayor Shepherd.

Mr. Allred explained the hearing was quasi-judicial in nature and as such was not necessarily a public hearing where everyone would have a right to speak. He continued the parties could call witnesses to speak. He stated the Council did have authority to permit others to speak if it so desired but the proceeding was not a traditional open and public hearing as such.

Brian Brower, City Attorney, stated he was representing Clearfield City Corporation as his client and advocating a position to the Appeal Authority; therefore, Mr. Allred was invited to come and act as legal counsel to the Appeal Authority.

Mr. Brower submitted Exhibit A which was Clearfield City's memorandum setting forth its position on CUP 1402-0001 decided by the Planning Commission on March 5, 2014 to the Appeal Authority to be included as part of the record for the appeal hearing and noted the appellants' and the applicant's attorneys had received a copy of the document. He acknowledged the attendance of the Planning Commission Chair at the proceeding.

Mr. Brower stated the City staff's position, as outlined in the memorandum, was a recommendation to reverse the decision of the Planning Commission and remand the matter back to it for further consideration. He reviewed an aerial photograph of the properties owned by Mr. Goupios with the Appeal Authority. He expressed regret that both he and other current staff members did not have sufficient institutional knowledge of the property's full history prior to preparing for this appeal hearing. He indicated the parking behind the dental office did not go in contemporaneously to the construction of the building and parking directly south of the building on the Buffer Zone parcel. He also noted the three parcels behind the building were still residentially zoned. He explained that parking lot to the west of the building and a neighborhood park were part of a site plan approval obtained by the property owner in 2005. He continued the site plan approval was subsequent to several failed attempts by the property owner to rezone the residentially zoned parcels to a zone that would allow additional parking for the dental office. He stated staff was accepting responsibility for incorrect assumptions which were made and for failing to accurately convey all of the relevant facts to the Planning Commission about the properties on March 5, 2014. Mr. Brower conferred with Nike Peterson, Planning Commission Chair, about whether she was aware of the full history of the properties prior to the appeal. Chair Peterson, who was in attendance, verbally acknowledged to the Appeal Authority that she had not been previously aware of the full history of the properties.

Mr. Brower recommended that the Appeal Authority should reverse and remand the matter back to the Planning Commission because the appellants in the appeal raised a valid issue relevant to notice. He explained the Notice of Public Hearing for the March 5, 2014, public hearing referenced only the parcel zoned B-1, Buffer, and did not include the residentially zoned parcels to the west of the building. He stated that was important because the commercial daycare request included a playground on the residentially zoned parcel on the northwest corner parcel and given that fact, there might be individuals who, had they known that the residential properties were part

of the conditional use permit consideration, did not have the opportunity to participate in the public hearing. He suggested the Appeal Authority should reverse and remand in the interest of justice, fairness and due process so proper notice could be given. He noted the Appeal Authority could reverse and remand on the noticing error alone.

Mr. Brower also expressed his opinion that the Planning Commission did not have all of the relevant facts available at its public hearing on March 5, 2014--in particular, the fact that all three residentially zoned properties were given site plan approval for a neighborhood park and parking lot in 2005. He suggested there was some merit to a challenge regarding whether a neighborhood park should be able to be used as an enclosed playground for a commercial daycare.

Mr. Brower commented that the term 'reverse' may appear to have a negative connotation. He stated that it was a key operative term used in the Clearfield City Code relative to appeal hearings which meant the decision made by the Planning Commission was null and void. He explained reversing the decision did not necessarily mean the Planning Commission did anything wrong, but rather its decision was not the appropriate decision, at least from a procedural perspective. He continued the Appeal Authority could remand the matter back to the Planning Commission to ensure proper notice was given and that all relevant information was provided to the land use authority before another decision was rendered.

Mr. Brower argued that in the event the Appeal Authority believed the procedural issues were not a sufficient basis for reverse and remand, then the full history of the properties also needed to be considered. He stated additional facts existed that supported a decision to reverse and remand such as the site plan approval from 2005 and the information that the three parcels on the west were residentially zoned. He expressed his opinion that it would be neither appropriate nor legal to turn a neighborhood park into a private playground for a commercial daycare that was neither a conditional, nor a permitted use in a residential zone. He added a park is a permitted use for residential zoning, but a private playground for a commercial daycare wasn't.

Mr. Winward, attorney for the appellants, Harold and Wendy Osborn, stated the reasons the appeal had been filed were articulated very well by Mr. Brower. He stated the appellants agreed that the matter should be reversed and remanded back to the Planning Commission.

Mr. Colessides, attorney for the applicant, Robert Goupios, disagreed partially with the position of the City as espoused by Mr. Brower. In reference to the Notice of Appeal, he stated no one had ever spoken or written anything about the playground. He argued Mr. Goupios always performed his due diligence by coming to the City to ask what needed to be done to develop his property in accordance with City requirements. He explained the building was built and opened for business in 2003 and then in 2006, the parking lot was constructed as an ancillary use to the commercial use of the building. He argued Mr. Goupios was properly permitted to build the building and properly permitted to use the parking lot even being required to construct a crash gate on the rear or west side of the lot for the fire department.

Mr. Colessides disagreed with the argument that it was not proper for a public, neighborhood park to be used by the daycare center. He declared Mr. Goupios owned the property and it had not been dedicated to the City. He stated if the City wanted to add a requirement for other

children to be able to use the park it might be accomplished if parents indemnified the owner from any dangers. He reiterated that matter should be a part of the conditional use but no one ever talked about it during that process; therefore, there was no reason for the Appeal Authority to know because the appeal did not address that matter. He explained the use being granted was for a particular part of the building that was located and permitted in the B-1, Buffer zone. He continued the ancillary uses had always existed; therefore, due to his client's reliance on asking for proper permitting whenever he wanted to do something with the property, it was incumbent upon the Appeal Authority to recommend and approve the process and uphold the permit because all the facts were known to the Planning Commission. He reiterated the Planning Commission knew the parking lot was being used as a parking lot, it knew the grassy space existed, it had the aerial photograph displayed when the meeting was held and the members of the Planning Commission had the opportunity to ask any questions. He continued the permitted use attached to the building only and the other uses were ancillary to the building.

Mr. Brower offered rebuttal. He had a photograph displayed that showed the current use of the properties. He stated staff was not contending that the parking which was approved with the neighborhood park in 2005 could not continue to be used. He stated there was no indication on the record that the parking was exclusive to the neighborhood park. He indicated minutes from the 2005 meeting indicated the parking would be jointly used to serve the neighborhood park as well as the business. Mr. Brower also pointed out there now existed a white vinyl fence around the grassed park area which was a requirement from previous conditional use permit approvals. He indicated this was the third conditional use permit approval Mr. Goupios had received; however, under the City's land use ordinance, if he did not exercise those rights by obtaining a business license or certificate of occupancy, he forfeited his rights granted under the permit and had to reapply. Mr. Brower argued since those rights were never fully vested because the applicant allowed the conditional use permits to expire, he didn't have any vested rights on the enclosed playground. He continued by indicating that property which was granted approval for a neighborhood park on residentially zoned lots should not be allowed to be turned into an enclosed private playground for commercial purposes.

Mr. Colessides also explained it was important to note that Mr. Goupios combined the three lots into one for purposes of having one parcel of land that would comply with all the requirements of the City at the request of the City. He asked what Mr. Goupios should do with the combined lots that he made in good faith because of the requirements of the City. He argued it was only fair to uphold the decision of the Planning Commission.

Councilmember Bush asked about the combination of the parcels. Scott Hess explained the lots had been combined into one parcel by Davis County on March 12, 2014, as a requirement of the Planning Commission. He continued the consolidation combined the properties into one parcel with a single Tax Identification Number. Due to the fact that the parcels were part of previously approved subdivision and were not creating new vested developable rights or lots, their consolidation was not pursuant to following a platting or subdivision process with the City. Mr. Winward asked if the combination of the lots changed the zoning associated with the property. Mr. Hess stated the combination did not change the zoning. He indicated there were multiple parcels in the City with split zoning designations.

Councilmember LeBaron referred to the memorandum submitted as Exhibit A and asked about item number three of the Relevant Facts/Background portion. He asked if the parking lot was put in to service the park as well as the dental office. Mr. Brower responded that his conclusion, based upon studying the facts and the minutes of the meeting in 2005, was that the parking lot was approved to service both the neighborhood park and the office building.

Mr. Brower also entered into the record a copy of the Notice of Public Hearing for the March 5, 2014, Planning Commission meeting. He indicated there was a typographical error on the CUP reference number which should have reflected CUP 1402-0001. Mr. Hess then explained the numbers were for internal tracking purposes and the number used on the notice referred back to the original file from 2012.

Councilmember LeBaron stated his belief that, based upon the facts presented, the Appeal Authority should make the following findings: 1) the Planning Commission did not have all the relevant information to make a complete judgment associated with the conditional use permits that were issued and had expired; 2) the notice was improper and incomplete with respect to CUP 1402-0001; 3) staff did not properly inform the Planning Commission about a separate site plan approval for a neighborhood park and parking lot in 2005; and 4) none of the current Planning Commission members were part of the Commission in 2005, thereby creating a disadvantage because they were unaware of all the relevant facts and did not get a complete, accurate history from staff. He emphasized the Planning Commission, as the appointed land use authority for conditional use permits, needed all of the relevant information to make proper determinations. He also believed a commercial daycare on R-1-8 zoning was illegal.

Councilmember LeBaron moved to reverse the Planning Commission's decision to approve as conditioned the March 5, 2014, CUP 1402-0001, and to remand the matter back to the Commission for de novo consideration after providing proper notice for a new public hearing on the matter. Seconded by Councilmember Bush. Councilmember Bush wanted to go on the record indicating that he agreed with Councilmember LeBaron's findings. He stated there were other privately owned parks throughout the City in residential zones that were not fenced. He continued explaining there was a difference when someone fences a park for commercial use that was originally meant for the public use. He expressed his opinion it was not legal. **The motion carried upon the following vote: Voting AYE: Councilmembers Bush, Jones, LeBaron, Young. Voting NO – None. Councilmember Benson was not present for the vote.**

There being no further business to come before the Council, **Councilmember Bush moved to adjourn at 6:46 p.m., seconded by Councilmember Jones.**

22 April 2014

Clearfield City
55 South State Street
Clearfield, Utah 84015

Attn: Mayor Mark Shepherd and City Council
Proj: **2014 Roadway Surface Improvement Project**
Subj: Bid Results, Bid Proposal Tabulation & Recommendation

Dear Mark Shepherd and Council Members,

The “Bid Opening” for the above referenced project was conducted Thursday, 17th April 2014. The lowest responsible bidder is Staker Parson Companies of Ogden, Utah.

Enclosed are the “Bid Results” and “Bid Proposal Tabulation”. Staker Parson Companies bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Staker Parson Companies bid is the low bid for the advertised project, and their bid meets the conditions of the Contract Documents, I herewith recommend award of the above referenced project in the amount of \$304,174.00 to Staker Parson Companies.

Should you have any questions or desire additional information concerning the contractor or his bid, please feel free to contact our office at your earliest convenience.

Sincerely,
CEC, Civil Engineering Consultants, PLLC.



R Todd Freeman, P.E.
City Engineer

cc: Scott Hodge – Clearfield City Public Works Director
Kim Dabb – Clearfield City Operations Manager

BID RESULTS

2014 Roadway Surface Improvement Project

OWNER: CLEARFIELD CITY
ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS, PLLC.

BID DATE: Thursday, 17th April 2014
TIME: 2:00 PM

BID LOCATION: Clearfield City Offices
55 South State Street; 3rd Floor
Clearfield, Utah 84015

BIDDERS NAME	ADDENDUM #1	ADDENDUM #2	ADDENDUM #3	BID BOND	BID AMOUNT
Staker Parson Companies	X	X	X	5%	\$304,174.00
Consolidating Paving & Concrete	X	X	X	5%	\$316,381.00
Intermountain Slurry Seal	X	X	X	5%	\$319,975.00
Advanced Paving & Construction	X	X	X	5%	\$374,473.00

BID PROPOSAL TABULATION

2014 Roadway Surface Improvement Project

Bid Date: 17 April 2014

Owner: Clearfield City

Public Works Director: Scott Hodge

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, UT 84401		Consolidated Paving and Concrete Inc. 1705 West 2450 South Ogden, UT 84401		Intermountain Slurry Seal Inc. 520 North 400 West North Salt Lake, UT 84054	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization.	1	ls.	\$13,435.10	\$13,435.10	\$16,845.00	\$16,845.00	\$4,545.00	\$4,545.00
2.	Asphalt and roadbase patching.	100	sy.	\$53.25	\$5,325.00	\$56.00	\$5,600.00	\$33.25	\$3,325.00
3.	Crack seal edge of curb and gutter.	1	ls.	\$23,940.00	\$23,940.00	\$28,500.00	\$28,500.00	\$27,500.00	\$27,500.00
4.	Chip seal with fog coat.	1	ls.	\$254,975.00	\$254,975.00	\$255,765.00	\$255,765.00	\$276,420.00	\$276,420.00
5.	Install roadway striping and roadway messages.	1	ls.	\$1,914.00	\$1,914.00	\$1,928.00	\$1,928.00	\$2,860.00	\$2,860.00
6.	Crack seal - City Building north parking lot.	1	ls.	\$1,726.00	\$1,726.00	\$3,424.00	\$3,424.00	\$2,000.00	\$2,000.00
7.	Crack seal - Police Department parking lot.	1	ls.	\$641.10	\$641.10	\$1,026.00	\$1,026.00	\$735.00	\$735.00
8.	Crack seal - City Building south parking lot.	1	ls.	\$1,371.00	\$1,371.00	\$2,440.00	\$2,440.00	\$1,575.00	\$1,575.00
9.	Slurry seal - City Building north parking lot.	0	ls.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10.	Slurry seal - Police Department parking lot.	0	ls.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11.	Slurry seal - City Building south parking lot.	0	ls.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
12.	Striping - City Building north parking lot.	1	ls.	\$423.40	\$423.40	\$426.00	\$426.00	\$500.00	\$500.00
13.	Striping - Police Department parking lot.	1	ls.	\$134.00	\$134.00	\$135.00	\$135.00	\$215.00	\$215.00
14.	Striping - City Building south parking lot.	1	ls.	\$289.40	\$289.40	\$292.00	\$292.00	\$300.00	\$300.00

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, UT 84401		Consolidated Paving and Concrete Inc. 1705 West 2450 South Ogden, UT 84401		Intermountain Slurry Seal Inc. 520 North 400 West North Salt Lake, UT 84054	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
TOTAL BID:				\$304,174.00		\$316,381.00		\$319,975.00	
Surety Company				Fidelity and deposit company of Maryland		The Cincinnati Insurance Company		Federal Insurance Company	
City, State				Baltimore, Maryland		Ohio		Warren, New Jersey	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				4910822-5501		261386-5501		231265-5501	

BID PROPOSAL TABULATION

2014 Roadway Surface Improvement Project

Bid Date: 17 April 2014

Owner: Clearfield City

Public Works Director: Scott Hodge

Bid Item	Description	Quantity	Unit	Advanced Paving and Construction, LLC PO Box 12847 Ogden, UT 84401	
				Unit Price	Total Amount
1.	Mobilization.	1	ls.	\$10,963.00	\$10,963.00
2.	Asphalt and roadbase patching.	100	sy.	\$30.00	\$3,000.00
3.	Crack seal edge of curb and gutter.	1	ls.	\$25,650.00	\$25,650.00
4.	Chip seal with fog coat.	1	ls.	\$326,560.00	\$326,560.00
5.	Install roadway striping and roadway messages.	1	ls.	\$2,400.00	\$2,400.00
6.	Crack seal - City Building north parking lot.	1	ls.	\$2,800.00	\$2,800.00
7.	Crack seal - Police Department parking lot.	1	ls.	\$650.00	\$650.00
8.	Crack seal - City Building south parking lot.	1	ls.	\$1,600.00	\$1,600.00
9.	Slurry seal - City Building north parking lot.	0	ls.	\$0.00	\$0.00
10.	Slurry seal - Police Department parking lot.	0	ls.	\$0.00	\$0.00
11.	Slurry seal - City Building south parking lot.	0	ls.	\$0.00	\$0.00
12.	Striping - City Building north parking lot.	1	ls.	\$350.00	\$350.00
13.	Striping - Police Department parking lot.	1	ls.	\$125.00	\$125.00
14.	Striping - City Building south parking lot.	1	ls.	\$375.00	\$375.00

				Advanced Paving and Construction, LLC PO Box 12847 Ogden, UT 84401	
Bid Item	Description	Quantity	Unit	Unit Price	Total Amount
TOTAL BID:					\$374,473.00
Surety Company				Zurich American Insurance Company	
City, State				Baltimore, Maryland	
Bid Security - Bid Bond Amount				5%	
Contractor's License Number				8698462-5551	

THE CLEARFIELD CITY COUNCIL
ACTING AS AN APPEAL AUTHORITY

HAROLD AND WENDY OSBORN,

Appellants,

vs.

CLEARFIELD CITY
PLANNING COMMISSION

Appellee.

**FINDINGS, CONCLUSIONS
AND DETERMINATION**

RE: PLANNING COMMISSION'S
DECISION ON CUP 1402-0001

Hearing Date: April 15, 2014

This matter came before the Clearfield City Council on Tuesday, April 15, 2014 at the Appellant's request. Pursuant to Title 11, Chapters 1 and 4, of the Clearfield City Code, the City Council is designated as the Appeal Authority for decisions reached by the Planning Commission as the land use authority on conditional use permit applications. While acting as said Appeal Authority, the Council puts aside its legislative responsibilities and functions in a quasi-judicial capacity. At the April 15th hearing, the position of both the City and the Appellants was presented by the Clearfield City Attorney, Mr. Brian Brower. Attorney Kent Winward also represented the position of the Appellants. The position of the Property Owner/Applicant was presented by attorney Nick Colessides. Attorney Chris Allred served as legal counsel to the Appeal Authority throughout the hearing. The owner of the property in question and applicant for CUP 1402-0001, Mr. Robert Goupios ("Applicant"), was also present at the hearing.

After considering the oral arguments of the parties, the testimony of any witnesses, statements of interested parties, and all other evidence presented and reviewed in this matter, acting as the Appeal Authority in a quasi-judicial capacity, the Clearfield City Council makes the following Findings of Fact, Conclusions of Law, and Determination:

FINDINGS OF FACT

1. In 1998 the Planning Commission recommended and the City Council approved a rezone from (R-2) Residential to (B-1) Buffer for the Applicant's parcel located at 573 North 1000 West (bearing Davis County Tax ID/Parcel No. 14-262-0001).

2. Between 1999 and 2004, the Applicant/Property Owner applied, on more than one occasion, to have the three residentially zoned parcels behind his dental office (located at 568, 572, and 596 West, 1050 South) rezoned from (R-1-8) Residential to (B-1) Buffer in order to provide additional parking for his business. None of those applications were successful and those properties remain zoned (R-1-8) Residential today.

3. On February 16, 2005, the Planning Commission approved a site plan application submitted by the Applicant/Property Owner for a neighborhood park and parking lot on the three residentially zoned parcels located behind his dental office (those parcels mentioned in paragraph 2 above).

4. On September 1, 2010, the Planning Commission approved, as conditioned, the Applicant/Property Owner's application for a CUP for a daycare facility at 573 North 1000 West.

5. On September 15, 2010, the Planning Commission approved the Applicant/Property Owner's application for Site Plan approval for a daycare facility at 573 North

1000 West.

6. On May 2, 2012, the Planning Commission approved, as conditioned, the Applicant/Property Owner's application for a CUP for a commercial daycare facility at 573 North 1000 West.

7. On March 5, 2014, the Planning Commission approved, as conditioned, the Applicant/Property Owner's application for CUP 1402-0001 for a commercial daycare facility at 573 North 1000 West.

8. The Notice of Public Hearing for the March 5th meeting did not specify the actual property addresses of all parcels involved in the CUP application and the properties' correct zoning designation for all parcels involved.

9. On March 13, 2014, Appellants filed with the City Recorder's Office their Notice of Appeal from the Planning Commission's decision granting CUP 1402-0001, as conditioned.

CONCLUSIONS OF LAW

1. Due process requires that the Notice of Public Hearing provide sufficient notice that an affected property owner can understand the nature of the action being proposed. The Notice in this case was insufficient because it failed to specify all of the actual property addresses and correct zoning designations.

2. Pursuant to Title 11, Chapter 1, Section 12 of the Clearfield City Code, a decision to grant a conditional use permit reached by the City's Planning Commission as the land use authority can only be overturned if the decision was illegal or not supported by substantial evidence.

3. In this case the planning commission's decision to issue the Conditional Use Permit was made without having complete and relevant background information, as described in

the City's Memorandum. Therefore the decision was not supported by substantial evidence.

4. A land use decision is illegal if it violates a law, statute, or ordinance in effect at the time of the decision. The planning commission's decision was illegal in this case because it permitted a commercial daycare facility in the R-1-8 Residential Zone in violation of the City's land use ordinances.

DETERMINATION

Considering the evidence before it and given the specific pertinent and controlling provisions of Clearfield City's Land Use Ordinance, the Clearfield City Council, acting in a quasi-judicial capacity as the Appeal Authority to a decision reached by the City's Planning Commission as the land use authority on a conditional use permit application, makes the following determinations:

The planning commission's decision to grant the Conditional Use Permit was in error because it was not supported by substantial evidence, and because it was illegal. The Notice of Public Hearing was also deficient and failed to satisfy due process. Therefore, the Appeal Authority reverses the decision and remands the matter back to the planning commission for de novo consideration after providing proper notice of a new public hearing on the matter.

THESE FINDINGS, CONCLUSIONS AND DETERMINATION BEING APPROVED
BY THE CLEARFIELD CITY COUNCIL this _____ day of April, 2014.

Mayor Mark Shepherd
Clearfield City Council

ATTEST:

Nancy R. Dean, City Recorder

Staff Report



To: CDRA Board of Directors
From: JJ Allen, Assistant City Manager
Date: April 25, 2014
Re: Demolition of Davis Behavioral Health buildings

I. RECOMMENDED ACTION

Approve the agreement with Davis Behavioral Health to facilitate the demolition of structures at 836, 860, and 904 South State Street, and authorize the Chair's signature to any necessary documents.

II. DESCRIPTION / BACKGROUND

The buildings at 836, 860, and 904 South State Street are former homes that had been under commercial use for some years, but which have now been vacant for more than two years. The owner, Davis Behavioral Health (DBH), feels that the properties would be more marketable and likely to redevelop if the structures were demolished. However, the estimated demolition cost is significant (more than \$100,000), and DBH is reluctant to take the risk that there won't be a sufficient return on the investment in demolition.

On February 18, 2014, the CDRA Board of Directors discussed this situation and directed staff to draft an agreement that would provide for the CDRA's financial participation in the demolition. If the attached agreement is approved, the CDRA would pay for half of the cost of demolition, up to a maximum of \$50,000. Whenever the properties are subsequently sold, the excess proceeds over \$900,000 will be split 50/50 to reimburse the CDRA (up to a maximum of \$50,000).

The agreement also includes a provision requiring DBH to consolidate the lots into one parcel after demolition. This would ensure that potential developers look at the property as a whole, and not as separate lots.

III. IMPACT

a. Fiscal

The CDRA's \$50,000 would come from fund balance. If the demolition occurs and the CDRA's payment is required before the end of June, the FY14 budget would need to be amended. Otherwise, we are programming this expenditure in the proposed FY15 budget.

While the agreement includes a provision for the City to be reimbursed, there is no way to know how soon that might happen, or how much would be repaid (if anything).

b. Operations / Service Delivery

N/A

IV. SCHEDULE / TIME CONSTRAINTS

DBH is anxious to move forward with demolition. They have already obtained at least a couple of quotes. The project would hopefully be completed this summer, but would depend on the selected contractor's schedule.

V. LIST OF ATTACHMENTS

- Agreement with DBH

FINANCIAL PARTICIPATION AGREEMENT

between

**CLEARFIELD COMMUNITY DEVELOPMENT
AND RENEWAL AGENCY**

and

DAVIS BEHAVIORAL HEALTH, INC.

This Agreement is entered into this ____ day of _____, 2014 (the “Effective Date”) between the Clearfield Community Development and Renewal Agency (the “CDRA”), and Davis Behavioral Health, Inc. (“DBH”), a Utah Non-Profit Corporation (sometimes referred to collectively herein as the “Parties”).

RECITALS

WHEREAS, DBH owns four parcels of real property located at approximately 836-904 South State Street in Clearfield and bearing Davis County Parcel/Tax ID#’s 12-069-0001, 12-069-0002, 12-069-0003, and 12-069-0004 (the “Property”); and

WHEREAS, most of the buildings and structures on the Property is dilapidated and would require substantial financial investment in order to bring them to a safe and usable condition; and

WHEREAS, Clearfield City and the CDRA have a significant interest in facilitating the demolition of older, dilapidated buildings in the community in order to encourage more desirable redevelopment, particularly along major commercial corridors, which will help facilitate further economic development in these important areas; and

WHEREAS, DBH has need of financial assistance with the demolition of the buildings and structures on the Property in order to make such action feasible and desirable to its governing board; and

WHEREAS, the CDRA has determined that the value of removing the dilapidated buildings and structures on the Property, in order to encourage redevelopment of the Property which is located on a major commercial corridor, makes a certain investment of financial resources beneficial to and in the best interest of the CDRA, its project areas, and the community; and

WHEREAS, the Parties desire to enter into this Agreement to set forth the terms, conditions and obligations of the Parties in order for the CDRA to participate in DBH’s demolition and removal of the buildings and structures on the Property;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the Parties hereby agree to the following obligations, terms, and conditions:

AGREEMENT

1. CDRA'S FINANCIAL PARTICIPATION AND DBH'S REPAYMENT.

- A. The CDRA agrees to provide financial assistance to DBH as set forth below for the demolition and removal of all buildings and structures on the Properties with the exception of the rear, detached garage/accessory building located at 904 S. State St. (bearing Davis County Tax ID# 12-069-0004), which structure will not be demolished. The CDRA's level of participation will be for fifty percent (50%) of the actual costs for razing the buildings on the Property, not to exceed fifty thousand dollars (\$50,000.00). The CDRA's financial participation is contingent upon certain conditions precedent: 1) except as set forth above, all structures on the Property must be razed and no buildings will be left remaining; 2) all four parcels which constitute the Property must be consolidated into one parcel in order to encourage redevelopment at the highest and best use of the property; 3) DBH must provide to the CDRA written documentation, to the satisfaction of the CDRA, of the actual costs incurred for demolition and removal of the buildings and structures on the Property.

- B. DBH agrees to repay the CDRA for its financial participation in the demolition and removal of structures on the Property should the Property be sold at a purchase price in excess of nine hundred thousand dollars (\$900,000.00). DBH would not be obligated to repay the CDRA any amount above that which was contributed by the CDRA. Furthermore, the Parties agree to split equally any proceeds in excess of nine hundred thousand dollars (\$900,000.00), up to and until the CDRA is fully reimbursed for its participation. In other words, by way of example and for illustrative purposes only, if the Property sold for nine hundred fifty thousand dollars (\$950,000.00), then DBH would reimburse the CDRA in the amount of twenty-five thousand dollars (\$25,000.00), assuming that amount did not exceed the participation amount provided by the CDRA, and so forth.

2. PAYMENT SCHEDULE.

- A. All payments owed by one party to the other party pursuant to this agreement shall be due and payable net thirty (30) days from receipt of invoice accompanied by all proper, required documentation.

- B. Any amounts remaining outstanding will be subject to six percent (6%) interest per annum.

3. TERM. This Agreement and the obligations, rights, privileges and the authority hereby granted shall take effect and be in force from the Effective Date and shall continue in full force and effect until all of the terms and obligations of the Parties have been fulfilled.

4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this

Agreement is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

5. APPLICABLE LAW AND VENUE. This Agreement shall be governed by and interpreted under the laws of the State of Utah. Any challenge to any provision of this Agreement shall be brought in the Second Judicial District Court of the State of Utah, Davis County, if in state court, or the United States District Court of Utah, if in federal court.
6. ENTIRE AGREEMENT. This Agreement constitutes the entire Agreement between the parties. There are no promises, terms, conditions, or obligations other than those contained herein. This Agreement shall supersede all prior and contemporaneous communications, representations, or agreements, either verbal or written, between the parties. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by both parties.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the Effective Date first written above.

DAVIS BEHAVIORAL HEALTH, INC.

CLEARFIELD COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY

Bruce Young, Chairman

ATTEST:

Nancy Dean, Board Secretary

APPROVED AS TO CONTENT:

Executive Officer

APPROVED AS TO FORM:

Board Legal Counsel

CITY COUNCIL
BUDGET WORK SESSION



CLEARFIELD CITY
COUNCIL BUDGET WORK SESSION
APRIL 29, 2014



Clearfield City

Date: 04/24/2014

REQUESTED REVENUE
FY2015

Time: 09:41AM

Fund	Level 2	Rev Acct	Revenue Account Title	FY12 Actuals	FY13 Actuals	FY14 Budget	FY15 Request	Change from 14
20	310000	311000	CURRENT TAXES	\$0	\$0	\$0	\$0	\$0
		311001	CURRENT GENERAL PROPERTY	\$0	\$0	\$0	\$0	\$0
		311101	EDA # 1	\$398,638	\$398,638	\$0	\$0	\$0
		311102	EDA # 2	\$521,425	\$476,151	\$476,151	\$0	(\$476,151)
		311103	EDA#3 - ATK	\$0	\$802,445	\$802,445	\$1,229,917	\$427,472
		311106	RDA #6	\$249,069	\$240,245	\$240,245	\$222,726	(\$17,519)
		311107	RDA # 7	\$338,926	\$344,920	\$344,920	\$294,315	(\$50,605)
		311108	RDA # 8	\$227,499	\$194,893	\$194,893	\$170,534	(\$24,359)
		311109	RDA # 9	\$297,682	\$302,915	\$302,915	\$297,197	(\$5,718)
		311110	RDA # 10	\$333,964	\$338,242	\$338,242	\$330,351	(\$7,891)
Level 310000 Total				\$2,367,203	\$3,098,449	\$2,699,811	\$2,545,040	(\$154,771)
	330000	337001	LOCAL GRANTS	\$0	\$2,600	\$0	\$0	\$0
		338001	SHARED REVENUE-SYRACUSE	\$0	\$0	\$0	\$0	\$0
		338002	SHARED REVENUE-WEST POINT	\$0	\$0	\$0	\$0	\$0
Level 330000 Total				\$0	\$2,600	\$0	\$0	\$0
	360000	361001	INTEREST EARNINGS	\$15,307	\$22,233	\$15,000	\$20,000	\$5,000
		361002	INTEREST ON BONDS	\$0	\$0	\$0	\$0	\$0
		361004	INTEREST ON LOANS	\$554	\$119	\$0	\$0	\$0
		362002	RENT REVENUES	\$49,992	\$49,292	\$47,492	\$67,891	\$20,399
		368001	OTHER FINANCING - CAPITAL	\$0	\$0	\$0	\$0	\$0
		369001	MISC REVENUES	\$16,032	\$2,000	\$0	\$0	\$0
Level 360000 Total				\$81,885	\$73,643	\$62,492	\$87,891	\$25,399
	380000	381004	TRNF FROM GF	\$0	\$0	\$0	\$0	\$0
		381007	TRNF FROM FUND 70	\$0	\$0	\$0	\$0	\$0
		381008	FUND BAL. APPROPRIATION	\$0	\$0	\$0	\$0	(\$287,174)
		382001	TRNF FROM CDRA	\$0	\$0	\$0	\$0	\$0
		382004	OVERHEAD ALLOCATIONS	\$0	\$206,254	\$0	\$0	\$0
		385001	LOAN FROM ENTERPRISE FUND	\$0	\$0	\$0	\$0	\$0
		389001	BEGINNING FUND BALANCE	(\$6,000)	(\$273,195)	\$0	\$0	\$0
Level 380000 Total				(\$6,000)	(\$66,941)	\$0	\$0	(\$287,174)
FUND 20 TOTAL				\$2,443,088	\$3,107,751	\$2,762,303	\$2,632,931	(\$416,546)
REVENUE ALL FUND TOTAL				\$2,443,088	\$3,107,751	\$2,762,303	\$2,632,931	(\$416,546)



Clearfield City
FY15 Revenue Budget NOTES
For Fund 20

Date: 04/24/2014

Time: 09:42AM

Fund	Account	Account Title	Revenue Ledger Note	Amount
20	311103	EDA#3 - ATK	TAX INCREMENT	\$1,681,419
			AS PER BUDGET COMMITTEE PROJECTIONS ON 4/22/14	-\$451,502
REVENUE ACCOUNT TOTAL				\$1,229,917
	311106	RDA #6	TAX INCREMENT	\$233,262
			AS PER BUDGET COMMITTEE PROJECTION ON 4/22/14	-\$10,536
REVENUE ACCOUNT TOTAL				\$222,726
	311107	RDA # 7	TAX INCREMENT	\$337,826
			AS PER BUDGET COMMITTEE PROJECTION ON 4/22/14	-\$43,511
REVENUE ACCOUNT TOTAL				\$294,315
	311108	RDA # 8	TAX INCREMENT	\$203,002
			AS PER BUDGET COMMITTEE PROJECTIONS ON 4/22/14	-\$32,468
REVENUE ACCOUNT TOTAL				\$170,534
	311109	RDA # 9	TAX INCREMENT	\$305,105
			AS PER BUDGET COMMITTEE PROJECTIONS ON 4/22/14	-\$7,908
REVENUE ACCOUNT TOTAL				\$297,197
	311110	RDA # 10	TAX INCREMENT	\$343,206
			AS PER BUDGET COMMITTEE PROJECTION ON 4/22/14	-\$12,855
REVENUE ACCOUNT TOTAL				\$330,351
	361001	INTEREST EARNINGS	BASED ON FY14 ACTUALS THRU PERIOD 7	\$20,000
REVENUE ACCOUNT TOTAL				\$20,000
	362002	RENT REVENUES	ROCKET FUEL COFFEE COMPANY (\$2,000/MO)	\$24,000
			FRANK EDWARDS AUTO PART STORE (\$2,500/MO)	\$30,000
			1ST NATIONAL BANK (\$1,157.63/MO)	\$13,891
REVENUE ACCOUNT TOTAL				\$67,891
TOTAL FUND REVENUE				\$2,632,931



Clearfield City

Date: 04/23/2014

Detail Budget Expenditure CED ADMINISTRATION

Time: 10:23AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4611	613601	LONG TERM DISABILITY	\$0	\$385	\$0	\$0	\$0		\$0	\$0
			\$0	\$385	\$0	\$0	\$0		\$0	\$0
	621101	BOOKS & SUBSCRIPTIONS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	621201	MEMBERSHIP DUES	\$8,725	\$11,042	\$11,550	\$11,700	(\$150)	101.30%	\$0	(\$11,550)
	621301	TRAINING & REGISTRATION F	\$80	\$1,835	\$1,670	\$570	\$1,100	34.13%	\$0	(\$1,670)
	621401	EDUCATIONAL REIMBURSEMENT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	622101	PUBLIC NOTICES	\$510	\$0	\$0	\$1,916	(\$1,916)		\$0	\$0
	624001	OFFICE SUPPLIES	\$84	\$0	\$0	\$0	\$0		\$0	\$0
	624005	COPYING / PRINTING	\$0	\$1,125	\$500	\$0	\$500	0.00%	\$0	(\$500)
	624006	POSTAGE / MAILING	\$0	\$1,063	\$0	\$0	\$0		\$0	\$0
	624101	CLAIMS & DAMAGES	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	624102	SALES TAX PAID	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	624104	PROJECT EXPENDITURES	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	625202	FUEL/OIL	\$0	\$17	\$0	\$0	\$0		\$0	\$0
	626001	BUILDING MAINTENANCE	\$469	\$842	\$0	\$0	\$0		\$0	\$0
	626003	MUNICIPAL BUILDING RENT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	627001	ELECTRIC	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	627002	QUESTAR	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	628001	CITY CELL PHONES	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$9,868	\$15,923	\$13,720	\$14,186	(\$466)		\$0	(\$13,720)
	623101	IN-STATE LODGING	\$0	\$495	\$100	\$0	\$100	0.00%	\$0	(\$100)
	623102	IN-STATE MEALS	\$0	\$0	\$46	\$0	\$46	0.00%	\$0	(\$46)
	623103	IN-STATE TRANSPORTATION	\$0	\$0	\$100	\$0	\$100	0.00%	\$0	(\$100)
	623104	IN-STATE MILEAGE REIMBURS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	623501	OUT-OF-STATE LODGING	\$0	\$936	\$1,850	\$0	\$1,850	0.00%	\$0	(\$1,850)
	623502	OUT-OF-SATE MEALS	\$0	\$1,189	\$1,136	\$0	\$1,136	0.00%	\$0	(\$1,136)
	623503	OUT-OF-STATE TRANSPORT	\$0	\$2,027	\$2,200	\$0	\$2,200	0.00%	\$0	(\$2,200)
	623504	OUT-OF-STATE MILEAGE	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	623505	OUT-OF-STATE MISC.	\$0	\$75	\$850	\$0	\$850	0.00%	\$0	(\$850)
			\$0	\$4,722	\$6,282	\$0	\$6,282		\$0	(\$6,282)
	631003	INSURANCE FEES	\$0	\$0	\$386	\$193	\$193	50.03%	\$386	\$0
	631006	OTHER PROFESSIONAL FEES	\$75,381	\$182,111	\$175,470	\$106,209	\$69,261	60.53%	\$0	(\$175,470)



Clearfield City

Detail Budget Expenditure CED ADMINISTRATION

Date: 04/23/2014

Time: 10:23AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
			\$75,381	\$182,111	\$175,856	\$106,402	\$69,454		\$386	(\$175,470)
	645001	SPECIAL DEPARTMENT ALLOW	\$441	\$1,910	\$17,010	\$343	\$16,667	2.02%	\$50,010	\$33,000
	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$28,892	\$0	\$28,892	0.00%	\$0	(\$28,892)
			\$441	\$1,910	\$45,902	\$343	\$45,559		\$50,010	\$4,108
	651502	BAD DEBT EXPENSE	\$0	\$2,744	\$0	\$0	\$0		\$0	\$0
			\$0	\$2,744	\$0	\$0	\$0		\$0	\$0
	663001	CONTINGENCY FUND	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	673001	CP - PROJECT	\$42,514	\$3,946	\$0	\$0	\$0		\$100,000	\$100,000
	673006	CP - MISC	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$42,514	\$3,946	\$0	\$0	\$0		\$100,000	\$100,000
	681002	DEBT SERVICES-INTEREST	\$11,121	\$8,433	\$10,742	\$2,661	\$8,081	24.78%	\$0	(\$10,742)
			\$11,121	\$8,433	\$10,742	\$2,661	\$8,081		\$0	(\$10,742)
	691004	TRNF GF	\$234,468	\$94,189	\$97,163	\$47,094	\$50,069	48.47%	\$0	(\$97,163)
	691005	TRNF EF	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$234,468	\$94,189	\$97,163	\$47,094	\$50,069		\$0	(\$97,163)
CED ADMINISTRATION DEPARTMENT TOTAL			\$373,794	\$314,362	\$349,665	\$170,686	\$178,979		\$150,396	(\$199,269)



Clearfield City
Budget Justification Notes FY15
CED ADMINISTRATION

Date: 04/23/2014

Time: 10:20AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204611	631003	INSURANCE FEES	PROPERTY PREMIUMS	\$386
BUDGET UNIT INSURANCE FEES TOTAL				\$386
	645001	SPECIAL DEPARTMENT ALLOW	ANNUAL LEASE OF AUTO PARTS STORE FROM GENERAL FUND	\$10
			NEW - DBH DEMOLITION ASSISTANCE	\$50,000
BUDGET UNIT SPECIAL DEPARTMENT ALLOW TOTAL				\$50,010
	673001	CP - PROJECT	NEW - GATEWAY CONSTRUCTION	\$100,000
BUDGET UNIT CP - PROJECT TOTAL				\$100,000
TOTAL CED ADMINISTRATION NOTE JUSTIFICATION				\$150,396



Clearfield City

Detail Budget Expenditure RDA #9

Date: 04/24/2014

Time: 09:43AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4615	631006	OTHER PROFESSIONAL FEES	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	651101	ADMINISTRATION & GENERAL	\$0	\$0	\$255,519	\$0	\$255,519	0.00%	\$2,197	(\$253,322)
			\$0	\$0	\$255,519	\$0	\$255,519		\$2,197	(\$253,322)
	673001	CP - PROJECT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681001	DEBT SERVICE-PRINCIPAL	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681002	DEBT SERVICES-INTEREST	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	691001	TRNF OTHER FUNDS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	691004	TRNF GF	\$0	\$116,841	\$47,396	\$7,573	\$39,823	15.98%	\$295,000	\$247,604
			\$0	\$116,841	\$47,396	\$7,573	\$39,823		\$295,000	\$247,604
RDA #9 DEPARTMENT TOTAL			\$0	\$116,841	\$302,915	\$7,573	\$295,342		\$297,197	(\$5,718)



Clearfield City
Budget Justification Notes FY15
RDA #9

Date: 04/24/2014

Time: 09:43AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204615	651101	ADMINISTRATION & GENERAL	CDRA GENERAL ADMIN TO COVER 204611	\$2,197
BUDGET UNIT ADMINISTRATION & GENERAL TOTAL				\$2,197
	691004	TRNF GF	ADMINISTRATION 104611	\$45,000
			SALES TAX BOND PAYMENT	\$250,000
BUDGET UNIT TRNF GF TOTAL				\$295,000
TOTAL RDA #9 NOTE JUSTIFICATION				\$297,197



Clearfield City

Detail Budget Expenditure RDA #6

Date: 04/24/2014

Time: 09:44AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4616	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$196,578	\$0	\$196,578	0.00%	\$0	(\$196,578)
			\$0	\$0	\$196,578	\$0	\$196,578		\$0	(\$196,578)
	651101	ADMINISTRATION & GENERAL	\$0	\$41,251	\$31,655	\$0	\$31,655	0.00%	\$85,694	\$54,039
			\$0	\$41,251	\$31,655	\$0	\$31,655		\$85,694	\$54,039
	673001	CP - PROJECT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681001	DEBT SERVICE-PRINCIPAL	\$30,000	\$0	\$0	\$0	\$0		\$0	\$0
			\$30,000	\$0	\$0	\$0	\$0		\$0	\$0
	691004	TRNF GF	\$0	\$12,015	\$12,012	\$6,006	\$6,006	50.00%	\$100,000	\$87,988
			\$0	\$12,015	\$12,012	\$6,006	\$6,006		\$100,000	\$87,988
RDA #6 DEPARTMENT TOTAL			\$30,000	\$53,266	\$240,245	\$6,006	\$234,239		\$185,694	(\$54,55)



Clearfield City
Budget Justification Notes FY15
RDA #6

Date: 04/24/2014

Time: 09:44AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204616	651101	ADMINISTRATION & GENERAL	CDRA GENERAL ADMIN TO COVER 204611 - \$122,726 TOTAL	\$85,694
BUDGET UNIT ADMINISTRATION & GENERAL TOTAL				\$85,694
	691004	TRNF GF	SALES TAX BOND PAYMENT	\$100,000
BUDGET UNIT TRNF GF TOTAL				\$100,000
TOTAL RDA #6 NOTE JUSTIFICATION				\$185,694



Clearfield City

Detail Budget Expenditure RDA #7

Date: 04/23/2014

Time: 10:24AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4617	626001	BUILDING MAINTENANCE	\$0	\$604	\$0	\$0	\$0		\$0	\$0
			\$0	\$604	\$0	\$0	\$0		\$0	\$0
	631004	BANK PROFESSIONAL FEES	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	631006	OTHER PROFESSIONAL FEES	\$0	\$302	\$0	\$0	\$0		\$0	\$0
			\$0	\$302	\$0	\$0	\$0		\$0	\$0
	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$327,674	\$0	\$327,674	0.00%	\$47,663	(\$280,011)
			\$0	\$0	\$327,674	\$0	\$327,674		\$47,663	(\$280,011)
	651101	ADMINISTRATION & GENERAL	\$0	\$41,252	\$0	\$330	(\$330)		\$0	\$0
			\$0	\$41,252	\$0	\$330	(\$330)		\$0	\$0
	663001	CONTINGENCY FUND	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	673001	CP - PROJECT	(\$16,281)	\$0	\$0	\$0	\$0		\$0	\$0
	673006	CP - MISC	\$16,281	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681001	DEBT SERVICE-PRINCIPAL	\$165,000	\$0	\$0	\$0	\$0		\$0	\$0
	681002	DEBT SERVICES-INTEREST	\$3,658	\$0	\$0	\$0	\$0		\$0	\$0
			\$168,658	\$0	\$0	\$0	\$0		\$0	\$0
	691004	TRNF GF	\$0	\$56,265	\$17,246	\$8,543	\$8,703	49.54%	\$221,179	\$203,933
			\$0	\$56,265	\$17,246	\$8,543	\$8,703		\$221,179	\$203,933
	RDA #7 DEPARTMENT TOTAL		\$168,658	\$98,423	\$344,920	\$8,873	\$336,047		\$268,842	(\$76,078)



Clearfield City
Budget Justification Notes FY15
RDA #7

Date: 04/23/2014

Time: 10:21AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204617	648801	APPR. INCREASE FUND BAL	CDRA ADMIN TO COVER 204611	-25,473-
			ECONOMIC DEVELOPMENT ACTIVITIES	\$73,136
BUDGET UNIT APPR. INCREASE FUND BAL TOTAL				\$47,663
	651101	ADMINISTRATION & GENERAL	CDRA GENERAL ADMIN TO COVER 204611 - \$25,473	0
BUDGET UNIT ADMINISTRATION & GENERAL TOTAL				0
	691004	TRNF GF	ADMINISTRATION 104611	\$100,000
			SALES TAX BOND PAYMENT	\$121,179
BUDGET UNIT TRNF GF TOTAL				\$221,179
TOTAL RDA #7 NOTE JUSTIFICATION				\$268,842



Clearfield City

Detail Budget Expenditure RDA #8

Date: 04/23/2014

Time: 10:24AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4618	631004	BANK PROFESSIONAL FEES	\$2,000	\$2,000	\$2,000	\$2,000	\$0	100.00%	\$0	(\$2,000)
			\$2,000	\$2,000	\$2,000	\$2,000	\$0		\$0	(\$2,000)
	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$21,484	\$0	\$21,484	0.00%	(\$64,466)	(\$85,950)
			\$0	\$0	\$21,484	\$0	\$21,484		(\$64,466)	(\$85,950)
	651101	ADMINISTRATION & GENERAL	\$0	\$41,250	\$0	\$0	\$0		\$0	\$0
			\$0	\$41,250	\$0	\$0	\$0		\$0	\$0
	663001	CONTINGENCY FUND	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	673001	CP - PROJECT	\$0	\$0	\$0	\$0	\$0		\$50,000	\$50,000
			\$0	\$0	\$0	\$0	\$0		\$50,000	\$50,000
	681001	DEBT SERVICE-PRINCIPAL	\$142,000	\$148,000	\$155,000	\$0	\$155,000	0.00%	\$0	(\$155,000)
	681002	DEBT SERVICES-INTEREST	\$18,703	\$12,881	\$6,665	\$3,333	\$3,333	50.00%	\$0	(\$6,665)
			\$160,703	\$160,881	\$161,665	\$3,333	\$158,333		\$0	(\$161,665)
	691004	TRNF GF	\$0	\$57,415	\$9,745	\$4,872	\$4,873	50.00%	\$185,000	\$175,255
			\$0	\$57,415	\$9,745	\$4,872	\$4,873		\$185,000	\$175,255
RDA #8 DEPARTMENT TOTAL			\$162,703	\$261,546	\$194,894	\$10,205	\$184,689		\$170,534	(\$24,360)



Clearfield City
Budget Justification Notes FY15
RDA #8

Date: 04/23/2014

Time: 10:21AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204618	648801	APPR. INCREASE FUND BAL	USE OF FUND BALANCE - FUND BALANCE APPROPRIATION	-64,466-
BUDGET UNIT APPR. INCREASE FUND BAL TOTAL				-64,466-
	673001	CP - PROJECT	NEW - MABEY POND IMPROVEMENTS	\$50,000
BUDGET UNIT CP - PROJECT TOTAL				\$50,000
	691004	TRNF GF	ADMINISTRATION 104611	\$35,000
			SALES TAX BOND PAYMENT	\$150,000
BUDGET UNIT TRNF GF TOTAL				\$185,000
TOTAL RDA #8 NOTE JUSTIFICATION				\$170,534



Clearfield City

Detail Budget Expenditure RDA #10

Date: 04/23/2014

Time: 10:25AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4619	645004	DEVELOPER INCREMENTS	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$0	\$0	\$0		\$10,351	\$10,351
			\$0	\$0	\$0	\$0	\$0		\$10,351	\$10,351
	651101	ADMINISTRATION & GENERAL	\$0	\$41,250	\$0	\$0	\$0		\$0	\$0
			\$0	\$41,250	\$0	\$0	\$0		\$0	\$0
	673001	CP - PROJECT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681001	DEBT SERVICE-PRINCIPAL	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681002	DEBT SERVICES-INTEREST	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	691004	TRNF GF	\$0	\$311,456	\$338,242	\$8,456	\$329,786	2.50%	\$320,000	(\$18,242)
			\$0	\$311,456	\$338,242	\$8,456	\$329,786		\$320,000	(\$18,242)
RDA #10 DEPARTMENT TOTAL			\$0	\$352,706	\$338,242	\$8,456	\$329,786		\$330,351	(\$7,891)



Clearfield City
Budget Justification Notes FY15
RDA #10

Date: 04/23/2014

Time: 10:22AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204619	648801	APPR. INCREASE FUND BAL	ECONOMIC DEVELOPMENT ACTIVITIES	\$10,351
BUDGET UNIT APPR. INCREASE FUND BAL TOTAL				\$10,351
	691004	TRNF GF	ADMINISTRATION 104611	\$120,000
			SALES TAX BOND PAYMENT	\$200,000
BUDGET UNIT TRNF GF TOTAL				\$320,000
TOTAL RDA #10 NOTE JUSTIFICATION				\$330,351



Clearfield City

Detail Budget Expenditure EDA #3

Date: 04/23/2014

Time: 10:25AM

Division	Account	Account Title	FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY14 YTD	FY14 Remaining	FY14 % Spent	FY15 Request	Variance FY15 to FY14
4623	631006	OTHER PROFESSIONAL FEES	\$0	\$9,430	\$0	\$0	\$0		\$0	\$0
			\$0	\$9,430	\$0	\$0	\$0		\$0	\$0
	645004	DEVELOPER INCREMENTS	\$0	\$0	\$658,005	\$0	\$658,005	0.00%	\$1,008,532	\$350,527
	648801	APPR. INCREASE FUND BAL	\$0	\$0	\$104,318	\$0	\$104,318	0.00%	\$159,889	\$55,571
			\$0	\$0	\$762,323	\$0	\$762,323		\$1,168,421	\$406,098
	673001	CP - PROJECT	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681001	DEBT SERVICE-PRINCIPAL	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	681002	DEBT SERVICES-INTEREST	\$0	\$0	\$0	\$0	\$0		\$0	\$0
			\$0	\$0	\$0	\$0	\$0		\$0	\$0
	691004	TRNF GF	\$0	\$40,122	\$40,122	\$20,061	\$20,061	50.00%	\$61,496	\$21,374
			\$0	\$40,122	\$40,122	\$20,061	\$20,061		\$61,496	\$21,374
EDA #3 DEPARTMENT TOTAL			\$0	\$49,552	\$802,445	\$20,061	\$782,384		\$1,229,917	\$427,417



Clearfield City
Budget Justification Notes FY15
EDA #3

Date: 04/23/2014

Time: 10:22AM

Budget Unit	Account	Account Title	Budget Justification	Expense
204623	645004	DEVELOPER INCREMENTS	ADJUSTMENT TO ATK INCENTIVE AS PER JJ & ADAM ON 4/22/14	-370,232-
			ATK INCENTIVE	\$1,378,764
BUDGET UNIT DEVELOPER INCREMENTS TOTAL				\$1,008,532
	648801	APPR. INCREASE FUND BAL	ECONOMIC DEVELOPMENT ACTIVITIES	\$159,889
BUDGET UNIT APPR. INCREASE FUND BAL TOTAL				\$159,889
	691004	TRNF GF	ADJUSTMENT AS PER JJ & ADAM 4/22/14	-22,575-
			ADMINISTRATION 104611	\$84,071
BUDGET UNIT TRNF GF TOTAL				\$61,496
TOTAL EDA #3 NOTE JUSTIFICATION				\$1,229,917