

BUDGET WORK SESSION: A budget work session will be held at 4:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The public is welcome to attend.

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to discuss street paving projects and to answer questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, May 1, 2012, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

7:10 Executive Summary for Planning Commission held April 12, 2012 and April 26, 2012

7:15 Presentation by Scott Zeivler with the Forest Service regarding Tree City USA

PUBLIC HEARINGS:

7:25 North East Corner of Main Street and 1400 North Partial ROW Vacation

7:35 Approval of Schematic Plan for Legacy Estates Subdivision Phases 1 & 2

PRESENTATION OF PETITIONS AND REQUESTS:

7:45 Consideration of Final Plat Approval and Final (PUD) Master Plan for the Villa Suzanna (PUD) Subdivision

7:55 Consideration of Final Plat Approval for Spring Creek Estates Phase 5

SUMMARY ACTION:

8:05 Minute Motion Approving Summary Action List

1. Resolution Refunding the 2009 \$1,250,000 GO Bond
2. Ratification of Approvals of Storm Water Bond Logs
3. Installation of Bridge over Shepard Creek, South of Ranches Park
4. Approval of Disbursement Lists for March 2012
5. Temporary Zoning Regulations regarding Smoke Shops

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS:

8:10 Resolution Adopting the Tentative Budget for Fiscal Year 2013

GOVERNING BODY REPORTS:

8:20 City Manager Report

1. Upcoming Agenda Items

8:25 Mayor Harbertson & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 26th day of April, 2012.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that Council Member Nelsen Michaelson give the invocation/opening comments to the meeting and it is requested that City Manager Dave Millheim lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Executive Summary for Planning Commission held April 12, 2012 and April 26, 2012

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David Petersen, Community Development Director

Date: April 24, 2012

SUBJECT: EXECUTIVE SUMMARY FOR PLANNING COMMISSION ON APRIL 12, 2012

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on April 12, 2012 [note: four commissioners attended the meeting—Chair Michael Nilson, Rick Draper, Kris Kaufman, Bob Murri, and alternate Mack McDonald]:

1. Brad Pack – Applicant is requesting a recommendation for Schematic Plan approval for the Legacy Estates Subdivision encompassing 9.4 acres and consisting of 7 lots located at approximately 487 West Glover Lane in an AE zone. (S-4-12)

Voted to recommend schematic plan approval, Vote: 5 – 0.

The primary issue for this item became whether or not the cul-de-sac in the schematic plan met the City's 1000 foot street length standard. If measured one way it did, and if measured another way it did not. But because the ordinance is not clear regarding the precise form of measurement, the Commission gave deference to the property owner and approved his request. Thereafter the Commission directed staff to bring back an amendment to the ordinance to clarify the matter for their consideration.

2. Frank McCullough – Applicant is requesting a recommendation for Final (PUD) Master Plan approval for the Villa Susanna PUD Subdivision encompassing .88 acres and consisting of 5 lots located at approximately 1400 North Main Street in a LR-F zone. (S-3-11)

Voted to recommend final plat approval, Vote: 5 – 0.

3. Farmington City – Applicant is requesting approval of a conditional use permit to expand the sports/playing fields at the Davis School District Bus Park property located at approximately 400 West Glover Lane in an AE zone. (C-5-12)

Voted to recommend final plat approval, Vote: 5 – 0.

4. Farmington City – Applicant is requesting a recommendation of approval to amend the zoning text, establishing additional criteria for smoke shops within the City. (ZT-3-11)

Voted to not recommend approval, Vote: 5 – 0

The State recently adopted regulations regarding smoke shops. The Commission compared these standards to the contemplated changes to City Ordinances and determined changes to our local ordinances were not necessary.

Respectfully Submitted



David E. Petersen
Associate City Planner

Review & Concur.



Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Presentation from Scott Zeivler with the Forest Service

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Scott Zeivler will be present to discuss Tree City USA.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

**S U B J E C T: Public Hearing: North East Corner of Main Street and 1400 North
Partial ROW Vacation**

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. Approve the attached ordinance vacating a portion of Main Street and 1400 North (as described more precisely in Exhibit "A" attached herein) as a public right-of-way.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
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CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: April 23, 2012

SUBJECT: NE CORNER OF MAIN STREET & 1400 NORTH PARTIAL ROW VACATION

RECOMMENDATION

1. Hold the public hearing
2. Approve the attached ordinance vacating a portion of Main Street and 1400 North (as described more precisely in Exhibit "A" attached herein) as a public right-of-way.

BACKGROUND

The applicant, Frank McCullough, is in the process of redeveloping the old brick church on the NE Corner of Main Street and 1400 North where Susan Maughn has been residing for the past several years. The new development plan includes demolishing the old church and proposes that five homes be placed on the site. It is possible to fit five homes on this site as a PUD, but in order to do so the applicant had to provide a yield plan showing that 4 lots can be developed conventionally, and then seek and meet the requirements for a density bonus, under the provisions in Chapter 27 of the Zoning Ordinance, for the 5th lot. In order to properly show four 10,000 square foot (sf) lots on the yield plan, the City must be willing to vacate portions of the public right-of-way on Main Street and 1400 North to increase the total area from 38,332 sf to 40,000 sf. The area being vacated is essentially right behind the concrete wall which is already sitting within the current right-of-way and would not cause the sidewalk to be displaced from the right-of-way. For this reason staff seems it is reasonable to vacate this portion of the right-of-way abutting the Maughn's property. This vacation should take place immediately before the Final Plat and Final (PUD) Master Plan is decided upon.

Respectively Submitted

Christy J. Alexander
Associate City Planner

Review and Concur -

Dave Millheim
City Manager

FARMINGTON CITY, UTAH

ORDINANCE NO. 2012-

**AN ORDINANCE VACATING A PORTION OF THE
NE CORNER OF MAIN STREET AND 1400 NORTH AS
MORE PARTICULARLY DESCRIBED IN EXHIBIT "A",
ATTACHED HERETO AND INCORPORATED HEREIN AS
A PUBLIC RIGHT-OF-WAY WITHIN FARMINGTON
CITY, STATE OF UTAH.**

WHEREAS, the governing body of Farmington City is considering an action to vacate a portion of the NE corner of Main Street and 1400 North, as more particularly described in Exhibit "A," attached hereto and incorporated herein as a public right-of-way; and

WHEREAS, the vacation of a portion of the NE corner of Main Street and 1400 North, as more particularly described in Exhibit "A," attached hereto and incorporated herein shall be subject to the rights of any sewer improvement district or other public or private parties already having interests in Main Street and 1400 North; and

WHEREAS, the Villa Susanna Vacation Parcel (or a portion of the NE corner of Main Street and 1400 North (as more particularly described in Exhibit "A," attached hereto and incorporated herein)) remains subject to all development standards, zoning and subdivision laws and ordinances of Farmington City; and

WHEREAS, the governing body of Farmington City has determined that there is good cause for the requested vacation and it will not be detrimental to the general interest of the public to grant the same; and

WHEREAS, the Farmington City Council has caused all required public notices to be given and has held all appropriate public hearings regarding such vacation; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
FARMINGTON CITY, STATE OF UTAH:**

Section 1. Street Vacation. The City Council of Farmington City hereby declares that a portion of the NE corner of Main Street and 1400 North, as more particularly described in Exhibit "A," attached hereto and incorporated herein, is hereby vacated as a public right-of-way.

Section 2. Rights not Affected. The action of the City Council vacating a portion of the public right-of-way provided herein shall not operate as a relinquishment of the City's fee therein, and nothing herein shall be construed to vacate, impair or otherwise affect any real property interest, easement, right-of-way, holding or franchise right therein of any public utility or other property owner, governmental or private.

Section 3. Recorded. A certified copy of this Ordinance shall be recorded in the office of the Davis County Recorder, State of Utah, and the necessary changes made on the official plats and records of the County to accomplish the purpose thereof.

Section 4. Effective Date. This ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 1st day of May, 2012.

FARMINGTON CITY

Scott C. Harbertson, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT "A"

LEGAL DESCRIPTION



CALDWELL | RICHARDS | SORENSEN

ANSWERS TO INFRASTRUCTURE™

March 19, 2012

Roadway Vacation 1400 North Street and Main Street Farmington City

A parcel of land situate in the Southwest Quarter of Section 12, Township 3 North, Range 1 West, Salt Lake Base & Meridian, U.S. Survey. The boundaries of said parcel of land are described as follows:

Beginning at a point on the east line of Main Street which is 725.70 feet North 00°07'23" West along Quarter Section Line and 460.87 feet WEST from the South Quarter Corner of said Section 12; and running thence South 39°09'30" East 172.32 feet along said east line of Main Street to a point on the north line of 1400 North Street; thence North 47°00'00" East 232.60 feet along said north line of 1400 North Street to a point on the west line of the former Bamberger Railroad right of way; thence South 42°49'00" East 4.75 feet along said Bamberger Railroad right of way; thence South 47°00'00" West 236.08 feet; thence North 39°09'30" West 177.44 feet; thence North 53°35'01" East 3.17 feet to the point of beginning.

The above described parcel of land contains 1,667 square feet or 0.038 acres.

P:\Farmington Resident Engineer\2011\Villa Susanna PUD

Project No. 12015C

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

**S U B J E C T: Public Hearing: Approval of Schematic Plan for Legacy Estates
Subdivision Phases 1 & 2**

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY



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CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: April 23, 2012

SUBJECT: APPROVAL OF A SCHEMATIC PLAN FOR LEGACY ESTATES
SUBDIVISION PHASES 1 & 2

RECOMMENDATION

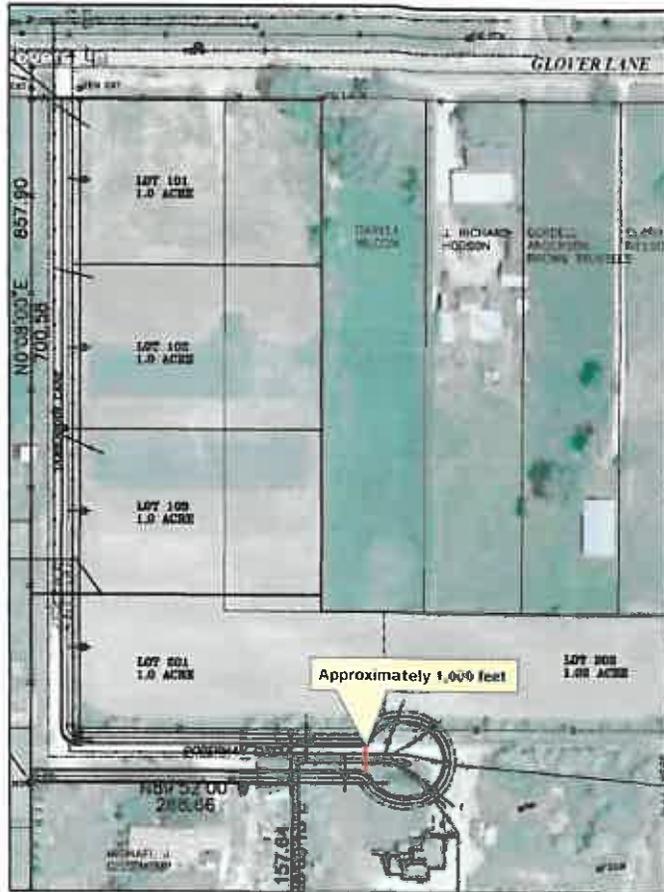
1. Hold the public hearing.
2. Approve an exception to the City's Street Design Standards by allowing the proposed cul-de-sac to be longer than 1,000 feet and approve the attached Schematic Plan for Legacy Estates Phases 1 & 2 Subdivision (7 lots), located at approximately 487 West Glover Lane, subject to the same conditions and findings established previously by the Planning Commission on April 12, 2012 as set forth in the attached supplemental information.

BACKGROUND

The applicant, Brad Pack, is requesting a recommendation of approval for a major 7-lot subdivision on property he owns south of Glover Lane at approximately 487 West. The subdivision as proposed would consist of two phases with seven lots total. The first phase would include the northern three lots with the remaining lots developed once the first phase is completed. The lots in the first phase are proposed to be one acre each with frontage on a public road extending south from Glover Lane. The lots included in phase two are proposed to be lots of one acre or larger. The underlying zone for this property is an AE zone which requires a minimum lot size of one acre if the subdivision is not a conservation subdivision. Mr. Pack is proposing a standard, non-conservation subdivision.

The property on which Mr. Pack wishes to develop the subdivision is essentially an extended flag lot from which several lots gain access in combination with several other adjoining parcels. An access point from Glover Lane has existed for some time and is serving two homes set back from Glover Lane. The proposed subdivision would create a publicly dedicated road with proper widths, side treatments and turnarounds as well as more cleanly defined platted lots.

There are a limited number of concerns with regard to the subdivision. First, the City's standard for the length of a dead end street is 1,000 feet. The proposed layout shows the length of the road to the beginning of the cul-de-sac at just less than 1,000 feet if measured from a center point on Glover Lane. Exceptions, if needed, can be made if the road will connect to another road in the future or if the City grants an exception. In this case, staff does not feel an exception is needed since the 1,000 feet is set within the cul-de-sac area. There is no specific definition with regard to the exact point at which the 1,000 feet measurement ends and where an extension would begin. The determination would rest with the City regarding whether the cul-de-sac is included in the 1,000 feet or if the end of the standard 55' roadway is the limit with the approved turnaround just beyond that point as it is with this case.



The second issue of note is that lot 203 in phase two may have to be considered a flag lot since the frontage on the cul-de-sac is about 15 to 20 feet short of the 100 foot frontage requirement. This can either be adjusted to eliminate the issue, which the developer has agreed to consider or a flag lot can be included in the schematic approval if the Planning Commission and City Council feel it meets the requirements set forth for the creation of a flag lot.

The Planning Commission voted to recommend this schematic plan for approval on April 12, 2012 and also recommended to allow the extension of the 1,000 feet street length rule. They decided to allow the extension of the road due to the fact that tradition has been to measure the 1000 feet from center point of the road to center point of the cul-de-sac, but the ordinance does not specify how to measure these things. Because the ordinance does not specify this, the Planning Commission decided to rule in favor of the property owner. Also, the Planning Commission felt it would be better to provide a longer road to allow lot 203 to be a standard lot rather than force lot 203 to be a long flag lot which would be more cumbersome to the Fire Department and other officials in an emergency.

Respectfully Submitted

Christy J. Alexander
Associate City Planner

Review & Concur

Dave Millheim
City Manager



Planning Commission Staff Report April 12, 2012

Item 2: Schematic Plan for the Legacy Estates Subdivision

Public Hearing:	Yes
Application No.:	S-4-12
Property Address:	Approximately 487 West Glover Lane
General Plan Designation:	RRD (Rural Residential Density)
Zoning Designation:	AE (Agricultural Estates)
Area:	9.4 Acres
Number of Lots:	7
Property Owner:	Brad Pack/Curtis and Carla Peay
Agent:	Brad Pack

Request: *Applicant is requesting a recommendation of approval for a Schematic Plan for the Legacy Estates Subdivision.*

Background Information

The applicant, Brad Pack, is requesting a recommendation of approval for a major 7-lot subdivision on property he owns south of Glover Lane at 487 West. The subdivision as proposed would consist of two phases with seven lots total. The first phase would include the northern three lots with the remaining lots developed once the first phase is completed. The lots in the first phase are proposed to be one acre each with frontage on a public road extending south from Glover Lane. The lots included in phase two are proposed to be lots of one acre or larger. The underlying zone for this property is an AE zone which requires a minimum lot size of one acre if the subdivision is not a conservation subdivision. Mr. Pack is proposing a standard, non-conservation subdivision.

The property on which Mr. Pack wishes to develop the subdivision is essentially an extended flag lot from which several lots gain access in combination with several other adjoining parcels. An access point from Glover Lane has existed for some time and is serving two homes set back from Glover Lane. The proposed subdivision would create a publicly dedicated road with proper widths, side treatments and turnarounds as well as more cleanly defined platted lots. There are a limited number of concerns with regard to the subdivision. First, the City's standard for the length of a dead end street is 1,000 feet. The proposed layout shows the length of the road to the beginning of the cul-de-sac at just less than 1,000 feet. Exceptions, if needed, can be made if the road will connect to another road in the future or if the City grants an exception. In this case, staff does not feel an exception is needed since the 1,000 feet is set within the cul-de-sac area. There is no specific definition with regard to the exact point at

which the 1,000 feet measurement ends and where an extension would begin. The determination would rest with the City regarding whether the cul-de-sac is included in the 1,000 feet or if the end of the standard 55' roadway is the limit with the approved turnaround just beyond that point as it is with this case.

The second issue of note is that lot 203 in phase two may have to be considered a flag lot since the frontage on the cul-de-sac is about 15 to 20 feet short of the 100 foot frontage requirement. This can either be adjusted to eliminate the issue or a flag lot can be included in the schematic approval if the Planning Commission and City Council feel it meets the requirements set forth for the creation of a flag lot.



Possible Motion:

Move that the Planning Commission recommend that the City Council approve a schematic plan for the Legacy Estates Subdivision consisting of seven (7) lots in two (2) phases on approximately 9.4 acres of property located at approximately 487 West Glover Lane with the following condition(s):

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to a schematic approval.
2. The applicant must have approval of an extension to a dead-end road as set forth in Title 12, Chapter 7 of the Farmington City Subdivision ordinance if it determined that such an extension is required for the proposed roadway layout.
3. Any issues related to the approval of a potential flag lot must be addressed with the approval of the minor subdivision plat associated with phase 2 of this project.

Findings for Approval:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including;
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the AE zone;
 - c. Description and preliminary layout of utilities and other services required.
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.

3. The proposed Schematic Plan submittal is consistent with all necessary requirements for a Schematic Plan as found in Chapter 3 of the City's Subdivision Ordinance.

Supplemental Information

1. Vicinity Map
2. Schematic subdivision plans for the Legacy Estates Subdivision
3. Subdivision ordinance regarding dead-end street requirements

Applicable Ordinances

1. Title 12, Chapter 3 – Schematic Plan
2. Title 11, Chapter 10 – Agricultural Zones

which they are to connect;

- (b) Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;
- (c) Dead-end streets which exceed one lot depth in length shall have a forty-foot (40') radius temporary turnaround area at the end. The turnaround shall have an all-weather surface acceptable to the City. The following standards shall apply to dead-end streets:
 - (i) Dead-end streets shall serve as access for not more than twenty-four (24) dwelling units and shall not exceed one thousand (1000) feet in length.
 - (ii) When a dead-end street reaches its maximum length and/or maximum number of lots, it shall not be extended except to connect to another street which provides a second point of independent access.
 - (iii) Exceptions to the requirement for a second point of independent access may be granted by the City Council, after receiving a recommendation from the Planning Commission, upon a finding that the topography or other physical conditions of the development site make it impossible to provide a second access which complies with street design standards established by the City and that an increased street length and/or density will not unreasonably impact the ability to provide emergency and other public services.
- (d) Nonconforming Dead-end Streets - The provisions of this section shall not be construed to prevent construction on approved residential lots fronting on nonconforming streets exceeding one thousand (1000) feet in length which existed prior to January 9, 1991. These streets include, but are not necessarily limited to, 1400 North Street, Summerwood Drive, Cherry Blossom Drive, Welling Way, and 1100 West Street (south of Shepard Lane). Extension of these nonconforming streets may be permitted but shall be subject to the following standards and restrictions:
 - (i) Extension of a nonconforming street may be approved by the City Council only after receiving recommendations from the Planning

- (f) Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. "T" intersections rather than "cross" intersections shall be used wherever possible for minor streets;
- (g) Minor residential streets longer than six hundred (600) feet, which may be conducive to high-speed traffic, shall be prohibited;
- (h) Alleys shall not be permitted in residential subdivisions except when approved for access to lots abutting an arterial. Alleys in nonresidential subdivisions may be permitted;
- (i) The maximum grade for any street in the City shall be ten percent (10%). Where unusual and unique topographic or environmental conditions exist on a proposed development site, exceptions may be specifically approved by the City Council to permit streets with grades up to, but not exceeding, twelve percent (12%) for collector streets and fourteen percent (14%) for local streets. Such exceptions may be granted only after careful review of each individual application and after receiving a recommendation from the Planning Commission. The maximum length of a street segment at grades steeper than ten percent (10%) shall also be determined, and specifically approved, by the City Council.

(5) Subdivisions adjacent to major streets and freeways shall be designed as specified in the Major Street Plan and as determined by the Planning Commission. The following principles and standards shall be observed:

- (a) Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on major streets. The number of intersecting streets along major streets shall be held to a minimum;
- (b) Sidewalks along major streets shall be not less than five feet (5') in width;
- (c) When the rear line of a double-frontage lot borders a major street, the Subdivider may be required to execute and deliver to the City an instrument, deemed sufficient by the City Attorney, prohibiting the right of ingress and egress from the street to the lot. The Subdivider shall also be required to install such paving as necessary to construct the street or to bring it up to standard width and shall install curb, gutter and sidewalk, along the street. However, the City may for good cause waive the foregoing requirements.

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Consideration of Final Plat Approval and Final (PUD) Master Plan for the Villa Suzanna (PUD) Subdivision

ACTION TO BE CONSIDERED:

Approve the attached Final Plat and Final (PUD) Master Plan for Villa Susanna (PUD) Subdivision (5 lots), located at approximately the NE Corner of 1400 North and Main Street, subject to the same conditions and findings established previously by the Planning Commission on March 29, 2012 and April 12, 2012 as set forth in the attached supplemental information.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

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JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: April 23, 2012

SUBJECT: APPROVAL OF A FINAL PLAT AND FINAL (PUD) MASTER PLAN FOR THE VILLA SUSANNA (PUD) SUBDIVISION

RECOMMENDATION

Approve the attached Final Plat and Final (PUD) Master Plan for Villa Susanna (PUD) Subdivision (5 lots), located at approximately the NE Corner of 1400 North and Main Street, subject to the same conditions and findings established previously by the Planning Commission on March 29, 2012 and April 12, 2012 as set forth in the attached supplemental information.

BACKGROUND

An old LDS chapel now occupies the subject property, but it is under the ownership and was the dwelling of Susan Maughn. According to the applicant, the church was constructed in 1914. Apparently the Church sold the structure years ago to a family, or a group of families, that made a mess of the place and expedited its deterioration. The Maughns subsequently purchased the property and have lived there ever since. The applicant informed the City that the building is beyond repair and should be demolished. Over the years, residents in the area, including past members of the Farmington City governing body, have strongly recommended that the property should be cleaned-up and redeveloped, but also to the benefit of the Maughn family. Glen Maughn, the husband of the property owner, recently passed away, and Ms. Maughn is ready to downsize and begin a new phase in her life. The City's Building Inspector, Mayor, and Associate City Planner have all been to see the inside of the church and have deemed it necessary to demolish due to substantial damage beyond repair.

The applicant proposes that five homes be placed on the site. This is possible as a PUD, but in order to do so the applicant had to provide a yield plan showing that 4 lots can be developed conventionally, and then seek and meet the requirements for a density bonus under the provisions Chapter 27 of the Zoning Ordinance for the 5th lot. In order to properly show four 10,000 square foot (sf) lots on the yield plan, the City must be willing to vacate portions of the public right-of-way on Main Street and 1400 North to

increase the total area from 38,332 sf to 40,000 sf. This vacation should take place immediately before this item is decided upon.

The first paragraph (a) of Section 11-27-100 of the Zoning Ordinance regarding Final (PUD) Master Plan review by the Planning Commission states: "The Planning Commission may impose conditions with the approval of the Final (PUD) Master Plan that will insure that the proposed PUD meets with the objectives of this chapter." Staff has placed a condition of approval for the elevations of the homes, that they be approved by staff prior to issuance of building permits. The Planning Commission placed a condition upon their recommendation that the Planning Commission must approve the elevations as well. Staff feels that before building permits are issued, more architectural information is needed to ensure that the appearance of garages does not dominate the small private parking area, and that appropriate architectural features are applied to the sides and rear of homes visible from Main Street and 1400 North. [Note: staff looked at the possibility of pulling the parking lot to the interior with homes fronting Main and 1400, but existing entry way off of Main Street is too steep and topography in the southwest area of the site does not lend itself to a parking lot approach.]

The applicant prepared a landscape plan which will provide significant plant material to screen adjacent properties. It also utilizes the mature landscaping now on site. All of the open space on-site will be held in common, with landscaping duties performed by an HOA. Property owners will essentially own the footprint of the home and as such there are no setbacks from property lines.

The Planning Commission recommended for approval the Final Plat for this subdivision on March 29, 2012 and recommended for approval the Final (PUD) Master Plan on April 12, 2012. The applicant is now requesting a Final Plat and Final (PUD) Master Plan approval from the City Council.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager



Planning Commission Staff Report
April 12, 2012

Item 3: Final (PUD) Master Plan for the Villa Susanna Planned Unit Development (PUD)

Public Hearing: No
Application No.: S-3-11
Property Address: NE Corner of 1400 North and Main Street
General Plan Designation: Low Density Residential (LDR)
Zoning Designation: LR-F (PUD) (Large Residential-Foothill)(Planned Unit Development)
Area: .88 acres
Number of Lots: 5
Property Owner: Susan Maughn
Agent: Frank S. McCullough

Request: *Applicant is requesting a recommendation for approval for Final (PUD) Master Plan for the Villa Susanna PUD*

Background Information

An old LDS chapel now occupies the subject property, but it is under the ownership and was the dwelling of Susan Maughn. According to the applicant, the church was constructed in 1914. Apparently the Church sold the structure years ago to a family, or a group of families, that made a mess of the place and expedited its deterioration. The Maughns subsequently purchased the property and have lived there ever since. The applicant informed the City that the building is beyond repair and should be demolished. Over the years, residents in the area, including past members of the Farmington City governing body, have strongly recommended that the property should be cleaned-up and redeveloped, but also to the benefit of the Maughn family. Glen Maughn, the husband of the property owner, recently passed away, and Ms. Maughn is ready to downsize and begin a new phase in her life. The City's Building Inspector, Mayor, and Associate City Planner have all been to see the inside of the church and have deemed it necessary to demolish due to substantial damage beyond repair.

The applicant proposes that five homes be placed on the site. This is possible as a PUD, but in order to do so the applicant had to provide a yield plan showing that 4 lots can be developed conventionally, and then seek and meet the requirements for a density bonus under the provisions Chapter 27 of the Zoning Ordinance for the 5th lot. In order to properly show four 10,000 square foot (sf) lots on the yield plan, the City must be willing to vacate portions of the public right-of-way on Main Street and 1400 North to increase the total area from 38,332 sf to 40,000 sf. This vacation will possibly take place at the City Council meeting on May 1, 2012 when the Final (PUD) Master Plan is brought before them as well.

The first paragraph (a) of Section 11-27-100 of the Zoning Ordinance regarding Final (PUD) Master Plan review by the Planning Commission states: "The Planning Commission may impose conditions with the approval of the Final (PUD) Master Plan that will insure that the proposed PUD meets with the objectives of this chapter." Therefore, as a commission you may impose any other conditions as you see fit. Also, as a note to the Commission, staff has placed a condition of approval for the elevations of the homes, that they be approved by staff prior to issuance of building permits. If the Commission would like, you may change that to the Planning Commission and/or City Council reviewing/approving those elevations as well. More architectural information is needed to ensure that the appearance of garages does not dominate the small private parking area, and that appropriate architectural features applied to the sides and rear of homes visible from Main Street and 1400 North. [Note: staff looked at the possibility of pulling the parking lot to the interior with homes fronting Main and 1400, but existing entry way off of Main Street is too steep and topography in the southwest area of the site does not lend it self to a parking lot approach.]

The applicant prepared a landscape plan which will provide significant plant material to screen adjacent properties. It also utilizes the mature landscaping now on site. All of the open space on-site will be held in common, with landscaping duties performed by an HOA. Property owners will essentially own the foot print of the home and as such there are no setbacks from property lines.

The Planning Commission recommended for approval the Preliminary (PUD) Master Plan for this subdivision on April 14, 2011 and the City Council approved the Preliminary (PUD) Master Plan on May 3, 2011. The applicant is now requesting a recommendation for Final (PUD) Master Plan approval from the Planning Commission.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the proposed Final (PUD) Master Plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Final (PUD) Master Plan approval and finalize a Development Agreement;
2. More information about the proposed dwellings must be provided to the City at building permit application, including but not limited to information about architectural details to ensure that garages do not dominate the parking area, that porches are accentuated, that the rear and side elevations will display an attractive "front" to Main Street and 1400 North, and that the design contributes to justifying a density bonus for the 5th lot. These architectural details must be approved by City staff before a building permit will be issued;
3. The Farmington City Council must approve the street vacation surrounding the property along Main Street and 1400 North before receiving Final (PUD) Master Plan approval.

Findings:

1. The proposed layout will provide a more pleasant and attractive living environment than a conventional development established under the strict applications of the provisions of the underlying zones.
2. The proposed Planned Unit Development will create no detriment to property adjacent to the Planned Unit Development.
3. The proposed Planned Unit Development will provide more efficient use of the land and more usable open space than a conventional development permitted in the underlying zone.
4. The increased density allowed within the Planned Unit Development will be compensated by better site design and by the provision of increased amenities and common open space.
5. Any variation allowed from the development standards of the underlying zone will not increase hazards to the health, safety, or general welfare of the residents of the proposed Planned Unit Development.

Supplementary Information

1. Vicinity Map
2. Possible Homes Styles and Sizing for the Maughn Property
3. Final (PUD) Master Plan
4. Preliminary (PUD) Master Plan
5. Landscape Plan
6. CC&Rs

Applicable Ordinances

1. Title 11, Chapter 27 – Planned Unit Development (PUD)



PRELIMINARY PUD MASTER PLAN

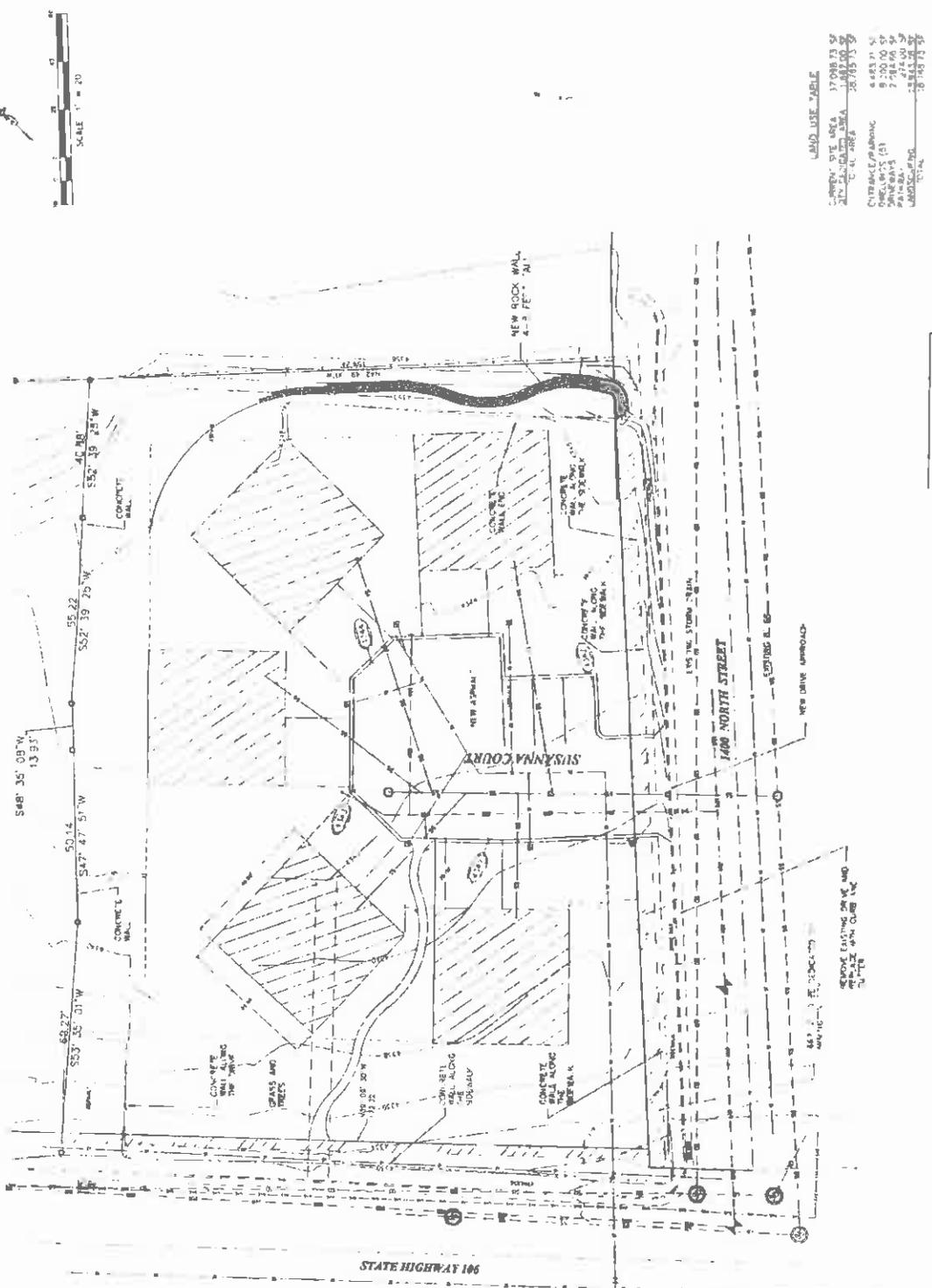
VILLA SUSANNA PUD
5 lot with utilities

H HILL & ARGYLE, Inc.
Engineering and Surveying
1401 E. 12th St., Suite 200, Phoenix, AZ 85016
Tel: (602) 998-1234 Fax: (602) 998-1235

FRANK McCULLOUGH
VILLA SUSANNA PUD
CONCRETE RESIDENTIAL
1401 E. 12th St., Suite 200, Phoenix, AZ 85016
Tel: (602) 998-1234 Fax: (602) 998-1235

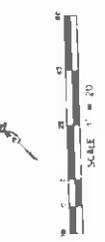
LAND USE TABLE

CORPORATE AREA	17,000.00 SF
CONCRETE WALL AND	1,000.00 SF
CONCRETE WALL AND	1,000.00 SF
TOTAL AREA	19,000.00 SF
CYCLING/PAVING	4,485.71 SF
DRIVEWAYS (5)	9,200.00 SF
PAVING (5)	7,000.00 SF
LANDSCAPING	2,814.29 SF
TOTAL	18,499.71 SF



THIS DRAWING IS FOR
PROVISIONAL SUBMITTAL
FOR APPROVAL

STATE HIGHWAY 106

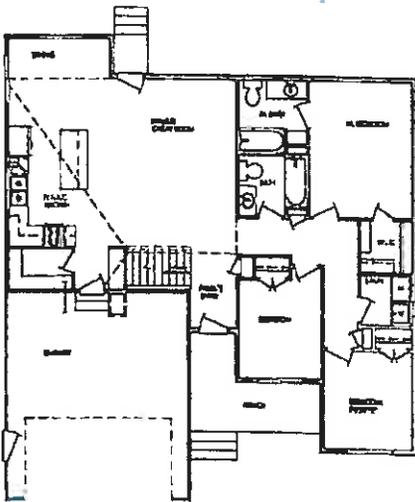


Possible Home Styles and Sizing for Maughn Property



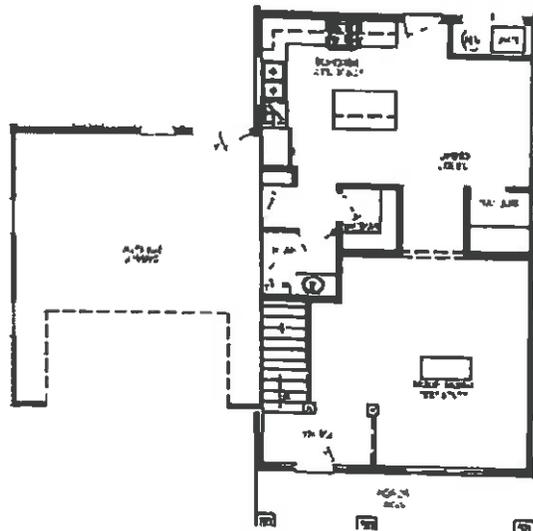
1200 sf one-level cottage

Front elevation will include some stone with clapboard or shingle style siding. Sides & rear will be vinyl siding to coordinate.



1350 sf two-story cottage

Front elevation will include stucco & wood with Sides & rear will be vinyl siding to coordinate. Stucco optional for sides and rear



**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS**

This Declaration of Covenants, Conditions and Restrictions (the "Declaration") is made on the date hereinafter set forth by the undersigned Villa Susana, LLC, a Utah limited liability company, hereinafter referred to as "Declarant":

WITNESSETH:

WHEREAS, Declarant is the owner of certain property located in the City of Farmington, Davis County, Utah, which is more particularly described in Exhibit "A" hereto, to be known as the _____ Subdivision (the "Property"); and

WHEREAS, Declarant will convey the Property, subject to the protective covenants, conditions, restrictions and reservations set forth in this Declaration; and

WHEREAS, this Declaration shall be a covenant running with the land of the Property and shall be binding on the owners and occupants of any portion of the Property.

NOW THEREFORE, in addition to the foregoing recitals, the following shall apply to the Property:

**ARTICLE I.
DEFINITIONS**

The following definitions shall have the meanings set forth herein:

Section 1.1. "Association" shall mean and refer to _____ Homeowner's Association, Inc., a Utah non-profit corporation, its successors and assigns. Any act by the Association may be performed by a Board of Directors or by any officers of the Association duly elected or appointed.

Section 1.2. "Property" shall mean and refer to that certain real property hereinbefore described, including all Pads and Common Areas, as hereafter defined.

Section 1.3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the members of the Association. The Common Area to be owned by and conveyed by Declarant to the Association at the time of the conveyance of the first Pad (as defined below) shall include all of the Property, less and excepting the Pads (as defined below), including but not limited to all barriers around the perimeter of the tract described as Exhibit "A", the roads within the tract and any area dedicated as common area on the original Plat submitted to the planning commission and recorded in the official records of the Davis County Recorder. The ownership of a Pad hereunder shall include an undivided pro rata interest in the Common Area owned by the Association.

Section 1.4. "Pad" shall mean and refer to each building pad depicted on the Plat Map recorded concurrently herewith (the "Plat"), there being a total of five (5) Pads in the Property. No construction of any Residence shall be made on any portion of the Property, except on each Pad depicted in the Plat. The Pad is the only portion of the Property that will be deeded to persons or entities in fee title, all remainder of the Property to be owned by the Association as Common Area.

Section 1.5. "Subdivision" shall mean and refer to the Property which has been subdivided into a residential subdivision know as Villa Susanna PUD Subdivision, as depicted on the Plat. ~~PUD UNDER THE ORDINANCE OF FARMINGTON?~~

Section 1.6. "Member" shall mean and refer to every person or entity who holds membership in the Association.

Section 1.7. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Pad which is a part of the Property, but excluding those having such interest merely as security for the performance of an obligation.

Section 1.8. "Restricted Use Space" shall mean and refer to the space depicted on the Plat that is located adjacent to a Pad (some located on the rear of a Pad and some located on the side of a Pad), being approximately twenty feet (20') in width and forty feet (40') in length. The Restricted Use Space is restricted Common Area and shall be owned by the Association. The Association shall grant a revocable license to the Owner of a Pad for the use by the Owners of said Pad of the adjoining Restricted Use Space for the following purposes:

- a. The fencing of the Restricted Use Space (so long as the fencing materials are approved by the Association and so long as the location

of the fence is within the boundaries of the said Restricted Use Space and does not exceed a height permitted by the Association);

- b. As a secure place for children to play or be outdoors;
- c. A controlled area for permitted pets to be kept ; and
- d. For such other uses as the Association shall determine to be appropriate.

Section 1.9. "Declarant" shall mean and refer to Villo Suszund, LLC, its successors and assigns.

Section 1.10. "Dwelling" shall mean and refer to a single family residence constructed on any portion of a Pad.

Section 1.11. "License" shall mean and refer to a written license agreement between the Association and the Owner of any adjoining Pad, pertaining to the use of an adjoining Restricted Use Space.

ARTICLE II. MEMBERSHIP

Every person or entity who is a record Owner of a fee or undivided fee interest in any Pad which is subject by covenants of record to assessment by the Association shall be a member of the Association.

The foregoing is not intended to include persons or entities that hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of a Pad which is subject to assessment by the Association.

ARTICLE III. CLASSIFICATION OF MEMBERS

Members shall be divided into two classes denominated as Class A Members and Class B Members, defined as follows:

Class A Members shall be Owners as defined in Article II ,with the exception of Declarant. Class A Members shall be entitled to one vote for each Pad in which they hold the interest required for membership. When more than one person holds such interest or interests in any Pad, all such persons shall be Members, and the vote for such Pad shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such Pad.

Class B Members(s) shall be the Declarant, who shall be entitled to five (5) votes for each Pad in which it holds the interest required for membership by Article II. The Class B membership shall cease and be converted to Class A membership upon the first to occur of the following: (a) all of the Pads are sold in the Subdivision or, (b) December 31, 2013, provided, however, that if the Developer is unable to fully develop the Property and sell all recorded Plats to Owners by reason of any ban, moratorium or restriction imposed by any government, governmental agency or public utility, then this date shall be extended for a period equal to the period between the date on which such ban, moratorium or restriction commenced, and the date upon which such ban, moratorium or restriction terminates or is rescinded, but in no event shall such period be extended for more than five (5) years. From and after the happening of either event, whichever occurs first, the Class B Member(s) shall be deemed to be Class A Member(s) entitled to one vote for each Pad in which it holds the interest required for membership under Article II.

ARTICLE IV. PROPERTY RIGHTS

Section 4.1. **Ownership Limited to Pad.** The fee ownership of any Member of the Association shall be limited to the area designated as a Pad on the Plat. The remainder of the Property shall be deemed Common Area owned by the Association, including each Restricted Use Space.

Section 4.2. **Construction Limited to Pad.** Every Dwelling shall be constructed solely and entirely on the Pad acquired by the Owner of the Pad. No portion of any Dwelling may be constructed on any Common Area or on any Restricted Use Space.

Section 4.3. **Owner's Easements of Enjoyment.** Every Owner shall have right and easement of enjoyment in and to the Common Area (except for any Restricted

Use Space that is subject to an existing License issued by the Association, in which the use shall be subject to the rights granted by such License), and such easement shall be appurtenant to and shall pass with the title to every assessed Pad, subject to the following provisions:

- a. The right of the Association to limit the number of guests of Members, in the use of the Common Area;
- b. The right of the Association, in accordance with its Articles and By-Laws, to borrow money for the purpose of improving the Common Area and facilities, and in aid thereof to mortgage said property;
- c. The right of the Association to suspend the voting rights by a member for any period during which any assessment against an Owner's Pad remains unpaid, or during which a member is in violation of published rules, by-laws and regulations adopted by the Association;
- d. The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the Members. No such dedication or transfer shall be effective unless an instrument signed by Members entitled to cast three fifths 3/5 ~~two-thirds (2/3)~~ of the votes hereof has been recorded agreeing to such dedication or transfer, and unless written notice of the proposed action is sent to every Member not less than 30 days, nor more than 60 days, in advance of such dedication or transfer; and
- e. The right of the Association to regulate the use and enjoyment of all Common Area, including each Restricted Use Space.

Section 4.4 License for Use of Restricted Use Space. The Owner of a Pad may be permitted to use the adjoining Restricted Use Space on the terms and conditions set forth in a License issued and signed by the Association and the Owner of the adjoining Pad (the "License"). The License shall be non-transferable and shall only be for the benefit of the individuals designated on said License as Licensees. The License shall be revocable upon 30 days with prior written notice from the Association in the event of any violation of the License or any breach of this Declaration which breach or violation remains uncured at the end of said 30 day notice period. No License shall be assignable or transferable and shall be personal

to the licensees identified therein. Upon the sale or transfer of any Pad, the existing License pertaining to the adjoining Restricted Use Space shall automatically terminate. In such event the new Owner(s) of the Pad may request the Association to issue to them a new License.

Section 4.5. **Delegation of Use.** Any member may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Area and facilities to the Members of his family, or contract purchasers, all of whom must reside on the Property.

Section 4.6. **Title to the Common Area.** The Declarant hereby covenants for itself, its successors and assigns, that it will convey to the Association fee simple title, subject to prior encumbrances, to the Common Area by noting such areas on the Plat prior to the conveyance of the first Pad, and by deeding the Common Area to the Association no later than the recording of the conveyance of the first Pad in the Subdivision.

ARTICLE V. COVENANTS FOR MAINTENANCE ASSESSMENTS

Section 5.1. **Creation of a Lien and Personal Obligation for Assessments.** The Declarant, for each Pad owned by it within the Property, is excluded from any and special or monthly assessments until December 31, 2013, after which it hereby covenants and agrees to pay, and each Owner of any Pad, at the time of acceptance of a deed therefore, whether or not it shall be so express in any such deed or other conveyance, is deemed to covenant and agree to pay to the Association: (1) annual assessments and dues as set by approval of a majority of the total votes cast at each annual meeting of the Association, and (2) special assessments for capital improvements for repairs, such assessments to be fixed, established and collected from time to time as necessary and approved as stated in Section 5.4 below. The annual and special assessments, upon each Pad together with such interest, costs, and reasonable attorney's fees, shall be the personal obligation of the person who was the Owner of such Pad at the time when the assessment fell due.

Section 5.2. **Purpose of Assessments.** The assessments levied by the Association shall be used exclusively for the purpose of promoting the health, safety, and welfare of the residents in the Property and in particular for the improvement and maintenance of the Property, its services and facilities, as related to the use and enjoyment of the Common Area.

Section 5.3. **Basis and Maximum of Annual Assessments.** Until December 31, 2013, the maximum annual assessment shall be _____ Dollars and no/100 (\$_____) per Pad, due upon purchase of a Pad from Declarant.

The Owners, by majority vote, will fix the annual assessment at an amount necessary to provide for the requirements hereof and for the welfare of the Association, at the annual meeting of the Association.

Section 5.4. **Special Assessments for Capital Improvements.** In addition to the annual assessment each year, a special assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a described capital improvement upon the Common Area, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of three fifths (3/5) of the votes of the Members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all Members not less than 10 days nor more than 30 days in advance of the meeting, setting forth the purpose of the meeting.

Section 5.5. **Uniform Rate of Assessment;** Both annual and special assessments must be fixed at a uniform rate for all Pads and may be collected on a monthly basis or as otherwise directed by the Association.

Section 5.6. **Quorum for Any Action Authorized Under Sections 5.3 and 5.4.** At any meeting called, as provided in Sections 5.3 and 5.4 hereof, the presences at the meeting of Members, including in person and by proxies, entitled to cast sixty per cent (60%) of all the votes of membership shall constitute a quorum. If the required quorum is not forthcoming, at any meeting, an adjourned meeting may be called, subject to the notice requirements set forth in Section 5.3 and 5.4 and the required quorum at any such adjourned meeting shall be two-thirds (2/3) of the required quorum at the preceding meeting. No such adjourned meeting shall be held more than sixty (60) days following the preceding meeting.

Section 5.7. **Date of Commencement of Annual Assessments.** The annual assessments provided for herein shall commence as to all Pads on the first day of the month following the conveyance of the Common Area to the Association. The first annual assessment shall be adjusted according to the number of months remaining in the calendar year. The Members of the Association shall fix the amount of the annual assessment period. Written notice of the annual assessment

shall be sent to every Owner subject thereto. The due dates shall be established by the Association. The Association shall, upon demand at any time, furnish a certificate in writing signed by an officer of the Association setting forth whether the assessment on a specified Pad has been paid. A reasonable charge may be made by the Association for the issuance of these certificates. Such certificates shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 5.8. Effect of Non-Payment of Assessments: Remedies of the Association. Any assessments that are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of interest of 21%, and the Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the Pad, and interest, costs, and reasonable attorney's fees in connection with any required action to enforce the Declaration and collect said past due assessment shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his Pad.

Section 5.9. Subordination of the Lien to Mortgage. The lien of the assessments provided for herein shall be subordinate to the lien of any mortgage or deed of trust. The sale or transfer of any Pad shall not affect the assessment lien. However, the sale or transfer of any Pad which is subject to any mortgage or deed of trust pursuant to a decree of foreclosure under such mortgage deed of trust or any proceeding in lieu of foreclosure thereof shall extinguish the lien of such assessments as to payments thereof which became due prior to such sale or transfer. No sale or transfer shall relieve the Owner(s) of any such Pad from liability for any assessments thereafter becoming due or from the lien thereof.

Section 5.10. Exempt Property. The following property subject to this Declaration shall be exempt from the assessments created herein (a) all properties dedicated to and accepted by a local public authority; and (b) the Common Area. However, no land or improvements devoted to Dwelling use shall be exempt from said assessments except those owned by the Declarant until December 31, 2013.

ARTICLE VI. ARCHITECTURAL CONTROL

All residential dwelling structures to be constructed in Villa Susanna, PUD shall first receive architectural and design approval by a simple majority vote from a Design Review Committee (DCR) consisting of two members of the Planning Commission, the City Planner and two property owners of Ridgepoint Homeowners Association, which is an adjacent property owners association which was instrumental in the development of the subject property. Their approval shall not be unreasonably withheld and such approval shall be consistent with the sample designs attached to these CC&R's as Exhibit A.

No accessory structure of any kind or nature or any fence or barrier shall be commenced, erected, placed, moved onto or permitted to remain on any of the Pads that is not consistent with the these CC&R's, once the Declarant no longer has controlling interest as a member of the Association, nor shall any existing structure, fence or barrier upon any Pad be altered in any way which materially changes the exterior appearance thereof or is not consistent with these CC&R's, including, but not limited to painting, additions, re-roofing, or landscaping.

Further, if the Declarant chooses to construct any improvements on any individual Pad, after the sale of any Pads to third parties, the plans for the proposed improvements shall be submitted to the Owners and Farmington City Building Department in the procedure outlined above.

If any structure, fence, or barrier shall be altered, erected, placed or maintained upon and Pad or Restricted Use Space that is not in accordance with the recorded CC&R's, and the approved plans and specifications approved by the City and Declarant and/or Owners HOA as required herein, such alteration, erection, maintenance or use shall be deemed to have been undertaken in violation of the restrictions herein and without the approval required herein and upon written notice from the Association any such structure, fence or barrier so altered, erected, placed or maintained upon any Pad or Restricted Use Space, shall be terminated so as to extinguish such violation.

If fifteen (15) days after the notice of such violation, the responsible owner or the Owner(s) of the Pad upon which such violation exists shall not have taken reasonable steps towards the removal or termination of the same, the Association shall have the right to enter upon such Pad and adjoining Restricted Use Space and

to take such steps as may be necessary to extinguish such violation and the costs thereof shall be a binding personal obligation of such Owner as well as a lien upon the Pad in question upon the recording of such with the Davis County Recorder

Any agent of Declarant may, at reasonable times, enter upon and inspect any Pad and any improvements thereon for the purposes of ascertaining whether the maintenance of such Pad and the maintenance, construction, or alteration of structures thereon are in compliance with the provisions of these restrictions, and no such persons shall be deemed to have committed a trespass or other wrongful act by reason of such entry or inspection.

ARTICLE VII. RESTRICTIONS

The following restrictive covenants shall apply to the Property described in Exhibit "A" and are established and declared for the purpose of protecting the use and value of the Subdivision, and as an inducement to encourage the purchase of Pads or residence by the general public. Therefore the following restrictive covenants are impressed upon said Property and shall apply and run with each and every Pad in the Subdivision:

1. Each Dwelling shall have 1,200 square feet minimum heated and cooled area above grade ~~only~~, with 800 square feet minimum for the first floor of a two-story dwelling. All interior space above ground floor, exclusive of garage space, must be finished.
2. The Owners must approve all plans, including exterior materials and color. Plans, with elevations, must be signed after approval and kept on file by the Owners or Declarant.
3. Every Dwelling erected in the Subdivision shall have an exterior finish of brick, stone, Masonite, Hardy Board, cultured stone or stucco, Dryvit, (with the exception that Pads #3, 4 and 5 shall be permitted to use a vinyl siding on the sides and rear of the dwelling unit including garage). All outside materials must be new except that used brick, stone, or ornamental iron work or other ornamental objects may be used. No previously used dwelling or accessory buildings shall be relocated in the Subdivision. No open foundations or unsightly methods of construction shall be permitted on any Pad in the Subdivision.

4. No trailers, boats, motorcycles, campers, or relocated types of vehicles or instrumentalities, shall be permitted on any Pad in the Subdivision unless stored in an enclosed garage.

5. No commercial vehicles larger than a pickup truck shall be allowed on any Pad in the Subdivision unless same is maintained regularly within an enclosed garage. Nothing herein contained is intended to prohibit commercial vehicle access to any Pad within the Subdivision for purposes of rendering commercial services for the benefit of such Pad Owner. No inoperable or damaged vehicle shall be parked or maintained on any Pad unless same is within an enclosed garage area.

6. No noxious or offensive trade or activity shall be carried on upon any Pad nor shall anything be done which may be or become an annoyance or nuisance to the Subdivision or other Pad Owners.

7. All garages must be attached to the Dwelling and fully enclosed and of sufficient size for at least 2 cars

8. All driveways shall be paved with concrete or asphalt.

9. No fowl, livestock, or other animals, except such customarily domesticated animals as dogs and cats, shall be kept, stabled or penned on any Pad or Restricted Use Space or brought onto a Pad or Restricted Use Space, and all such animals must be confined on said Pad or Restricted Use Space in accordance with local ordinances, state law and the License issued for said Restricted Use Space.

10. No television satellite receiver shall exceed 18".

11. No fence shall be allowed beyond the front setback line of a Pad. All fences, their location and material must be approved by Declarant or Owners. Chain link is expressly prohibited.

12. Each Pad Owner will be responsible for maintaining his Pad in a reasonably neat condition and shall do nothing on a Pad which would render it unattractive, unsightly or a nuisance to the Subdivision or other Pad Owners. All Restricted Use Space shall be maintained by the Owner of the adjoining Pad according to the terms of the License for said Restricted Use Space. In the event said Owner fails or decides not to maintain said Restricted Use Space, the

Association shall have the right to maintain the Restricted Use Space, the cost of which shall be paid for from the assessments.

13. No trash containers will be permitted unless same are screened by fencing or shrubbery from public view. All trash and refuse shall be disposed of as allowed and permitted by local laws and ordinances.

14. The total ground area occupied by a Dwelling shall not extend beyond the envelope of the Pad.

15. For Purposes of the Declaration, a two story house shall be defined as a house where the exterior walls extend a full two stories in height, excluding dormers or other partial second stories.

16. The Declaration shall run with the land and shall be binding on all purchasers and Owners of Pads within the Subdivision, and all persons claiming under them, until midnight, January 1, 2032, at which time said covenants and restrictions shall be automatically extended for successive ten (10) year periods unless by vote of the majority of the then Owners of the Pads in the Subdivision, it is agreed to change said covenants and restrictions in whole or in part, said changes, modifications or amendments shall be in writing and duly recorded in the official records of the Davis County Recorder. However, any restriction in this Declaration, excepting the DRC restriction referred to in Article VI above, can be modified, eliminated or waived at anytime if the modification of waiver is approved by an ownership group constituting 80% of the Pads in the Subdivision, or is approved by an 80% vote of the Association.

17. If any Owner of a Pad shall violate or attempt to violate any of the restrictions or covenants herein contained, it shall be lawful for any persons owning a Pad within the Subdivision to prosecute such proceedings at law or in equity against the person or persons violating or attempting to violate the Declaration, either to prevent such violations or to recover damages therefore, or both. In the event the Declarant, Association, or a Pad Owner shall employ the services of an attorney to enforce any covenant or restriction herein contained, the non-complying Pad Owner shall be liable for all costs, expenses and attorney's fees incurred by the prevailing party in said dispute. Invalidation of any one or more of the restrictions or covenants set forth in this Declaration by judgment or court order shall in no way effect any of the provisions which shall remain in full force and effect.

ARTICLE VIII

Should any utility furnishing a service covered by the general easement herein provided request a specific easement by separate recordable document, Declarant shall have the right to grant such easement on said property without conflicting with the terms hereof. The easements provided for in this Article shall in no way affect any other recorded easement on the Property.

Section 8.5. **Parking and Drive Area Maintenance** None of the Parking and Drive Areas in the subdivision have been dedicated to the City. Accordingly, the Association, which shall consist of all landowners, shall have the sole responsibility and authority to determine the need for and extent of maintenance and repair of ~~all~~ **Parking and Drive Area roads** within the Subdivision, and shall have the sole authority to employ contractors or others to perform the needed maintenance and repair work; and shall have general supervision and control over all maintenance and repair work. The cost of said maintenance and repair shall be paid for from the assessments collected by the Association from its Members.

Section 8.6. **Perimeter, Common Fence and Wall**. Any common fences, perimeter walls or entranceway shown on the Plat or created by Declarant shall be considered Common Areas. The Association shall have the obligation for the general upkeep and maintenance of these items, for normal wear and tear. In the event any damage is caused to these items by an individual Pad Owner, his or her residents, guests, or invites, the cost of the repair for the damage shall be the sole responsibility of the individual Pad Owner. In the event the Pad Owner does not make the required repair the Association shall have the right to make the repairs it deems necessary and to charge those repairs to the individual Pad Owner responsible and collect it in accordance with the Bylaws of the Association.

ARTICLE IX EFFECTIVE DATE OF DECLARATION

This Declaration of Covenants, Conditions and Restrictions are executed this the _____ day of _____, 2011 and these Covenants, Conditions and Restrictions, along with the attached Bylaws become effective upon the recording of this document along with the Plat in the official records of the Davis County Recorder, State of Utah.

IN WITNESS WHEREOF, the undersigned, the Declarant herein, has caused this instrument to be executed by and through its duly authorized officials, this ____ day of _____, 2011 .

DECLARANT:

_____, LLC,
a _____ limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF _____)

On this ____ day of _____, 2011, personally appeared before me _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged to me that he is the _____ of _____, LLC and that he voluntarily signed the foregoing document for its stated purpose in said capacity and that said limited liability company executed the same.

NOTARY PUBLIC

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Consideration of Final Plat Approval for Spring Creek Estates Phase 5

ACTION TO BE CONSIDERED:

See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by David Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: April 23, 2012

SUBJECT: **FINAL PLAT APPROVAL—SPRING CREEK ESTATES PHASE V**

RECOMMENDATION

Move the City Council approve the final plat for the Spring Creek Estates Phase 5 subdivision subject to the following:

1. The applicant work with the City's Development Review Committee to address and shall comply with any outstanding issues related to the final plat including but not limited to planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant must comply with all conditions of preliminary plat approval and provisions of the development agreement.

Findings:

1. The proposed final plat is consistent with the approved preliminary plat.
2. The proposed subdivision meets all the requirements for approval of a final plat.

BACKGROUND

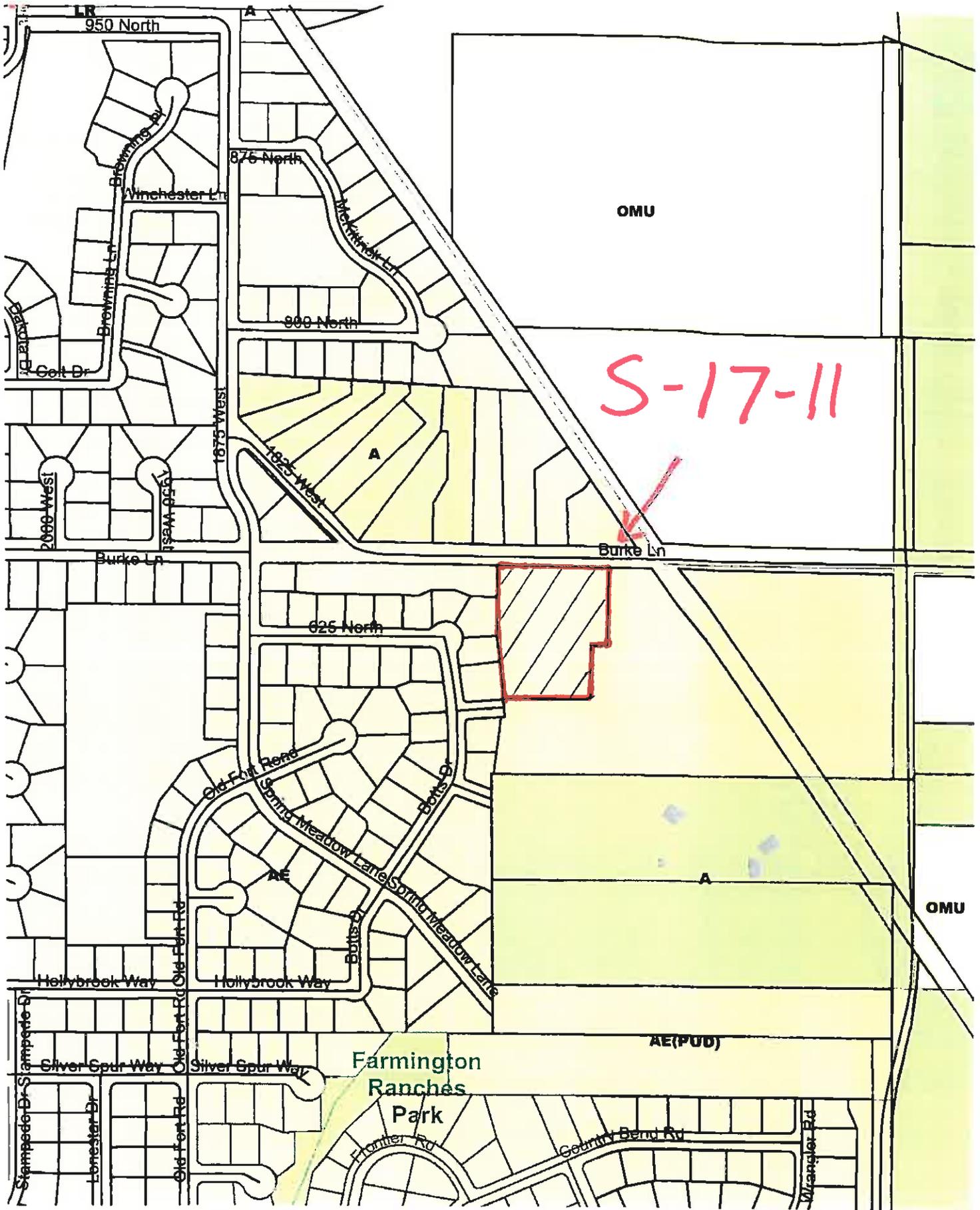
The applicant, Howard Kent, is requesting final plat approval for phase 5 of the Spring Creek Estates subdivision consisting of 10 lots encompassing 2.984 acres and located at approximately 1750 West Burke Lane in an AE zone (see enclosed vicinity map and final plat). The preliminary plat was approved on November 15, 2007, and was memorialized by development agreement on May 4, 2010.

Respectively Submitted

David Petersen
Community Development Director

Review and Concur

Dave Millheim
City Manager



950 North

875 North

800 North

OMU

S-17-11

1875 West

1825 West

2068 West

Burke Ln

Burke Ln

625 North

Old Fort Road

Spring Meadow Lane

Spring Meadow Lane

AE

A

OMU

Hollybrook Way

Hollybrook Way

AE(PUD)

Silver Spur Way

Silver Spur Way

Farmington Ranches Park

Park

Florin Rd

Country Bend Rd

Stamper Dr

Lanester Dr

Old Fort Rd

Wrangler Rd

3. The applicant will work with the City's Development Review Committee to address any outstanding issues related to the final plat including but not limited to planning, engineering, storm water, sewer, culinary and secondary water and public works.
4. The applicant will work with staff to finalize and present to the City Council a development agreement for the Spring Creek Estates Subdivision.

Findings for Approval

1. The proposed final plat is consistent with the approved preliminary plat.
2. The proposed subdivision meets all of the requirements for approval of a final plat.

Sid Young seconded the motion, and it was approved by all Council members.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #7)

- **Ratification of Construction and Storm Water Bond Agreements.**
- **Approval of Change Order #5 to Farmington City Hall Project.**

Motion

Rick Dutson made a motion to approve the items on the Summary Action List. **John Bilton** seconded the motion, and it was unanimously approved.

CONSIDERATION OF FIRST AMENDMENT TO THE SPRING CREEK ESTATES DEVELOPMENT AGREEMENT (Agenda Item #8)

Motion

John Bilton made a motion to approve Amendment #1 to the Spring Creek Estates Development Agreement. **Rick Dutson** seconded the motion, and it was unanimously approved.

ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 8, CHAPTER 2 OF THE CITY CODE REGARDING STREETS AND PUBLIC WAYS (Agenda Item #9)

Motion

Rick Dutson made a motion to approve the Ordinance amending various Sections of Title 8, Chapter 2 of the City Code regarding streets and public ways. **John Bilton** seconded the motion, and it was approved by a roll call vote with Council members **Bilton, Dutson, Ritz, Talbot,** and **Young** voting in favor of the motion.

AMENDMENT No. 1 TO DEVELOPMENT AGREEMENT
FOR
SPRING CREEK SUBDIVISION

THIS AMENDMENT TO DEVELOPMENT AGREEMENT is made and entered into as of the ____ day of _____, 2010, by and between **FARMINGTON CITY**, a Utah municipal corporation, hereinafter referred to as the “City”, and **SLI COMMERCIAL REAL ESTATE COMPANY**, a Utah Corporation, hereinafter referred to as the “Developer”.

RECITALS:

A. The parties previously entered into a Development Agreement for the Spring Creek Subdivision dated February 6, 2007 (the “Development Agreement”).

B. Subsequent to approval of the Development Agreement, the City approved a revised Preliminary Plat for the Project (the “Revised Preliminary Plat”), on December 6, 2007.

C. The parties now desire to amend the Development Agreement to incorporate the Revised Preliminary Plat.

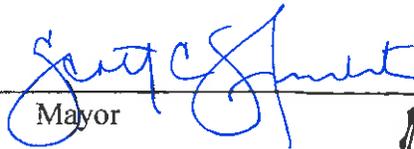
AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Exhibit “C” of the parties’ prior Development Agreement dated February 6, 2007, is hereby amended by replacing Exhibit “C” with the Revised Preliminary Plat as set forth in Exhibit “1” attached hereto and by this reference made a part hereof.
2. Except as expressly modified herein, the parties’ Development Agreement for the Spring Creek Subdivision, dated February 6, 2007, shall remain in full force and effect.
3. This Amendment to Development Agreement shall be binding upon the parties hereto and their respective heirs, agents, representatives, officers, successors and assigns.
4. This Amendment to Development Agreement may be amended only in writing signed by the parties hereto.

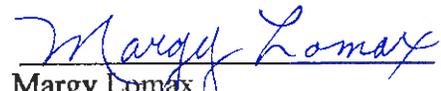
IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to Development Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

"CITY"
FARMINGTON CITY

By: 
Mayor



ATTEST:


Margy Lomax
City Recorder

"DEVELOPER"

**SLI COMMERCIAL REAL ESTATE
COMPANY**

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the ____ day of _____, 20 ____, personally appeared before me Scott C Harbertson, who being by me duly sworn, did say that he is the Mayor of **FARMINGTON CITY**, a municipal corporation, and that said instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

DEVELOPERS ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF _____)

On this _____ day of _____, 20 ____, personally appeared before me _____, who being by me duly sworn, did say that (s)he is the _____ **SLI COMMERCIAL REAL ESTATE COMPANY**, and the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors; and they acknowledged to me that said corporation executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

Dec 6, 2007

NOTE: Lots 101 through 107 are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.

GENERAL NOTES:
 1. All lots shown on this plat are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.
 2. All lots shown on this plat are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.
 3. All lots shown on this plat are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.
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 9. All lots shown on this plat are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.
 10. All lots shown on this plat are subject to the 1875 West Street and Backs (Lots) is required to be in a Forward Master Platting as shown by the City of Springfield, MO.



CONTRACTOR:
 CITY OF SPRINGFIELD
 514 South 1175 East, Suite 1
 Springfield, MO 65802
 (417) 831-3131

DESIGNER:
 GREAT SALES ENGINEERING NORTH
 111 East 100 South
 Suite 100
 Springfield, MO 65802
 (417) 531-3131

Not to be Recorded
 This preliminary plan has been submitted at the request of the Developer

Preliminary Plan

1" = 200'

DATE: 12/06/07

PROJECT: 1875 West Street and Backs (Lots)

PREPARED BY: GREAT SALES ENGINEERING NORTH

CHECKED BY: [Signature]

DATE: 12/06/07

SCALE: 1" = 200'

PROJECT NO: 1875

DATE: 12/06/07

SCALE: 1" = 200'

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Minute Motion Approving Summary Action List

1. Resolution Refunding the 2009 \$1,250,000 GO Bond
2. Ratification of Approvals of Storm Water Bond Logs
3. Installation of Bridge over Shepard Creek, South of Ranches Park
4. Approval of Disbursement Lists for March 2012
5. Temporary Zoning Regulations regarding Smoke Shops

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY



SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council
From: Keith Johnson, Assistant City Manager
Date: April 24, 2012
Subject: **REFUNDING OF THE 2009 \$1,250,000 G.O. BOND.**

RECOMMENDATION

Approve the resolution authorizing the refunding of the \$1,250,000 G.O. bonds series 2009 that were issued to help pay for the new City Hall building.

BACKGROUND

With interest rates at record low levels, we looked at the various outstanding bonds that the City has and found that the 2009 G.O. bonds were callable at any time and since they still had most of the principal outstanding, it made sense to refinance these at a lower interest rate and save the City on interest costs. It also will shorten the life of the bonds by one year. The savings to the City is over \$109,000 including the cost of refinancing of \$22,000. The average interest rate of the current bonds are 4.56% and the average rate will drop to 2.23% on the new bonds. Enclosed are the charts showing the old bond debt service, the new debt service and the comparison of the savings that the City will achieve.

Respectfully Submitted,

Keith Johnson,
Assistant City Manager

Review and Concur,

Dave Millheim,
City Manager

Farmington City, Utah

\$1,250,000 General Obligation Bonds

Series 2009

Prior Original Debt Service

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
07/21/2009	-	-	-	-	-
04/01/2010	-	-	36,539.51	36,539.51	36,539.51
10/01/2010	-	-	26,308.45	26,308.45	-
04/01/2011	-	-	26,308.45	26,308.45	52,616.90
10/01/2011	-	-	26,308.45	26,308.45	-
04/01/2012	85,000.00	3.000%	26,308.45	111,308.45	137,616.90
10/01/2012	-	-	25,033.45	25,033.45	-
04/01/2013	96,000.00	3.250%	25,033.45	121,033.45	146,066.90
10/01/2013	-	-	23,473.45	23,473.45	-
04/01/2014	106,000.00	3.500%	23,473.45	129,473.45	152,946.90
10/01/2014	-	-	21,618.45	21,618.45	-
04/01/2015	117,000.00	3.750%	21,618.45	138,618.45	160,236.90
10/01/2015	-	-	19,424.70	19,424.70	-
04/01/2016	130,000.00	4.100%	19,424.70	149,424.70	168,849.40
10/01/2016	-	-	16,759.70	16,759.70	-
04/01/2017	135,000.00	4.350%	16,759.70	151,759.70	168,519.40
10/01/2017	-	-	13,823.45	13,823.45	-
04/01/2018	141,000.00	4.500%	13,823.45	154,823.45	168,646.90
10/01/2018	-	-	10,650.95	10,650.95	-
04/01/2019	147,000.00	4.650%	10,650.95	157,650.95	168,301.90
10/01/2019	-	-	7,233.20	7,233.20	-
04/01/2020	153,000.00	4.880%	7,233.20	160,233.20	167,466.40
10/01/2020	-	-	3,500.00	3,500.00	-
04/01/2021	140,000.00	5.000%	3,500.00	143,500.00	147,000.00
Total	\$1,250,000.00	-	\$424,808.01	\$1,674,808.01	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	5/14/2012
Average Life	5.214 Years
Average Coupon	4.5614333%
Weighted Average Maturity (Par Basis)	5.214 Years

Refunding Bond Information

Refunding Dated Date	5/14/2012
Refunding Delivery Date	5/14/2012

Farmington City, Utah

\$1,193,000 General Obligation Refunding Bonds

Series May 14, 2012

(Refund Series 2009: State Bank of Southern Utah Bid)

New -

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/14/2012	-	-	-	-	-
10/01/2012	-	-	9,087.86	9,087.86	-
04/01/2013	125,000.00	1.250%	11,940.25	136,940.25	146,028.11
10/01/2013	-	-	11,159.00	11,159.00	-
04/01/2014	130,000.00	1.500%	11,159.00	141,159.00	152,318.00
10/01/2014	-	-	10,184.00	10,184.00	-
04/01/2015	139,000.00	1.650%	10,184.00	149,184.00	159,368.00
10/01/2015	-	-	9,037.25	9,037.25	-
04/01/2016	150,000.00	1.800%	9,037.25	159,037.25	168,074.50
10/01/2016	-	-	7,687.25	7,687.25	-
04/01/2017	157,000.00	2.000%	7,687.25	164,687.25	172,374.50
10/01/2017	-	-	6,117.25	6,117.25	-
04/01/2018	161,000.00	2.200%	6,117.25	167,117.25	173,234.50
10/01/2018	-	-	4,346.25	4,346.25	-
04/01/2019	164,000.00	2.500%	4,346.25	168,346.25	172,692.50
10/01/2019	-	-	2,296.25	2,296.25	-
04/01/2020	167,000.00	2.750%	2,296.25	169,296.25	171,592.50
Total	\$1,193,000.00	-	\$122,682.61	\$1,315,682.61	-

Yield Statistics

Bond Year Dollars	\$5,494.50
Average Life	4.606 Years
Average Coupon	2.2328246%
Net Interest Cost (NIC)	2.2328246%
True Interest Cost (TIC)	2.2245134%
Bond Yield for Arbitrage Purposes	2.2245134%
All Inclusive Cost (AIC)	2.6569928%

IRS Form 8038

Net Interest Cost	2.2328246%
Weighted Average Maturity	4.606 Years

Farmington City, Utah

\$1,193,000 General Obligation Refunding Bonds

Series May 14, 2012

(Refund Series 2009: State Bank of Southern Utah Bid)

Gross Debt Service Comparison - Savings

Date	Principal	Coupon	Interest	New D/S	OLD D/S	Savings	Fiscal Total
05/14/2012	-	-	-	-	-	-	-
10/01/2012	-	-	9,087.86	9,087.86	25,033.45	15,945.59	-
04/01/2013	125,000.00	1.250%	11,940.25	136,940.25	121,033.45	(15,906.80)	38.79
10/01/2013	-	-	11,159.00	11,159.00	23,473.45	12,314.45	-
04/01/2014	130,000.00	1.500%	11,159.00	141,159.00	129,473.45	(11,685.55)	628.90
10/01/2014	-	-	10,184.00	10,184.00	21,618.45	11,434.45	-
04/01/2015	139,000.00	1.650%	10,184.00	149,184.00	138,618.45	(10,565.55)	868.90
10/01/2015	-	-	9,037.25	9,037.25	19,424.70	10,387.45	-
04/01/2016	150,000.00	1.800%	9,037.25	159,037.25	149,424.70	(9,612.55)	774.90
10/01/2016	-	-	7,687.25	7,687.25	16,759.70	9,072.45	-
04/01/2017	157,000.00	2.000%	7,687.25	164,687.25	151,759.70	(12,927.55)	(3,855.10)
10/01/2017	-	-	6,117.25	6,117.25	13,823.45	7,706.20	-
04/01/2018	161,000.00	2.200%	6,117.25	167,117.25	154,823.45	(12,293.80)	(4,587.60)
10/01/2018	-	-	4,346.25	4,346.25	10,650.95	6,304.70	-
04/01/2019	164,000.00	2.500%	4,346.25	168,346.25	157,650.95	(10,695.30)	(4,390.60)
10/01/2019	-	-	2,296.25	2,296.25	7,233.20	4,936.95	-
04/01/2020	167,000.00	2.750%	2,296.25	169,296.25	160,233.20	(9,063.05)	(4,126.10)
10/01/2020	-	-	-	-	3,500.00	3,500.00	-
04/01/2021	-	-	-	-	143,500.00	143,500.00	147,000.00
Total	\$1,193,000.00	-	\$122,682.61	\$1,315,682.61	\$1,448,034.70	\$132,352.09	-

PV Analysis Summary (Gross to Gross)

Gross PV Debt Service Savings	109,057.79
Contingency or Rounding Amount	19.79
Net Present Value Benefit	\$109,077.58
Net PV Benefit / \$1,165,000 Refunded Principal	9.363%
Net PV Benefit / \$1,193,000 Refunding Principal	9.143%
Average Annual Cash Flow Savings	14,705.79

Refunding Bond Information

Refunding Dated Date	5/14/2012
Refunding Delivery Date	5/14/2012

Farmington City, Utah

\$1,193,000 General Obligation Refunding Bonds

Series May 14, 2012

(Refund Series 2009: State Bank of Southern Utah Bid)

Sources & Uses

Dated 05/14/2012 | Delivered 05/14/2012

Sources Of Funds

Par Amount of Bonds	\$1,193,000.00
---------------------	----------------

Total Sources	\$1,193,000.00
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Uses Of Funds

Deposit to Current Refunding Fund	1,170,980.21
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Costs of Issuance	22,000.00
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Rounding Amount	19.79
-----------------	-------

Total Uses	\$1,193,000.00
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Farmington, Utah

May 1, 2012

The City Council (the "Council") of Farmington City, Utah (the "Issuer"), met in regular public session at the regular meeting place of the Council in Farmington City, Utah, on Tuesday, May 1, 2012, at the hour of 7:00 p.m., with the following members of the Council being present:

Scott Harbertson	Mayor
John Bilton	Councilmember
Nelsen Michaelson	Councilmember
Cory Ritz	Councilmember
Jim Talbot	Councilmember
Jim Young	Councilmember

Also present:

Dave Millheim	City Manager
Holly Gadd	City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this May 1, 2012, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following resolution was introduced in written form, discussed in full, and pursuant to motion made by Councilmember _____ and seconded by Councilmember _____, adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Mayor in open meeting and recorded by the City Recorder in the official records of Farmington City, Utah. The resolution is as follows:

FARMINGTON CITY, UTAH

Resolution Authorizing the
Issuance and Sale of
Not to Exceed
\$1,300,000
General Obligation Refunding Bonds
Series 2012

Adopted May 1, 2012

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RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF FARMINGTON CITY, UTAH (THE "ISSUER") AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$1,300,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 (THE "SERIES 2012 BONDS"); DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2012 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE MANNER OF EXECUTION AND DELIVERY OF THE SERIES 2012 BONDS; PROVIDING HOW THE PROCEEDS OF THE SERIES 2012 BONDS WILL BE USED AND HOW PAYMENT OF THE SERIES 2012 BONDS WILL BE MADE; RATIFYING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; APPROVING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT WITH RESPECT TO THE SERIES 2012 BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, to achieve a debt service savings and to better match resources to debt obligations, Farmington City, Utah (the "Issuer") desires to refund and retire all of its currently outstanding General Obligation Bonds, Series 2009 (the "Refunded Bonds"); and

WHEREAS, pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the "Act"), the Issuer is authorized to issue its General Obligation Refunding Bonds, Series 2012 (to be issued in one or more series and from time to time, with any other title or series designation as directed by the herein defined Terms Certificate) (the "Series 2012 Bonds") in the aggregate principal amount of not to exceed \$1,300,000, to (a) refund the Refunded Bonds, and (b) pay costs of issuance of the Series 2012 Bonds; and

WHEREAS, the Act provides for the publication of a Notice of Bonds to be Issued, and the Issuer desires to ratify the publication of such notice at this time in compliance with the Act with respect to the Series 2012 Bonds; and

WHEREAS, there has been presented to the City Council at this meeting a form of a Bond Purchase Agreement (the "Bond Purchase Agreement") relating to the Series 2012 Bonds; and

WHEREAS, the Issuer desires to authorize and approve the Bond Purchase Agreement; and

WHEREAS, as permitted by Section 11-27-3 of the Act and in order to allow flexibility in setting the pricing date of the Series 2012 Bonds and to optimize debt service savings to the Issuer, the Issuer desires to grant to the Designated Officers (defined herein), in consultation with the Issuer's financial advisor, the authority to select a purchaser of the Series 2012 Bonds and to approve the principal amounts, interest rates, terms, maturities, redemption features and purchase price at which the Series 2012 Bonds shall be sold and execute a Terms Certificate setting forth the final terms of the Series 2012 Bonds, provided that such final terms do not exceed the parameters set forth in Article II of this Resolution;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of Farmington City, Utah, as follows:

ARTICLE I

DEFINITIONS; AUTHORITY

1.1 Definitions. As used in this Resolution, the following terms shall have the following meanings:

“Act” means the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended.

“Bond Fund” means the fund established under Section 4.2 hereof.

“Bondowner,” “Bondholder,” “Owner” or “Registered Owner” means the registered owner of any Bond as shown on the registration books of the Issuer kept by the Bond Registrar.

“Bond Purchase Agreement” means that certain Bond Purchase Agreement in substantially the form of Exhibit B hereto to be entered into by the Issuer and the Purchaser, pursuant to which the Series 2012 Bonds will be sold to the Purchaser.

“Bond Registrar” means each Person appointed by the Issuer as registrar and agent for the transfer, exchange and authentication of the Series 2012 Bonds pursuant to Section 2.5 hereof. The initial Bond Registrar is Zions First National Bank, Salt Lake City, Utah.

“Business Day” means a legal business day on which banking business is transacted in the city in which the Paying Agent has its principal corporate trust office.

“City Council” means the City Council of Farmington City, Utah.

“City Recorder” means the City Recorder or any Deputy City Recorder of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended.

“Designated Officers” means the Mayor and the City Manager or the City Finance Director.

“Interest Payment Date” means each April 1 and October 1, commencing as provided in the Terms Certificate.

“Issuer” means Farmington City, Utah.

“Mayor” means the Mayor or any acting Mayor of the Issuer.

“Original Issue Date” means the date of delivery of the Series 2012 Bonds.

“Paying Agent” means each Person appointed by the Issuer as paying agent with respect to the Series 2012 Bonds pursuant to Section 2.5 hereof. The initial Paying Agent is Zions First National Bank, Salt Lake City, Utah.

“Person” means natural persons, firms, partnerships, associations, corporations, trusts, public bodies and other entities.

“Purchaser” means the purchaser of the Series 2012 Bonds pursuant to the Bond Purchase Agreement and the Terms Certificate.

“Record Date” means (a) with respect to each Interest Payment Date, the fifteenth day immediately preceding such interest payment date, and (b) with respect to any redemption of any Bond, such Record Date as shall be specified by the Bond Registrar in the notice of redemption, provided that such Record Date shall not be less than 15 calendar days before the mailing of such notice of redemption.

“Refunded Bonds” means all of the Issuer’s currently outstanding General Obligation Bonds, Series 2009.

“Resolution” means this Resolution authorizing the issuance and sale of the Series 2012 Bonds.

“Series 2012 Bonds” means the General Obligation Refunding Bonds, Series 2012, of the Issuer authorized hereby.

“State” means the State of Utah.

“Terms Certificate” shall mean the certificate of the Issuer setting forth the final terms for the Series 2012 Bonds (within the parameters set forth herein), to be executed by the Designated Officers, in substantially the form attached hereto as Exhibit C.

Unless the context clearly indicates to the contrary, the terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder,” and any similar terms as used in this Resolution, refer to this Resolution in its entirety.

1.2 Authority for Resolution. This Resolution is adopted pursuant to the Act.

ARTICLE II

AUTHORIZATION, TERMS AND ISSUANCE OF BONDS

2.1 Authorization of Bonds, Principal Amount, Designation and Series. In accordance with and subject to the terms, conditions and limitations established by the Act and in this Resolution, a series of General Obligation Refunding Bonds of the Issuer is hereby authorized to be issued in the aggregate principal amount of not to exceed \$1,300,000. Such series of bonds shall be designated "Farmington City, Utah General Obligation Refunding Bonds, Series 2012." The name of the Series 2012 Bonds may be revised in the Terms Certificate. The Series 2012 Bonds may be issued in one or more series and at any time within 12 months of the date of adoption of this Resolution, all within the parameters established hereby.

The Series 2012 Bonds shall be issued as fully registered Bonds.

The Series 2012 Bonds shall be general obligations of the Issuer for the payment of which the full faith, credit and taxing power of the Issuer are hereby pledged, and the Issuer hereby agrees and covenants that it will annually cause to be levied a tax sufficient as provided herein to pay the principal of, premium, if any, and interest on the Series 2012 Bonds as they fall due and payable, and also to constitute a sinking fund to pay the principal, premium, if any, and interest when due.

2.2 Purpose. The Series 2012 Bonds are hereby authorized to be issued for the purpose of (a) refunding the Refunded Bonds and (b) paying expenses reasonably incurred in connection with the issuance and sale of the Series 2012 Bonds.

2.3 Bond Details; Delegation of Authority. (a) The Series 2012 Bonds shall mature on the dates and in the principal amounts, and shall bear interest (calculated on the basis of a year of 360 days comprised of twelve 30-day months) from the Original Issue Date payable on each Interest Payment Date at the per annum rates, all as provided in the Terms Certificate.

(b) There is hereby delegated to the Designated Officers, subject to the parameters set forth in this Resolution, the power to determine the following with respect to the Series 2012 Bonds, and the Designated Officers are hereby authorized to make such determinations:

(i) the principal amount of the Series 2012 Bonds necessary to accomplish the purpose set forth in Section 2.2 herein; provided, however, that the aggregate principal amount of the Series 2012 Bonds shall not exceed \$1,300,000;

(ii) the maturity date or dates and principal amount of each maturity of the Series 2012 Bonds to be issued; provided, however, that the Series 2012 Bonds shall mature in not more than nine (9) years from their date or dates;

(iii) the interest rate or rates of the Series 2012 Bonds; provided, however, that the interest rate or rates to be borne by any Series 2012 Bond shall not exceed three and one-quarter percent (3.25%) per annum;

(iv) the sale of the Series 2012 Bonds to the Purchaser and the purchase price to be paid by the Purchaser for the Series 2012 Bonds; provided, however, that the discount from par of the Series 2012 Bonds shall not exceed two percent (2.0%); and

(v) any other provisions deemed advisable by the Designated Officers not materially in conflict with the provisions of this Resolution.

Upon pricing of the Series 2012 Bonds by the Purchaser, the Designated Officers shall make the determinations provided above and shall execute the Terms Certificate containing such terms and provisions on behalf of the Issuer, which execution shall be conclusive evidence as to the matters stated therein.

(c) Each Bond shall accrue interest from the Interest Payment Date next preceding the date on which it is authenticated, unless (i) it is authenticated before the first Interest Payment Date following the Original Issue Date, in which case interest shall accrue from the Original Issue Date, or (ii) it is authenticated upon an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date; provided, however, that if at the time of authentication of any Bond interest is in default, interest shall accrue from the date to which interest has been paid. The Series 2012 Bonds shall bear interest on overdue principal at the respective rates.

2.4 Denominations and Numbers. The Series 2012 Bonds shall be issued as fully registered bonds, without coupons, in the denomination of \$1,000, or any integral multiple thereof. The Series 2012 Bonds shall be numbered with the letter prefix "R" and shall be numbered from one (1) consecutively upwards in order of issuance.

2.5 Paying Agent and Bond Registrar. The Issuer hereby appoints Zions First National Bank to act as Paying Agent and Bond Registrar under the terms and conditions of this Resolution. The Issuer may remove any Paying Agent and any Bond Registrar, and appoint a successor or successors thereto. The Issuer shall submit to the Paying Agent or Bond Registrar, as the case may be, a notice of such removal at least 30 days prior to the effective date of such removal, and shall specify the date on which such removal shall take effect. Such removal shall take effect on the date that each successor Paying Agent and Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing and delivering to the Issuer a written acceptance thereof.

The principal of, premium, if any, and interest on the Series 2012 Bonds shall be payable in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Principal of and premium, if any, on the Series 2012 Bonds shall be payable when due to the Registered Owner of each Bond at the principal office of the Paying Agent. Payment of interest on each Bond shall be made by check or draft mailed to the Person which, as of the Record Date, is the Registered Owner of the Series 2012 Bond, at the address of such Registered Owner as it appears on the registration books of the Issuer kept by the Bond Registrar, or at such other address as is furnished to the Bond Registrar in writing by such Owner on or prior to the Record Date.

2.6 Redemption of Series 2012 Bonds.

(a) The Series 2012 Bonds shall be subject to redemption prior to maturity as specified in the Terms Certificate.

(b) The Series 2012 Bonds may be subject to mandatory redemption by operation of sinking fund installments as provided in the Terms Certificate. If the Series 2012 Bonds are subject to mandatory sinking fund redemption and less than all of the Series 2012 Bonds then outstanding are redeemed in a manner other than pursuant to a mandatory sinking fund redemption, the principal amount so redeemed shall be credited at 100% of the principal amount thereof by the Bond Registrar against the obligation of the Issuer on such mandatory sinking fund redemption dates for the Series 2012 Bonds in such order as directed by the Issuer.

(c) If fewer than all of the Series 2012 Bonds of any maturity are called for redemption, the Series 2012 Bonds to be redeemed shall be selected by lot by the Bond Registrar, in such manner as the Bond Registrar may deem fair and appropriate, each \$1,000 or principal amount of the Series 2012 Bonds being counted as one Series 2012 Bond for this purpose. If a portion of a Series 2012 Bond shall be called for redemption, a new Series 2012 Bond in principal amount equal to the unredeemed portion thereof shall be issued to the registered owner upon presentation and surrender thereof.

2.7 Notice of Redemption.

(a) In the event any Series 2012 Bonds are to be redeemed, the Issuer shall cause notice of such redemption to be given as provided in this Section 2.7. Notice of redemption shall be given by the Bond Registrar by registered or certified mail, postage prepaid, not less than thirty (30) nor more than forty-five (45) days prior to the redemption date, to each Registered Owner of the Series 2012 Bonds to be redeemed, at the address shown on the registration books of the Issuer maintained by the Bond Registrar on the Record Date specified in the notice of redemption, which Record Date shall be not less than fifteen (15) calendar days before the mailing of such notice, or at such other address as is furnished to the Bond Registrar in writing by such Registered Owner on or prior to such Record Date. Each notice of redemption shall state (i) the identification numbers, as established hereunder and the CUSIP numbers, if any, of the Series 2012 Bonds being redeemed, provided that any such notice shall state that no

representation is made as to the correctness of CUSIP numbers either as printed on such Series 2012 Bonds or as contained in the notice of redemption and that reliance may be placed only on the identification numbers contained in the notice or printed on such Series 2012 Bonds; (ii) any other descriptive information needed to identify accurately the Series 2012 Bonds being redeemed, including, but not limited to, the original issuance date and maturity date of, and interest rate on, such Series 2012 Bonds; (iii) the Record Date; (iv) the redemption date; (v) the redemption price; (vi) the place of redemption; (vii) the total principal amount of Series 2012 Bonds to be redeemed; (viii) if less than all, the distinctive numbers of the Series 2012 Bonds or portions of Series 2012 Bonds to be redeemed and, if less than all of any Series 2012 Bond, the principal amount of each Series 2012 Bond that is to be redeemed; and (ix) that the interest on the Series 2012 Bonds or portion of Series 2012 Bonds in such notice designated for redemption shall cease to accrue from and after such redemption date and that on said date there will become due and payable on each of said Series 2012 Bonds or portions of Series 2012 Bonds the redemption price thereof and interest accrued thereon to the redemption date. Any notice mailed as provided in this Section 2.7 shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. Failure to give such notice or any defect therein with respect to any Series 2012 Bond shall not affect the validity of the proceedings for redemption with respect to any other Series 2012 Bond.

(b) In addition to the foregoing notice, further notice of redemption shall be given by the Bond Registrar, at least two (2) business days in advance of the mailed notice to Registered Owners of Series 2012 Bonds to be redeemed, by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Series 2012 Bonds, and to one or more national information services that disseminate notices of redemption of obligations such as the Series 2012 Bonds. Such further notice shall contain the information required in the immediately preceding paragraph. Failure to give all or any portion of such further notice shall not in any manner defeat the effectiveness of a call for redemption.

2.8 Partially Redeemed Bonds. In case any Series 2012 Bond shall be redeemed in part only, upon the presentation of such Series 2012 Bond for such partial redemption, the Issuer shall execute and the Bond Registrar shall authenticate and shall deliver or cause to be delivered to or upon the written order of the Registered Owner thereof, at the expense of the Issuer, a Series 2012 Bond or Series 2012 Bonds of the same series, interest rate and maturity, in aggregate principal amount equal to the unredeemed portion of such registered Series 2012 Bond. A portion of any Series 2012 Bond of a denomination of more than \$1,000 to be redeemed will be in the principal amount of \$1,000 increments and in selecting portions of such Series 2012 Bonds for redemption, each such Series 2012 Bond shall be treated as representing that number of Series 2012 Bonds of \$1,000 denomination which is obtained by dividing the principal amount of such Bonds by \$1,000.]

2.9 Sale of Series 2012 Bonds. The sale of the Series 2012 Bonds is hereby approved as follows:

(a) The Series 2012 Bonds authorized to be issued herein shall be sold to the Purchaser at an aggregate price as shall be determined pursuant to the authority delegated under Section 2.3 hereof, on the terms and conditions to be set forth in the Bond Purchase Agreement, and upon the basis of the representations therein set forth. The Issuer hereby ratifies, confirms and approves all actions heretofore taken on behalf of the Issuer by the officials of the Issuer in connection with the sale of the Series 2012 Bonds.

(b) To evidence the acceptance by the Issuer of the Bond Purchase Agreement, the Mayor is hereby authorized and directed to execute and deliver, and the City Recorder to attest, the Bond Purchase Agreement substantially in the form attached hereto as Exhibit B, with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, his or her execution and delivery thereof to constitute conclusive evidence of such approval.

2.10 Execution of Bonds. The Series 2012 Bonds shall be executed on behalf of the Issuer by the Mayor and attested by the City Recorder (the signatures of the Mayor and City Recorder being either manual and/or by facsimile), and the corporate seal of the Issuer or a facsimile thereof shall be impressed or imprinted thereon. The use of such facsimile signatures of the Mayor and City Recorder and such facsimile of the seal of the Issuer on the Series 2012 Bonds is hereby authorized, approved and adopted by the Issuer as the authorized and authentic execution, attestation and sealing of the Series 2012 Bonds by said officials. The Series 2012 Bonds shall then be delivered to the Bond Registrar for manual authentication by it. The Certificate of Authentication shall be substantially in the form provided in Section 5.1 hereof. Only such of the Series 2012 Bonds as shall bear thereon a Certificate of Authentication, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Bond Registrar shall be conclusive evidence that the Series 2012 Bonds so certified have been duly registered and delivered under, and are entitled to the benefits of this Resolution and that the Registered Owner thereof is entitled to the benefits of this Resolution. The Certificate of Authentication of the Bond Registrar on any Series 2012 Bond shall be deemed to have been executed by it if (i) such Series 2012 Bond is signed by the Bond Registrar, but it shall not be necessary that the same officer sign the Certificate of Authentication on all of the Series 2012 Bonds issued hereunder or that all of the Series 2012 Bonds hereunder be certified as registered by the same Bond Registrar, and (ii) the date of authentication of the Series 2012 Bond is inserted in the place provided therefor on the Certificate of Authentication.

The Mayor and City Recorder are authorized to execute, attest, countersign and seal from time to time, in the manner described above, Series 2012 Bonds (the "Exchange Bonds") to be issued and delivered for the purpose of effecting transfers and exchanges of Series 2012 Bonds pursuant to Article III hereof. At the time of the execution, attestation and sealing of the Exchange Bonds by the Issuer, the payee, principal amount, CUSIP number, if any, maturity and interest rate shall be in blank. Upon any transfer or

exchange of Series 2012 Bonds pursuant to Article III hereof, the Bond Registrar shall cause to be inserted in appropriate Exchange Bonds the appropriate payee, principal amount, CUSIP number, if any, maturity and interest rate. The Bond Registrar is hereby authorized and directed to hold the Exchange Bonds, and to complete, certify as to registration and authenticate and deliver the Exchange Bonds, for the purpose of effecting transfers and exchanges of Series 2012 Bonds; provided, however, that any Exchange Bonds registered, authenticated and delivered by the Bond Registrar shall bear the same series, maturity and interest rate as Series 2012 Bonds delivered to the Bond Registrar for exchange or transfer, and shall bear the name of such payee as the Registered Owner requesting an exchange or transfer shall designate; and provided further that upon the delivery of any Exchange Bonds by the Bond Registrar a like principal amount of Series 2012 Bonds submitted for transfer or exchange, and of like series and having like maturities and interest rates, shall be canceled. The execution, attestation and sealing by the Issuer and delivery to the Bond Registrar of any Exchange Bond shall constitute full and due authorization of such Exchange Bond containing such payee, principal amount, CUSIP number, if any, maturity and interest rate as the Bond Registrar shall cause to be inserted, and the Bond Registrar shall thereby be authorized to authenticate and deliver such Exchange Bond in accordance with the provisions hereof.

In case any officer whose signature or a facsimile of whose signature shall appear on any Series 2012 Bond (including any Exchange Bond) shall cease to be such officer before the issuance or delivery of such Series 2012 Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such issuance or delivery, respectively.

2.11 Delivery of Bonds; Application of Proceeds. The Series 2012 Bonds shall be delivered to the Purchaser at such time and place as provided in the Bond Purchase Agreement. The City Recorder of the Issuer is hereby authorized and instructed to make delivery of the Series 2012 Bonds to the Purchaser and to receive payment therefor in accordance with the terms of the Bond Purchase Agreement, and to deposit the proceeds of sale as follows:

(a) An amount sufficient to retire the Refunded Bonds shall be applied by the Paying Agent on the Original Issue Date to refund and retire the Refunded Bonds.

(b) The amount remaining shall be deposited into a separate account and used to pay the costs of issuance of the Series 2012 Bonds, provided that any moneys remaining in such account six months subsequent to the date of the initial delivery of the Series 2012 Bonds shall be deposited into the Bond Fund.

2.12 Provisions for Refunding and Redemption of Refunded Bonds. By execution of the Terms Certificate, the Issuer will have elected to refund the Refunded Bonds and to call and redeem on May 14, 2012 the Refunded Bonds then outstanding (as more specifically identified in the Terms Certificate) at a redemption price equal to one hundred percent (100%) of the principal amount of each Refunded Bond to be so redeemed, plus accrued interest thereon to the redemption date. The paying agent and

bond registrar for each series of the Refunded Bonds (the “Prior Paying Agent”) is hereby authorized and directed to mail a Notice of Redemption of the Refunded Bonds as required by the proceedings which authorized the issuance of the Refunded Bonds.

2.13 Further Authority. The Mayor and City Recorder and such other officials of the Issuer as may be required, are hereby authorized and directed to execute all certificates, documents, and other instruments and make such elections under the Code as may be necessary or advisable to provide for the issuance, sale, registration, and delivery of the Series 2012 Bonds and to comply with applicable provisions of the Code.

ARTICLE III

TRANSFER AND EXCHANGE OF SERIES 2012 BONDS; BOND REGISTRAR

3.1 Transfer of Series 2012 Bonds.

(a) Any Series 2012 Bond may, in accordance with its terms, be transferred, upon the registration books kept by the Bond Registrar pursuant to Section 3.3 hereof, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Series 2012 Bond for cancellation, accompanied by delivery of a written instrument of transfer in a form approved by the Bond Registrar, duly executed. No transfer shall be effective until entered on the registration books kept by the Bond Registrar. The Issuer, the Bond Registrar and the Paying Agent may treat and consider the person in whose name each Series 2012 Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner thereof for the purpose of receiving payment of, or on account of, the principal or redemption price thereof and interest due thereon and for all other purposes whatsoever.

(b) Whenever any Series 2012 Bond or Series 2012 Bonds shall be surrendered for transfer, the Bond Registrar shall authenticate and deliver a new fully registered Series 2012 Bond or Series 2012 Bonds of the same series, designation, maturity and interest rate and of authorized denominations duly executed by the Issuer, for a like aggregate principal amount. The Bond Registrar shall require the payment by the Registered Owner requesting such transfer of any tax or other governmental charge required to be paid with respect to such transfer. With respect to each Series 2012 Bond, no such transfer shall be required to be made (i) with respect to any Interest Payment Date after the Record Date to and including such Interest Payment Date, or (ii) with respect to any redemption of any Series 2012 Bond, after such Record Date as shall be specified by the Bond Registrar in the notice of redemption, provided that such Record Date shall not be less than 15 calendar days before the mailing of such notice of redemption.

(c) The Issuer shall not be required to register the transfer of or exchange any Series 2012 Bond selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part.

3.2 Exchange of Series 2012 Bonds. Series 2012 Bonds may be exchanged at the office of the Bond Registrar for a like aggregate principal amount of fully registered Series 2012 Bonds of the same series, designation, maturity and interest rate of other authorized denominations. The Bond Registrar shall require the payment by the Registered Owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange. With respect to each Series 2012 Bond, no such exchange shall be required to be made (i) with respect to any Interest Payment Date after the Record Date to and including such Interest Payment Date, or (ii) with respect to any redemption of any Series 2012 Bond, after such Record Date as shall

be specified by the Bond Registrar in the notice of redemption, provided that such Record Date shall not be less than 15 calendar days before the mailing of such notice of redemption.

3.3 Bond Registration Books. This Resolution shall constitute a system of registration within the meaning and for all purposes of the Registered Public Obligations Act, Title 15, Chapter 7, Utah Code Annotated 1953, as amended. The Bond Registrar shall keep or cause to be kept, at its office, sufficient books for the registration and transfer of the Series 2012 Bonds, which shall at all times be open to inspection by the Issuer, and upon presentation for such purpose, the Bond Registrar shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on said books, Series 2012 Bonds as herein provided.

3.4 List of Registered Owners. The Bond Registrar shall maintain a list of the names and addresses of the Owners of all Series 2012 Bonds and upon any transfer shall add the name and address of the new Registered Owner and eliminate the name and address of the transferor Registered Owner.

3.5 Duties of Bond Registrar. The obligations and duties of the Bond Registrar hereunder include the following:

(a) to act as bond registrar, authenticating agent, paying agent, and transfer agent as provided herein;

(b) to maintain a list of Registered Owners as set forth herein and to furnish such list to the Issuer upon request, but otherwise to keep such list confidential;

(c) to give notice of redemption of Series 2012 Bonds as provided herein;

(d) to cancel and/or destroy Series 2012 Bonds which have been paid at maturity or submitted for exchange or transfer;

(e) to furnish to the Issuer at least annually a certificate with respect to Series 2012 Bonds canceled and/or destroyed; and

(f) to furnish to the Issuer at least annually an audit confirmation of Series 2012 Bonds paid, Series 2012 Bonds outstanding and payments made with respect to interest on the Series 2012 Bonds.

ARTICLE IV

COVENANTS AND UNDERTAKINGS

4.1 Covenants of Issuer. All covenants, statements, representations and agreements contained in the Series 2012 Bonds, and all recitals and representations in this Resolution are hereby considered and understood and it is hereby resolved that all said covenants, statements, representations and agreements of the City Council, are the covenants, statements, representations and agreements of the Issuer.

4.2 Levy of Taxes. The Issuer covenants and agrees to establish a Bond Fund to pay the interest falling due on the Series 2012 Bonds as the same become due and also to provide for the payment of the principal of the Series 2012 Bonds at maturity or by prior redemption. There shall be levied on all taxable property in the Issuer in addition to all other taxes, a direct annual tax sufficient to pay the interest on the Series 2012 Bonds and to pay and retire the Series 2012 Bonds. Said taxes shall be deposited in the Bond Fund and applied solely for the purpose of the payment of said interest and principal on the Series 2012 Bonds, respectively, and for no other purpose whatsoever until the indebtedness so contracted under this Resolution, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent the Issuer from applying any other funds that may be in the Issuer's treasury and available for that purpose to the payment of said interest and principal as the same respectively mature, and the levy or levies herein provided for may thereupon to that extent be diminished, and the sums herein provided for to meet the interest on the Series 2012 Bonds and to discharge the principal thereof when due, are hereby appropriated for that purpose and the required amount for each year shall be included by the Issuer in its annual budget and its statement and estimate as certified to the Auditor of Davis County, Utah in each year. Principal or interest falling due at any time when there shall not be available from the proceeds of said levies money sufficient for the payment thereof shall, to the extent of such deficiency, be paid from other funds of the Issuer available for such purpose, and such other funds reimbursed when the proceeds of said levies become available. The Issuer shall transfer from the Bond Fund to the Paying Agent prior to each principal and/or interest payment date or redemption date on the Series 2012 Bonds, sufficient moneys to pay all principal and interest falling due on said payment or redemption date. The Issuer has established the Bond Fund primarily to achieve a proper matching of revenues and debt service on the Series 2012 Bonds. The Bond Fund shall be depleted at least once each year by the Issuer except for a reasonable carryover amount not to exceed the greater of earnings on the Bond Fund for the immediately preceding year or one-twelfth of the annual debt service on the Series 2012 Bonds for the immediately preceding year.

4.3 Bonds in Registered Form. The Issuer recognizes that Section 149 of the Code requires the Series 2012 Bonds to be issued and to remain in fully registered form in order that interest thereon be excludible from gross income for federal income tax purposes under laws in force at the time the Series 2012 Bonds are delivered. In this connection, the Issuer agrees that it will not take any action to permit the Series 2012 Bonds to be issued in, or converted into, bearer or coupon form.

4.4 Tax Covenants. The Issuer further covenants and agrees to and for the benefit of the Bondholders that the Issuer (i) will not take any action that would cause interest on the Series 2012 Bonds to become subject to federal income taxation, (ii) will not omit to take or cause to be taken, in timely manner, any action, which omission would cause the interest on the Series 2012 Bonds to become subject to federal income taxation, and (iii) will, to the extent possible, comply with any other requirements of federal tax law applicable to the Series 2012 Bonds in order to preserve the exemption from federal income taxation of interest on the Series 2012 Bonds. Pursuant to this covenant, the Issuer obligates itself to comply throughout the term of the Series 2012 Bonds with the requirements of Section 148 of the Code and the regulations proposed or promulgated thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised.

4.5 [Bank Designation of Bonds. For purposes of and in accordance with Section 265 of the Code, the Issuer has designated the Series 2012 Bonds as an issue qualifying for the exception for certain qualified tax-exempt obligations to the rule denying banks and other financial institutions 100% of the deduction for interest expenses which is allocable to tax-exempt interest. The Issuer reasonably anticipates that the total amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii) of the Code) which will be issued by the Issuer and by any aggregated issuer during calendar year 2012 will not exceed \$10,000,000. For purposes of this Section, "aggregated issuer" means any entity which, (i) issues obligations on behalf of the Issuer, (ii) derives its issuing authority from the Issuer, or (iii) is directly or indirectly controlled by the Issuer within the meaning of Treasury Regulation Section 1.150-1(e). The Issuer hereby represents that (a) it has not created and does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 265(b)(3)(C) or (D) of the Code, and (b) the total amount of obligations so designated by the Issuer, and all aggregated issuers for calendar year 2012 does not exceed \$10,000,000.]

ARTICLE V

FORM OF BONDS

5.1 Form of Bonds. Each Bond shall be in substantially the following form, with such insertions or variations as to any redemption or amortization provisions and such other insertions or omissions, endorsements and variations as may be required:

[FORM OF BOND]

UNITED STATES OF AMERICA
STATE OF UTAH
FARMINGTON CITY
GENERAL OBLIGATION REFUNDING BOND
SERIES 2012

[THIS BOND HAS BEEN DESIGNATED BY THE ISSUER AS A QUALIFIED TAX-EXEMPT OBLIGATION FOR PURPOSES OF THE EXCEPTION CONTAINED IN SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, RELATING TO THE DEDUCTIBILITY OF A FINANCIAL INSTITUTION'S INTEREST EXPENSE ALLOCABLE TO TAX-EXEMPT INTEREST.]

Number R- _____ \$ _____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Issue Date</u>
_____ %	_____	_____, 2012

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS****

Farmington City, Utah (the "Issuer"), a public body corporate and politic, duly organized and existing under the laws of the State of Utah, acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, upon presentation and surrender hereof, the Principal Amount identified above, and to pay the Registered Owner hereof interest on the balance of said Principal Amount from time to time remaining unpaid at the Interest Rate per annum identified above (calculated on the basis of a year of 360 days comprised of twelve 30-day months), which interest shall be payable on April 1 and October 1 of each year, commencing _____ (each an "Interest Payment Date"), until all of the principal shall have been paid.

Interest on this Bond shall accrue from the Interest Payment Date next preceding the date on which it is authenticated, unless (a) it is authenticated before the first Interest Payment Date following the Original Issue Date identified above, in which case interest shall accrue from the Original Issue Date, or (b) it is authenticated on an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date; provided, however, that if interest on the hereinafter defined Series 2012 Bonds shall be in default, interest on the Series 2012 Bonds issued in exchange for Series 2012 Bonds surrendered for transfer or exchange shall be payable from the date to which interest has been paid in full on the Series 2012 Bonds surrendered. This Bond shall bear interest on overdue principal at the Interest Rate. Principal and interest on this Bond are payable in any coin

or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Principal of this Bond shall be payable upon surrender of this Bond at the principal corporate trust office of Zions First National Bank, Salt Lake City, Utah, as Paying Agent, and payment of the semiannual interest hereon shall be made by wire transfer or by check or draft mailed to the person who is the Registered Owner of record hereof as of the fifteenth day immediately preceding each Interest Payment Date at the address of such Registered Owner as it appears on the registration books kept by the hereinafter defined Bond Registrar, or at such other address as is furnished in writing by such Registered Owner to the Bond Registrar as provided in the hereinafter defined Resolution.

This Bond is one of the General Obligation Refunding Bonds, Series 2012 of the Issuer (the "Series 2012 Bonds") limited to the aggregate principal amount of \$ _____, and issued pursuant to (a) the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the "Act"), and (b) a resolution of the Issuer adopted on May 1, 2012 (the "Resolution"). The Series 2012 Bonds are authorized to be issued for the purpose of (a) refunding and retiring the Issuer's currently outstanding General Obligation Bonds, Series 2009, and (b) paying expenses reasonably incurred in connection with the issuance and sale of the Series 2012 Bonds.

Zions First National Bank, Salt Lake City, Utah is the initial bond registrar and paying agent with respect to the Series 2012 Bonds. Said bond registrar and paying agent, together with any successor bond registrar or paying agent, respectively, is referred to herein as the "Bond Registrar" and the "Paying Agent."

The Issuer covenants and is by law required to levy annually a sufficient tax to constitute a Bond Fund to pay the interest on this Bond as it falls due and also to provide for the payment of the principal hereof as the same falls due; provided, however, that the Issuer may apply other funds available to the Issuer to the payment of said principal and interest in which case the levy herein described may to that extent be diminished.

This Bond is transferable, as provided in the Resolution, only upon the books of the Issuer kept for that purpose at the principal office of the Bond Registrar, by the Registered Owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the Registered Owner or such duly authorized attorney, and thereupon the Issuer shall issue in the name of the transferee a new registered Bond or Bonds of authorized denominations of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered Bond, all as provided in the Resolution and upon the payment of the charges therein prescribed. No transfer of this Bond shall be effective until entered on the registration books kept by the Bond Registrar. The Issuer, the Bond Registrar and the Paying Agent may treat and consider the person in whose name this Bond is registered on the registration books kept by the Bond Registrar as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever, and neither the Issuer, nor the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary.

The Issuer is not required to transfer or exchange any Bond (a) after the Record Date with respect to any Interest Payment Date to and including such Interest Payment Date, and (b) with respect to any redemption of any Bond, after such Record Date as shall be specified by the Bond Registrar in the notice of redemption, provided that such Record Date shall not be less than 15 calendar days before the mailing of such notice of redemption.

The Series 2012 Bonds are issuable solely in the form of fully registered Bonds without coupons in the denomination of \$1,000 or any integral multiple thereof.

The Series 2012 Bonds are subject to optional redemption prior to maturity as described in the Resolution.

This Bond and the issue of Bonds of which it is a part are issued in conformity with and after full compliance with the Constitution of the State of Utah and pursuant to the provisions of the Act and all other laws applicable thereto. It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of Utah and by the Act and the Resolution to exist, to have happened or to have been performed precedent to or in connection with the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed by said Constitution and statutes, and that the full faith and credit of the Issuer are hereby irrevocably pledged to the punctual payment of the principal of and interest on this Bond, according to its terms.

This Bond shall not be valid until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

IN WITNESS WHEREOF, FARMINGTON CITY, UTAH, has caused this Bond to be signed in its name and on its behalf by its Mayor and attested and countersigned by its City Recorder (the signatures of said Mayor and City Recorder being by facsimile or manual signature), and has caused its corporate seal to be affixed hereto.

FARMINGTON CITY, UTAH

(Do Not Sign)

Mayor

ATTEST AND COUNTERSIGN:

(Do Not Sign)

City Recorder

(SEAL)

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2012 Bonds described in the within mentioned Resolution and is one of the General Obligation Refunding Bonds, Series 2012 of Farmington City, Utah.

ZIONS FIRST NATIONAL BANK, as
Bond Registrar

By: _____

Date of Registration and Authentication: _____

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM – as tenants in common
TEN ENT – as tenants by the entireties
JT TEN – as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT _____
(Cust.)

Custodian for _____
(Minor)

Under Uniform Gifts to Minors Act of _____
(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED, _____,
the undersigned sells, assigns and transfers unto:

(Social Security or Other Identifying Number of Assignee)

(Please Print or Typewrite Name and Address of Assignee)

the within Bond and hereby irrevocably constitutes and appoints

attorney to register the transfer of said Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: _____

Signature: _____

NOTICE: The signature on this assignment must correspond with the name(s) of the Registered owner as it appears upon the face of the within Bond in every particular without alteration or enlargement or any change whatsoever.

SIGNATURE GUARANTEED:

NOTICE: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations, and credit unions with membership in an approved signature guarantee medallion program), pursuant to S.E.C. Rule 17Ad-15.

ARTICLE VI

MISCELLANEOUS

6.1 Changes to Forms. The form of Series 2012 Bonds and the other documents authorized and approved hereby are authorized and approved with such additions, modifications, deletions and changes thereto as may be deemed necessary or appropriate and approved by the Mayor, whose execution or approval thereof on behalf of the Issuer shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and changes incorporated therein.

6.2 Notice of Bonds to be Issued. In accordance with the provisions of the Act, the City Recorder has caused a "Notice of Bonds to be Issued" to be (a) published one (1) time in the Davis County Clipper, a newspaper of general circulation in the Issuer, (b) posted on the Utah Public Notice Website (<http://pmn.utah.gov>), and (c) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, and shall cause a copy of this Resolution to be kept on file in the Issuer's office in Farmington City, Utah, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The Issuer hereby ratifies the "Notice of Bonds to be Issued" as published in the form set forth in Exhibit D attached hereto.

6.3 Ratification. All proceedings, resolutions and actions of the Issuer and its officers taken in connection with the sale and issuance of the Series 2012 Bonds are hereby ratified, confirmed and approved.

6.4 Severability. It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Resolution.

6.5 Conflict. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

6.6 Captions. The headings herein are for convenience of reference only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

6.7 Certification of Fulfillment of Conditions. The Issuer hereby finds and certifies that upon the execution of the Terms Certificate, all conditions precedent to the issuance of the Series 2012 Bonds will have been satisfied and fulfilled.

6.8 Maintenance of Records; Copies. A copy of this Resolution and every amendatory or supplemental resolution or other official action relating to the Series 2012 Bonds shall be kept on file with the City Recorder at 160 South Main, Farmington City, Utah, where the same shall be made available for inspection by any Registered Owner of the Series 2012 Bonds, or his, its or their agents for so long as any of the Series 2012 Bonds remain outstanding and unpaid. Upon payment of the reasonable cost for preparing the same, a certified copy of this Resolution, or any amendatory or supplemental resolution, will be furnished to any Registered Owner of the Series 2012 Bonds.

6.9 Effective Date. This Resolution shall take effect immediately upon its approval and adoption by the Issuer.

6.10 Resolution Irrepealable. Upon the execution of the Terms Certificate, this Resolution shall be and remain irrepealable until the principal of, premium, if any, and interest on the Series 2012 Bonds are paid in accordance with the terms and provisions hereof.

APPROVED AND ADOPTED this 1st day of May, 2012.

FARMINGTON CITY, UTAH

ATTEST AND COUNTERSIGN:

Mayor

City Recorder

(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

I, Holly Gadd, the duly qualified City Recorder of Farmington City, Utah (the "Issuer"), do hereby certify according to the records of the Issuer in my official possession that the foregoing constitutes a true and correct copy of the May 1, 2012 resolution (the "Resolution") of the City Council of the Issuer officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on May 1, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the Issuer, this 1st day of May, 2012.

City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Holly Gadd, the undersigned City Recorder of Farmington City, Utah (the "Issuer"), do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the May 1, 2012 public meeting held by the City Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Issuer's principal offices on April ____, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a Notice, in the form attached hereto as Schedule 1, to be delivered to the Davis County Clipper on April ____, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the 2012 Notice of Annual Meeting Schedule for the City Council, in the form attached hereto as Schedule 2, was given specifying the date, time and place of the regular meetings of said City Council to be held during the year, by causing said Notice to be (i) posted on _____, at the principal office of the City Council, (ii) provided to at least one newspaper of general circulation within the Issuer on _____, and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 1st day of May, 2012.

By: _____
City Recorder

(S E A L)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING SCHEDULE

EXHIBIT B

FORM OF BOND PURCHASE AGREEMENT

[See Transcript Document No. ___]

EXHIBIT C

FORM OF TERMS CERTIFICATE

[See Transcript Document No. ___]

EXHIBIT D

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended, that on May 1, 2012, the City Council of Farmington City, Utah (the "Issuer") intends to adopt a resolution (the "Resolution") in which it authorizes the issuance of its General Obligation Refunding Bonds, Series 2012 (to be issued in one or more series and from time to time, with any other title or series designation) (the "Bonds").

PURPOSE FOR ISSUING THE BONDS

Pursuant to the Resolution, the Bonds are to be issued for the purpose of (a) refunding certain outstanding general obligations bonds of the Issuer in order to achieve a debt service savings, and (b) paying related expenses.

PARAMETERS OF THE BONDS

The Issuer intends to issue the Bonds in the aggregate principal amount of not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000), to mature in not more than nine (9) years, to be sold at a price not less ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed three and one-quarter percent (3.25%) per annum. No deposit is currently contemplated in connection with the sale of the Bonds.

The Bonds are to be issued and sold by the Issuer pursuant to the Resolution, with such final terms and provisions as may be deemed appropriate by authorized officers of the Issuer, provided that said final terms shall not exceed the maximums set forth above.

A copy of the Resolution is on file in the office of the City Recorder in the Issuer's offices located at 160 South Main, Farmington City, Utah, where they may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of publication of this notice.

SECURITY PLEDGED FOR THE BONDS

The Bonds are general obligations of the Issuer secured by the full faith and credit and taxing power of the Issuer.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution or the Bonds, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

DATED this 9th day of April, 2012.

/s/ Holly Gadd
City Recorder

STORM WATER & CONSTRUCTION BOND LOG

DATE	NAME	PERMIT	STORM WATER BOND	CONSTRUCTION BOND
4/3	Merrill Sheriff	10266	\$1,000.00	
4/4	Destination Homes	10226	\$1,000.00	
4/6	Henry Walker Homes	10255	\$1,000.00	
4/6	South Point Builders	10260	\$1,000.00	
4/12	Lodder Homes	10273	\$1,000.00	
4/12	Destination Homes	10245	\$1,000.00	
4/12	Elk Valley Const	10279	\$1,000.00	
4/12	Elk Valley Const	10280	\$1,000.00	
4/13	Wright Shed Com	10267	\$1,000.00	
4/16	Impressive Homes	10098	\$1,000.00	

4/25/2012

FARMINGTON CITY



SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Neil Miller, Parks and Recreation Director

Date: April 24, 2012

SUBJECT: INSTALLATION OF BRIDGE OVER SHEPARD CREEK, SOUTH OF RANCHES PARK

RECOMMENDATIONS

1. To install a walking bridge over Shepard Creek.
2. After installation is completed, Farmington Ranches HOA would assume the responsibility for the maintenance of both the bridge and trail to the south of the park.
3. To pay for the bridge, estimated at \$3000, from the following: \$2500 from Trails Committee & Projects GL 10-640-520 and the remaining estimated \$500 from Parks Maintenance GL 10-640-250.

BACKGROUND

In February, George Chipman from the Farmington Trails Committee, and Gemmie Benson from the Farmington Ranches HOA, came to City Council meeting with a request to put a trail and bridge in at Ranches Park. Dave Millheim, City Manager, Asked myself and staff to determine the cost and identify the permits associated with building the trail and bridge.

Gemmie Benson filed the appropriate applications with the State of Utah Department of Natural Resources, which we have now received the permit for the bridge. Staff has put together the estimated budget of \$3000 in order to complete the bridge.

On April 21, 2012, in conjunction with Comcast Cares Day and Eagle Scout Projects the trail was Farmington Ranches Trail was completed

Respectfully Submitted

Neil Miller
Parks and Recreation Director

Review and Concur

Dave Millheim
City Manager



GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

ORDER OF THE STATE ENGINEER

FOR STREAM ALTERATION APPLICATION NUMBER 12-31-04SA
IN THE NAME OF FARMINGTON RANCHES HOA FOR ALTERATION TO SHEPARD
CREEK / SPRING CREEK IN DAVIS COUNTY, UTAH

This **ORDER** is issued pursuant to statute and in accord with the statutory criteria for approval of a stream alteration application that are described at UTAH CODE ANN. § 73-3-29. The State Engineer has determined that this application does meet the necessary legal criteria to **ORDER** the approval of the application based upon the following information and reasoning set forth in the Findings of Fact and Discussion.

FINDINGS OF FACT

1. The application was received by the Division of Water Rights ("Division") on March 19, 2012, and made available for comment on the Division's webpage, provided to pertinent governmental agencies, and to other entities as warranted, for a period of 20 calendar days, said period concluding prior to April 8, 2012.
2. The application contains the following information:
 - The stated description of the proposed project is: Bridge installation associated with Shepard Creek / Spring Creek in Davis County.
 - The stated purpose of the proposed project is: Increase safety for children crossing the channel.
3. The Division received comments or objections on the proposed project from:
 - U.S. Army Corps of Engineers (Corps), John Urbanic
 - State Historical Preservation Office (SHPO), Lori Hunsaker

The comments or objections received by the Division are summarized as follows:

- The Corps has indicated that a 404 permit will not be required.
 - SHPO concurs with a Determination of No Historic Properties Affected.
4. Based on our review, it has been determined that there does not appear to be any adverse impacts to cultural resources associated with this stream alteration.

DISCUSSION

1. Based on a review of the Division's water rights records and/or a review of the application by personnel of the Division's regional office, it is the opinion of the State Engineer that the project will not impair vested water rights.



2. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily affect recreational use or the natural stream environment.
3. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily endanger aquatic wildlife.
4. It is the opinion of the State Engineer that the project will not unreasonably or unnecessarily diminish the natural channel's ability to conduct high flows, provided that freeboard (space) between flood flows and the bottom of the bridge is allowed to prevent floating debris from damaging the bridge or causing additional erosional issues.
5. Other comments or concerns submitted by interested persons or parties are not believed to be within the purview of the State Engineer in evaluating an Application to Alter a Natural Stream.

ORDER

Stream Alteration Application No. 12-31-04SA, submitted in the name of Farmington Ranches HOA, applicant, in order to complete bridge installation associated with Shepard Creek / Spring Creek, a natural stream located in Davis County, Utah, is hereby APPROVED, as a STATE ONLY PERMIT, contingent upon the conditions outlined in this **ORDER**. The applicant is hereby authorized to conduct the work detailed in the application and supporting documentation, as described in this **ORDER**. Any modification or addition to the work may require additional authorization and/or application resubmittal.

1. The expiration date of this order is **April 10, 2014**. Work affecting the bed and/or banks of the stream may not be conducted after this date. A request for extension must be submitted in writing to the Division and include an explanation for project delay. The request must be submitted at least 30 days prior to expiration of the order.
2. A copy of this order must be kept onsite at any time the work authorized under this order is in progress.
3. We suggest that you coordinate with potentially impacted landowners.
4. You need to allow for freeboard (space) between flood flows and the bottom of the bridge to prevent floating debris from damaging the bridge or causing additional erosional issues.
5. Photos must be taken before and after project construction and submitted to this office.
6. Disturbed areas must be planted with a variety of appropriate vegetation (especially woody vegetation where feasible) to help hold the soil around riprap, prevent excessive erosion, and to help maintain other riverine functions. Successful revegetation efforts must be monitored and reported to this office.

7. Best Management Practices should be implemented and maintained during any streamside or instream work to minimize sedimentation, temporary erosion of stream banks, and needless damage or alteration to the streambed.
8. Approval of this application does not authorize trespass, easements, rights-of-way, or any other access and land use permits. It is the responsibility of the applicant to obtain any such authorizations as may be necessary for this proposal.
9. Excavated material and construction debris may not be wasted in any stream channel or placed in flowing waters, this will include material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at an upland site well away from any channel. Construction materials, bedding material, excavated material, etc. may not be stockpiled in riparian or channel areas.
10. Erosion control, revegetation, and noxious weed control must be implemented and monitored until revegetation becomes well established. Success of these measures must also be reported prior to the compliance inspection. This is especially important for all disturbed areas, including fill, in order to prevent sediments from entering flowing water. Particular attention is required to assure that silt fencing is properly installed and left in place until after revegetation becomes established at which time the silt fence can then be carefully removed.
11. If historical or archaeological resources such as human remains (skeletons), prehistoric arrowheads/spear points, waste flakes from stone tool production, pottery, ancient fire pits, historical building foundations/remains, historical artifacts (glass, ceramic metal, etc.) are found during construction, the permit holder is advised to cease work and contact the Division of State History at 801-533-3555.
12. Ingress and egress access should be kept to a minimum.
13. Work must be accomplished during a period of low flow. Sediment introduced into stream flows during construction must be controlled to prevent increases in turbidity downstream. Flows must be diverted away from the construction area using a non-erodible cofferdam or other means of bypass.
14. Machinery must be properly cleaned and fueled offsite prior to construction.
15. Cement is toxic to aquatic organisms, and its introduction into waters of the United States would constitute a violation of the Clean Water Act. Cement or concrete may not be allowed to enter stream flows. Water must be excluded from areas where concrete or cement is used until it has set. Contaminated water pumped from the construction area may not be discharged in a manner that will allow it to enter flows. Equipment used during this type of work must be washed well away from the channel.

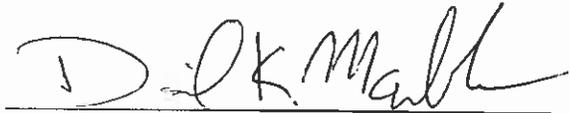
Page 4
12-31-04SA
April 10, 2012

16. To address debris passage and boater safety, the lowest point on the bridge span must allow a minimum clearance of 4 feet above the ordinary high water mark. To avoid excessive stream velocities, the abutments shall not encroach on the ordinary high water mark.

Your contact with the Division is Daren Rasmussen, who can be reached at telephone number 801-538-7377.

This **ORDER** is subject to the provisions of UTAH ADMIN. CODE R. 655-6-17 of the Division of Water Rights and to UTAH CODE ANN. §§ 63-46b-13 and 73-3-14, which provide for persons or parties with legal standing to file either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this **ORDER**. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this **ORDER**, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken within 20 days after the Request is filed.

Dated this 10 day of April, 2012.



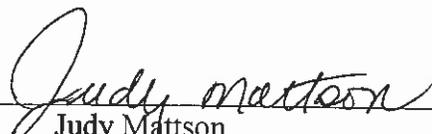
David K. Marble, P.E.
Assistant State Engineer

Mailed a copy of the foregoing Order this 10 day of April, 2012, to:

GEMMIE BENSON
FARMINGTON RANCHES HOA
1844 COUNTRY BEND CIR
FARMINGTON UT 84025

Corps of Engineers
Ross Hansen - Regional Engineer
Richard Clark - EPA
Scott Walker - Regional Wildlife Habitat Manager
Lori Hunsaker - State History

By:



Judy Mattson
Secretary



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

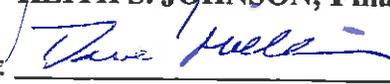
DAVE MILLHEIM
CITY MANAGER

I hereby certify the disbursements listing claims against the City for the month of March, 2012.

1. Have been pre-audited and documented;
2. Have been approved in one of the following ways:
 - a. Purchase order directly approved by the City Manager who is the Budget Officer of the City, as delegated by the Mayor.
 - b. Are directly approved by the Governing Body; or
 - c. Are approved by the Finance Officer.
3. Are within the lawful debt limit of the City; and
4. Do not over-expend the appropriate departmental budget established by the Governing Body.

FARMINGTON CITY CORPORATION

By: 
KEITH S. JOHNSON, Finance Officer

By: 
DAVE MILLHEIM, City Manager

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A minute motion was made by Council Member _____ to ratify payment of the list of claims for the month of March that were pre-audited, approved, and certified by the City Finance Officer and the City Manager. The motion was seconded by Council Member _____ and approved by _____ of _____ members present at the City Council meeting held this _____ day of _____, 2012.

SCOTT C. HARBERTSON, Mayor

Report Criteria:

Transaction Journal Code = CD, CDA, CDPT

Journal	Payee or Description	Date	Check No	Amount
CDPT	ICMA RETIREMENT TRUST-#801021	03/01/2012	24	1,611.46
CDPT	ICMA RETIREMENT TRUST-107328	03/01/2012	25	7,542.10
CDPT	ICMA RETIREMENT TRUST-301813	03/01/2012	26	2,637.07
CDPT	IRS TAX DEPOSIT	03/01/2012	27	24,543.07
CDPT	UTAH STATE RETIREMENT OFFICE	03/01/2012	28	20,333.85
CDPT	UTAH STATE TAX COMMISSION	03/01/2012	29	8,872.18
CDPT	ICMA RETIREMENT TRUST-#801021	03/14/2012	30	1,611.46
CDPT	ICMA RETIREMENT TRUST-107328	03/14/2012	31	2,251.82
CDPT	ICMA RETIREMENT TRUST-301813	03/14/2012	32	2,576.77
CDPT	IRS TAX DEPOSIT	03/14/2012	33	25,075.57
CDPT	UTAH STATE RETIREMENT OFFICE	03/14/2012	34	18,468.27
CDPT	ICMA RETIREMENT TRUST-#801021	03/29/2012	35	1,611.46
CDPT	ICMA RETIREMENT TRUST-107328	03/29/2012	36	8,003.49
CDPT	ICMA RETIREMENT TRUST-301813	03/29/2012	37	2,606.57
CDPT	IRS TAX DEPOSIT	03/29/2012	38	23,552.91
CDPT	UTAH STATE RETIREMENT OFFICE	03/29/2012	39	19,785.45
CDPT	UTAH STATE TAX COMMISSION	03/29/2012	40	8,851.31
CDPT	AFLAC	03/01/2012	30655	605.13
CDPT	CGLIC- CHICAGO	03/01/2012	30656	42,910.06
CDPT	CHILD SUPPORT SERVICES/ ORS	03/01/2012	30657	702.37
CDPT	FARMINGTON FIREMEN ASSOCIATION	03/01/2012	30658	236.00
CDPT	VOID CK	03/01/2012	30659	.00
CDPT	FRATERNAL ORDER OF POLICE	03/01/2012	30660	455.00
CDPT	HARTFORD LIFE AND ANNUITY	03/01/2012	30661	60.58
CDPT	PEHP	03/01/2012	30662	3,361.12
CDPT	STANDARD INSURANCE CO.	03/01/2012	30663	4,265.41
CDPT	UTAH LOCAL GOVERNMENTS TRUST	03/01/2012	30664	895.16
CDPT	WASHINGTON NATIONAL INSURANCE	03/01/2012	30665	123.15
CDPT	CHILD SUPPORT SERVICES/ ORS	03/15/2012	30666	702.37
CDPT	FCF BENEFITS & ADMINISTRATION	03/15/2012	30667	1,074.04
CDPT	AFLAC	03/29/2012	30668	605.13
CDPT	CGLIC- CHICAGO	03/29/2012	30669	38,620.30
CDPT	CHILD SUPPORT SERVICES/ ORS	03/29/2012	30670	702.37
CDPT	FARMINGTON FIREMEN ASSOCIATION	03/29/2012	30671	236.00
CDPT	VOID CK	03/29/2012	30672	.00
CDPT	FRATERNAL ORDER OF POLICE	03/29/2012	30673	455.00
CDPT	HARTFORD LIFE AND ANNUITY	03/29/2012	30674	60.58
CDPT	PEHP	03/29/2012	30675	3,361.12
CDPT	STANDARD INSURANCE CO.	03/29/2012	30676	4,248.14
CDPT	UTAH LOCAL GOVERNMENTS TRUST	03/29/2012	30677	814.16
CDPT	WASHINGTON NATIONAL INSURANCE	03/29/2012	30678	123.15
CD	CHRISTY ALEXANDER - REIMB. FOR AIRFARE/C	03/05/2012	87789	261.60
CD	ZIONS BANK - TRUST #2745989	03/08/2012	87790	11,688.67
CD	PETTY CASH - RECORDERS LUNCHEON	03/08/2012	87791	98.00
CD	UGFOA - MEMBERSHIP/KEITH JOHNSON	03/08/2012	87792	50.00
CD	STYLE CRAFT FRAMES - FRAMING	03/08/2012	87793	686.22
CD	COURTYARD MARRIOTT - LODGING FOR MILLER/	03/08/2012	87794	762.67
CD	TOWNEPLACE SUITES BY MARRIOTT - LODGING	03/08/2012	87795	250.88
CD	PARADISE PALM, INC. - TREE	03/08/2012	87796	561.00
CD	JIMMY'S FLOWER SHOP - PLANTER/MILLER	03/08/2012	87797	58.94
CD	ZIONS BANK -	03/08/2012	87798	209,944.71
CD	ZIONS BANK -	03/08/2012	87799	111,298.05
CD	COLONIAL FLAG - SUPPLIES	03/08/2012	87800	82.96
CD	LAKEFRONT AUTO GLASS - SERVICE	03/08/2012	87801	149.00
CD	KAEL KNOWLTON - TRAVEL EXPENSES	03/08/2012	87802	415.50
CD	NEIL MILLER - TRAVEL EXPENSES	03/08/2012	87803	421.00

Journal	Payee or Description	Date	Check No	Amount
CD	COLBY THACKERAY - TRAVEL EXPENSES	03/08/2012	87804	408.90
CD	FARMINGTON SQUARE LLC - CASH BOND PARTIA	03/08/2012	87805	30,566.43
CD	UTAH COMMUNITY CREDIT UNION - RECORDS MA	03/08/2012	87806	99.00
CD	MAZURAN & HAYES, P.C. - PROFESSIONAL SER	03/08/2012	87807	5,956.50
CD	T-MOBILE - PHONE REIMBURSEMENT	03/08/2012	87808	120.41
CD	FUN EXPRESS - SUPPLIES	03/08/2012	87809	478.59
CD	GOLD STAR AWARDS - AWARDS	03/08/2012	87810	129.00
CD	MASTER INSPECTIONS - INSPECTION SERVICES	03/08/2012	87811	675.00
CD	DAVIS SCHOOL/SPECIAL EDUCATION - COMM. C	03/08/2012	87812	70.00
CD	HOLLY GADD - REIMB. FOR MILEAGE AND SUPP	03/08/2012	87813	104.59
CD	SUSAN JACOBSON - MONTHLY CLEANING	03/08/2012	87814	550.00
CD	JARED MARTIN - COMM. CENTER DEPOSIT REFU	03/08/2012	87815	75.00
CD	DAVE MILLHEIM - REIMB. FOR TRANSIT PLANN	03/08/2012	87816	43.66
CD	HEIDI NELSON - SOCCER REFUND	03/08/2012	87817	38.00
CD	ALYSSA REVEL - REIMB. FOR PICTURES IN CC	03/08/2012	87818	1,242.00
CD	TIM SYMES - SOCCER REFUND	03/08/2012	87819	10.00
CD	BERND VANSKIVER - COMM. CENTER DEPOSIT R	03/08/2012	87820	75.00
CDA	A-1 UNIFORMS	03/13/2012	87821	459.36
CDA	AAA FIRE & SAFETY & ALARM, INC	03/13/2012	87822	62.84
CDA	AMERICAN EXPRESS	03/13/2012	87823	4,233.36
CDA	AMERICAN LINEN - STEINER	03/13/2012	87824	61.58
CDA	BENCHLAND WATER DISTRICT	03/13/2012	87825	3,771.00
CDA	BLACK & MCDONALD	03/13/2012	87826	1,817.96
CDA	BLUE PEBBLE PRESS	03/13/2012	87827	750.00
CDA	BLOMQUIST HALE CONSULTING	03/13/2012	87828	150.00
CDA	BLUE STAKES OF UTAH	03/13/2012	87829	210.72
CDA	BOUNDTREE MEDICAL, LLC	03/13/2012	87830	262.07
CDA	BOUNTIFUL MEMORIAL ART SHOP	03/13/2012	87831	100.00
CDA	BUREAU OF EMERGENCY MED SRV	03/13/2012	87832	390.00
CDA	BURT BROTHERS TIRE & SERVICE	03/13/2012	87833	12.50
CDA	CANYON OFFICE PRODUCTS	03/13/2012	87834	20.90
CDA	CENTERVILLE CITY	03/13/2012	87835	82.59
CDA	CENTRAL DAVIS SEWER	03/13/2012	87836	99,592.69
CDA	CINTAS LOCBOX636525	03/13/2012	87837	61.99
CDA	THE CLEANING SUPPLIER	03/13/2012	87838	226.37
CDA	CLIPPER PUBLISHING COMPANY	03/13/2012	87839	30.74
CDA	COSTCO HSBS BUSINESS SOLUTIONS	03/13/2012	87840	407.17
CDA	L. N. CURTIS & SONS	03/13/2012	87841	246.97
CDA	DJB GAS SERVICES, INC.	03/13/2012	87842	198.83
CDA	DAVIS COUNTY CORPORATION	03/13/2012	87843	7,049.68
CDA	DAVIS COUNTY	03/13/2012	87844	15.00
CDA	DICK'S MARKET	03/13/2012	87845	13.20
CDA	DISH NETWORK	03/13/2012	87846	81.88
CDA	DURK'S PLUMBING SUPPLY	03/13/2012	87847	2,234.59
CDA	ELECTRICAL WHOLESALE SUPPLY	03/13/2012	87848	29.81
CDA	GLOBAL SECURITY	03/13/2012	87849	21.95
CDA	HACH COMPANY	03/13/2012	87850	738.74
CDA	HEPWORTH FLORAL	03/13/2012	87851	261.00
CDA	HOLT CLEANING SUPPLY	03/13/2012	87852	36.83
CDA	INTEGRA TELECOM	03/13/2012	87853	2,312.28
CDA	INTERFORM GRAPHICS	03/13/2012	87854	847.07
CDA	INTERMOUNTAIN TRAFFIC SAFETY	03/13/2012	87855	67.40
CDA	INTERSTATE BATTERIES	03/13/2012	87856	17.65
CDA	KAYSVILLE CITY	03/13/2012	87857	300.00
CDA	KROGER - SMITH'S CUSTOMER CHGS	03/13/2012	87858	236.33
CDA	KURT'S SHOP	03/13/2012	87859	525.00
CDA	LAKEVIEW HOSPITAL	03/13/2012	87860	65.00
CDA	MARLO PRODUCTS	03/13/2012	87861	286.86
CDA	MATRIX MEDICAL	03/13/2012	87862	3,622.90

Journal	Payee or Description	Date	Check No	Amount
CDA	MOUNTAIN STATES SUPPLY, INC.	03/13/2012	87863	5.57
CDA	MUSIC THEATRE INTERNATIONAL	03/13/2012	87864	58.50
CDA	OCE NORTH AMERICA	03/13/2012	87865	6.82
CDA	OFFICE DEPOT	03/13/2012	87866	669.79
CDA	PETERSON BROS. DRILLING CO.	03/13/2012	87867	19,991.76
CDA	PITNEY BOWES RESERVE ACCOUNT	03/13/2012	87868	12,000.00
CDA	PRO KLEANERS	03/13/2012	87869	415.00
CDA	PURCHASE POWER	03/13/2012	87870	2,000.00
CDA	PURCELL TIRE & RUBBER COMPANY	03/13/2012	87871	509.96
CDA	TOM RANDALL DISTRIBUTING	03/13/2012	87872	6,144.41
CDA	RAY'S MUFFLER SERVICE	03/13/2012	87873	44.50
CDA	RELIABLE BUSINESS SYSTEMS	03/13/2012	87874	3,648.82
CDA	Void - Information Only Check	03/13/2012	87875	.00
CDA	ROCKY MOUNTAIN POWER	03/13/2012	87876	15,771.48
CDA	ROBINSON WASTE SERVICES	03/13/2012	87877	37,954.77
CDA	SEMI SERVICE, INC.	03/13/2012	87878	263.14
CDA	SHRED-IT USA - SALT LAKE CITY	03/13/2012	87879	178.69
CDA	SIX STATES DISTRIBUTORS, INC.	03/13/2012	87880	10.03
CDA	STAPLES ADVANTAGE	03/13/2012	87881	158.09
CDA	STARWEST	03/13/2012	87882	72.00
CDA	STICK-IT	03/13/2012	87883	370.00
CDA	SUNRISE ENGINEERING, INC.	03/13/2012	87884	4,292.94
CDA	TEC SERV, INC.	03/13/2012	87885	750.00
CDA	TESCO/WILLIAMSEN	03/13/2012	87886	20,696.00
CDA	ANNETTE TIDWELL	03/13/2012	87887	200.00
CDA	TURF EQUIPMENT & IRRIGATION	03/13/2012	87888	52.82
CDA	UNITED STATES WELDING, INC	03/13/2012	87889	42.35
CDA	UTAH COMMUNICATIONS AGENCY NET	03/13/2012	87890	2,580.75
CDA	UT DEPT OF WORKFORCE SERVICES	03/13/2012	87891	724.77
CDA	WARNER TRUCKLAND	03/13/2012	87892	710.88
CDA	WASATCH INTEGRATED WASTE	03/13/2012	87893	34,641.25 - voided
CDA	WEST	03/13/2012	87894	120.00
CD	CORP. OF THE PRESIDING BISHOP - CPB REFU	03/15/2012	87895	16,581.88
CD	SAFETY WEST, INC. - SUPPLIES	03/15/2012	87896	75.00
CD	WAYNE HANSEN - FUEL/TRAVEL EXPENSE	03/15/2012	87897	150.00
CD	WAYNE HANSEN - TRAVEL EXPENSES	03/15/2012	87898	128.00
CD	ABBAY INN - LODGING/W. HANSEN, P. SNYDER	03/15/2012	87899	758.24
CD	PARISH SNYDER - TRAVEL EXPENSES	03/15/2012	87900	128.00
CD	PARISH SNYDER - FUEL/TRAVEL EXPENSE	03/15/2012	87901	150.00
CD	WASATCH VALLEY PIZZA - PIZZA	03/15/2012	87902	112.00
CD	KIPLINGER - RENEWAL	03/15/2012	87903	58.00
CD	WASATCH INTEGRATED WASTE - MONTH ENDING	03/15/2012	87904	34,529.25
CD	RACHAEL ANDERSON - SOCCER REFUND	03/15/2012	87905	25.00
CD	KALANI ATKINSON -	03/15/2012	87906	119.81
CD	PAUL BENEDICT - BASKETBALL OFFICIAL	03/15/2012	87907	100.00
CD	MELISSA CHADWICK - CATERING	03/15/2012	87908	210.00
CD	SETH CROSSLEY - COMM. CENTER DEPOSIT REF	03/15/2012	87909	75.00
CD	STEVE DYER - REIMB. FOR SUPPLIES	03/15/2012	87910	50.54
CD	KRISTEN HARBERTSON - FYCC RETREAT DINNER	03/15/2012	87911	406.44
CD	TRUDY JOHNSON - COMM CENTER DEPOSIT REF	03/15/2012	87912	300.00
CD	NEIL MILLER - REIMB. FOR LUNCH	03/15/2012	87913	138.19
CD	JAMES E. PEHRSON - REIMB. FOR CERTIFICAT	03/15/2012	87914	70.00
CD	PINE TOP ENGINEERING, LLC - LABOR AND MA	03/15/2012	87915	2,800.00
CD	LINDA SMITH - SPORTS	03/15/2012	87916	96.00
CD	LOREN WALKER - BASKETBALL OFFICIAL	03/15/2012	87917	100.00
CD	DARLENE WILLIAMS - REIMB. FOR SUPPLIES	03/15/2012	87918	6.39
CD	AMBIENTE H20 INC. - PARTS	03/15/2012	87919	697.00
CD	BOYCE EQUIPMENT & PARTS CO. - PARTS	03/15/2012	87920	42.35
CD	O'REILLY AUTO PARTS - PARTS	03/15/2012	87921	49.99

Journal	Payee or Description	Date	Check No	Amount
CD	UGIC - CONF. REGISTRATION/M MCCULLOUGH	03/15/2012	87922	250.00
CD	DOCUMENT EXPRESS - OFFICE SUPPLIES	03/15/2012	87923	392.90
CD	DESTINATION HOMES -	03/15/2012	87924	1,500.00
CD	HENRY WALKER HOMES -	03/15/2012	87925	1,500.00
CD	RICHMOND AMERICAN HOMES - PERMIT #11-100	03/15/2012	87926	1,500.00
CD	LODDER HOMES -	03/15/2012	87927	1,500.00
CD	UTAH LEAGUE OF CITIES & TOWNS - ROAD SCH	03/15/2012	87928	340.00
CD	FLEET PRIDE - PARTS & SERVICE	03/15/2012	87929	73.63
CD	PREVENTIVE PEST CONTROL - SERVICE	03/15/2012	87930	110.00
CD	AMERICAN PLANNING ASSOC. - CONFERENCE RE	03/15/2012	87931	160.00
CD	UCMA -	03/15/2012	87932	150.00
CD	GARY R. CRANE - PROFESSIONAL SERVICES	03/15/2012	87933	500.00
CD	CRS - PROFESSIONAL SERVICES	03/15/2012	87934	9,546.13
CD	DIVISION OF DRINKING WATER - EXAM FEE/MI	03/22/2012	87935	100.00
CD	ASCENT CONSTRUCTION - METER DEPOSIT REFU	03/22/2012	87936	9.70
CD	HARPER-KILGORE - CASH BOND REFUND PERMIT	03/22/2012	87937	1,000.00
CD	BONNEVILLE CHAPTER ICC - REGISTRATION FO	03/22/2012	87938	10.00
CD	BONNEVILLE CHAPTER ICC - REGISTRATION FO	03/22/2012	87939	10.00
CD	DAVID CROMAR - SOCCER REFUND	03/22/2012	87940	25.00
CD	RICK DUTSON - REIMB. FYCC SENIOR LUNCH	03/22/2012	87941	215.73
CD	LISA GEMPERLINE - REIMB. PRIZES/TALENT S	03/22/2012	87942	23.28
CD	SHERMAN HADLEY - BASKETBALL OFFICIAL	03/22/2012	87943	50.00
CD	KRISTEN HARBERTSON - REIMB. FYCC SHIRTS	03/22/2012	87944	510.00
CD	JOHN HANSON - SOCCER REFUND	03/22/2012	87945	35.00
CD	KAEL KNOWLTON - REIMB. TEST FEE	03/22/2012	87946	20.00
CD	CHARLES MACQUEEN - BASKETBALL OFFICIAL	03/22/2012	87947	50.00
CD	BRYCE MOORE - BASKETBALL OFFICIAL	03/22/2012	87948	100.00
CD	HOLLY PROCTOR - COMM. CENTER DEPOSIT REF	03/22/2012	87949	75.00
CD	ALICE RICHINS - COMM. CENTER DEPOSIT REF	03/22/2012	87950	300.00
CD	GINNY SHUCK - SOCCER REFUND	03/22/2012	87951	25.00
CD	MASTER INSPECTIONS - INSPECTION SERVICES	03/22/2012	87952	607.50
CD	UT. ALLIANCE FOR ECON. DEVE. - REGISTRAT	03/22/2012	87953	60.00
CD	UT. RECREATION & PARKS ASSOC. - CONF. RE	03/22/2012	87954	500.00
CD	ZIONS BANK -	03/22/2012	87955	23,434.92
CD	IPICD - CLASS FEE/SCOTT RICHARDSON	03/27/2012	87956	375.00
CDA	A-1 UNIFORMS	03/27/2012	87957	99.88
CDA	AAA FIRE & SAFETY & ALARM, INC	03/27/2012	87958	59.00
CDA	AMERICAN LINEN - STEINER	03/27/2012	87959	61.58
CDA	BLACK & MCDONALD	03/27/2012	87960	1,553.60
CDA	BRADY INDUSTRIES, LLC	03/27/2012	87961	71.50
CDA	BURT BROTHERS TIRE & SERVICE	03/27/2012	87962	10.50
CDA	CEM	03/27/2012	87963	637.60
CDA	CARQUEST AUTO PARTS STORES	03/27/2012	87964	1,077.82
CDA	CANYON OFFICE PRODUCTS	03/27/2012	87965	1,334.35
CDA	CASELLE	03/27/2012	87966	2,481.00
CDA	CENTURY LINK	03/27/2012	87967	1,086.58
CDA	SHELLIE CHRISTENSEN	03/27/2012	87968	1,752.00
CDA	CLIPPER PUBLISHING COMPANY	03/27/2012	87969	57.24
CDA	COLONIAL BUILDING SUPPLY, INC.	03/27/2012	87970	439.06
CDA	COMCAST	03/27/2012	87971	67.40
CDA	COMFORT SYSTEMS	03/27/2012	87972	667.41
CDA	CRAYTHORNE, INC.	03/27/2012	87973	192.97
CDA	L N CURTIS & SONS	03/27/2012	87974	240.00
CDA	CUSTOM FENCE COMPANY	03/27/2012	87975	348.50
CDA	DJB GAS SERVICES, INC.	03/27/2012	87976	76.00
CDA	DAVIS COUNTY	03/27/2012	87977	395.00
CDA	DIGIS	03/27/2012	87978	50.40
CDA	DURK'S PLUMBING SUPPLY	03/27/2012	87979	1,638.34
CDA	ELECTRICAL WHOLESALE SUPPLY	03/27/2012	87980	286.52

Journal	Payee or Description	Date	Check No	Amount
CDA	F.A.R.M. Police Supply	03/27/2012	87981	125.95
CDA	FASTENAL COMPANY	03/27/2012	87982	10.30
CDA	FERGUSON ENTERPRISES	03/27/2012	87983	338.76
CDA	HERRICK INDUSTRIAL SUPPLY CO.	03/27/2012	87984	167.00
CDA	HOME DEPOT	03/27/2012	87985	1,275.16
CDA	INFOBYTES, INC.	03/27/2012	87986	226.89
CDA	INTERMOUNTAIN FARMERS ASSOC.	03/27/2012	87987	469.00
CDA	INTERMOUNTAIN TRAFFIC SAFETY	03/27/2012	87988	279.00
CDA	INTERWEST SUPPLY CO.	03/27/2012	87989	1,759.71
CDA	IRIS MEDICAL, INC.	03/27/2012	87990	1,405.52
CDA	J & J PRODUCE	03/27/2012	87991	447.80
CDA	KAYSVILLE CITY	03/27/2012	87992	880.00
CDA	KENT'S REPAIR	03/27/2012	87993	714.39
CDA	KURT'S SHOP	03/27/2012	87994	770.00
CDA	LES SCHWAB TIRE CENTER	03/27/2012	87995	68.75
CDA	MARLO PRODUCTS	03/27/2012	87996	352.89
CDA	MATRIX MEDICAL	03/27/2012	87997	311.79
CDA	MAZURAN & HAYES, PC	03/27/2012	87998	5,037.00
CDA	METERWORKS	03/27/2012	87999	499.90
CDA	LARRY H. MILLER CHRYSLER JEEP	03/27/2012	88000	1.61
CDA	MOENCH PRINTING	03/27/2012	88001	1,710.00
CDA	MOUNT OLYMPUS WATERS, INC.	03/27/2012	88002	43.77
CDA	MOUNTAIN WEST TRUCK CENTER	03/27/2012	88003	107.12
CDA	NU-TREND ELECTRIC CORPORATION	03/27/2012	88004	1,738.00
CDA	OCE NORTH AMERICA	03/27/2012	88005	201.95
CDA	OFFICE DEPOT	03/27/2012	88006	584.98
CDA	PARADISE BAKERY & CAFE	03/27/2012	88007	255.00
CDA	JACK B. PARSON COMPANY	03/27/2012	88008	1,478.20
CDA	PRECISION WINDSHIELD REPAIR	03/27/2012	88009	237.00
CDA	PRO PIPE	03/27/2012	88010	1,170.00
CDA	PURCELL TIRE & RUBBER COMPANY	03/27/2012	88011	403.23
CDA	QUESTAR GAS	03/27/2012	88012	5,286.76
CDA	TOM RANDALL DISTRIBUTING	03/27/2012	88013	11,944.60
CDA	RAY'S MUFFLER SERVICE	03/27/2012	88014	3,939.04
CDA	RED FLAME CATERING	03/27/2012	88015	82.50
CDA	ROCKY MOUNTAIN POWER	03/27/2012	88016	7,711.30
CDA	SAM'S CLUB	03/27/2012	88017	245.86
CDA	SEMI SERVICE, INC.	03/27/2012	88018	8,599.28
CDA	SKAGGS COMPANIES, INC.	03/27/2012	88019	42.99
CDA	STAPLES ADVANTAGE	03/27/2012	88020	135.74
CDA	SUNRISE ENGINEERING, INC.	03/27/2012	88021	2,829.21
CDA	THATCHER COMPANY	03/27/2012	88022	1,674.97
CDA	USI, INC.	03/27/2012	88023	208.80
CDA	UTAH BARRICADE COMPANY	03/27/2012	88024	101.50
CDA	UTAH LTAP CENTER	03/27/2012	88025	100.00
CDA	WCEC	03/27/2012	88026	2,255.39
CDA	WARNER TRUCKLAND	03/27/2012	88027	100.12
CDA	WASATCH INTEGRATED WASTE	03/27/2012	88028	169.52
CDA	WHEELER MACHINERY COMPANY	03/27/2012	88029	672.60
CDA	W.R. WHITE SUPPLY	03/27/2012	88030	67.48
CDA	WORKERS COMPENSATION FUND	03/27/2012	88031	3,420.25
CDA	YOUR VALET CLEANERS	03/27/2012	88032	372.55
CD	PETTY CASH - BIRTHDAY SUPPLIES	03/29/2012	88033	142.46
CD	UGFOA - CONF REGISTRATION	03/29/2012	88034	133.00
CD	COLBY THACKERAY - HEALTH REIMBURSEMENT	03/29/2012	88035	250.00
CD	BONNEVILLE EQUIPMENT CO. - PARTS	03/29/2012	88036	546.30
CD	CUTTERS EDGE - PARTS	03/29/2012	88037	17.38
CD	DAVIS CO PLANNING DEPT. - D&RGW TRAIL S	03/29/2012	88038	114.00
CD	PCI - PROFESSIONAL SERVICES	03/29/2012	88039	675.00

Journal	Payee or Description	Date	Check No	Amount
CD	MAC'S LOCK & KEY - KEYS	03/29/2012	88040	5.38
CD	RURAL WATER ASSOC. OF UTAH - WATER OPERA	03/29/2012	88041	170.00
CD	ULCT - CONF. REGIS. FOR D. MILLHEIM, JIM	03/29/2012	88042	810.00
CD	JANA ADAMS - REIMB. FOR PROPS	03/29/2012	88043	82.88
CD	KARYN BAXTER - SOCCER REFUND	03/29/2012	88044	45.00
CD	HOLLY GADD - REIMB. FOR MILEAGE	03/29/2012	88045	80.47
CD	KARI ORSON - REIMB./ PLAY SCENERY AND PR	03/29/2012	88046	81.29
CD	STEVEN SIMON - SOCCER REFUND	03/29/2012	88047	25.00
CD	BRAD THURGOOD - REIMB. FOR PARTS & SUPPL	03/29/2012	88048	56.51
CD	NANCY UMEMURA - COMM CENTER DEPOSIT REF	03/29/2012	88049	75.00
CD	LEAH VEATER - SOCCER REFUND	03/29/2012	88050	69.00
CD	MIKELL WEBB - COMM. CENTER DEPOSIT REFUN	03/29/2012	88051	145.00
CD	SPEEDI PACK - PRINTING	03/29/2012	88052	210.99
CD	PITNEY BOWES INC. - SERVICE CHARGES	03/29/2012	88053	2,918.47
CD	PINEVIEW PLUMBING & HEATINGT - REPAIRS	03/29/2012	88054	92.00
CD	MCL ELECTRIC, INC. - SERVICE AND REPAIRS	03/29/2012	88055	33,203.85
CD	SPORTS MECHANIX, LLC - 104 COACHES	03/29/2012	88056	520.00
CD	ROTATIONAL MOLDING OF UTAH - 100 GA. TRA	03/29/2012	88057	7,400.00
CD	PHYLLIS BAILIE - HEALTH REIMBURSEMENT	03/29/2012	88058	250.00
			Total:	<u>1,197,768.56</u>

Report Criteria:

Transaction Journal Code = CD, CDA, CDPT



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: David E. Petersen, Community Development Director
Date: April 25, 2012
SUBJECT: **TEMPORARY ZONING REGULATIONS**

RECOMMENDATION

Approve the enclosed Ordinance enacting temporary zoning regulations regarding smoke shops.

BACKGROUND

The Utah State legislature during the 2012 legislative session enacted HB 95 dealing with land use regulations relating to smoke shops, which legislation becomes effective July 1, 2012. City staff needs further time to study the provisions of HB95 and to develop and recommend appropriate amendments to the existing Land Use Ordinances of the City consistent with the new State Law.

Respectively Submitted

David Petersen
Community Development Director

Review and Concur

Dave Millheim
City Manager

FARMINGTON, UTAH

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING TEMPORARY ZONING REGULATIONS PERTAINING TO THE ACCEPTANCE OF CERTAIN SPECIFIED LAND USE APPLICATIONS IN THOSE AREAS OF THE CITY HAVING A ZONING DESIGNATION OF BUSINESS RESIDENTIAL, COMMERCIAL, COMMERCIAL MIXED USE, COMMERCIAL HIGHWAY, COMMERCIAL RECREATION, LIGHT MANUFACTURING & BUSINESS, NEIGHBORHOOD MIXED USE, TRANSIT MIXED USE, GENERAL MIXED USE, RESIDENTIAL MIXED USE, AND OFFICE MIXED USE.

WHEREAS, the Farmington City Council has previously adopted various different zoning designations which allow for the development commercial retail uses within the City; and

WHEREAS, the City Council desires to make a thorough study and review of its current City Ordinances to assure that appropriate regulations regarding smoke shop retail uses and their location are enacted, applicable and in force within the City; and

WHEREAS, the Utah State legislature during the 2012 legislative session, enacted HB95 dealing with land use regulations relating to smoke shops; and

WHEREAS, to accomplish the aims and objectives of the City Council, City staff needs further time to study the provisions of HB95 and to develop and recommend appropriate amendments to the existing Land Use Ordinances of the City; and

WHEREAS, the City is authorized by law to enact ordinances establishing temporary zoning regulations for all or any part of the City as more fully set forth herein; and

WHEREAS, the City Council specifically finds that there are compelling reasons for the review of the noted ordinance provisions and the City Council further finds that the interests to be addressed by these Temporary Zoning Regulations represent compelling, countervailing public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Enactment. The following Ordinance is hereby enacted and adopted to read in its entirety as follows:

Title. This Ordinance shall take effect without codification and may be cited as the “2012 Commercial Retail Temporary Zoning Regulations Ordinance” of Farmington City.

Findings. The Farmington City Council hereby finds that the health, safety, welfare and convenience of the public and the residents of Farmington City will be promoted and enhanced

by adopting this Ordinance imposing temporary regulations governing the acceptance and processing of land use, building, and business license applications regarding smoke shops and _____ of permitted and conditional uses within the following zones: Business Residential, Commercial, Commercial Mixed Use, Commercial Highway, Commercial Recreation, Light Manufacturing & Business, Neighborhood Mixed Use, Transit Mixed Use, General Mixed Use, Residential Mixed Use, and Office Mixed Use zoning districts of the City (the “affected areas”). The City Council hereby finds that such restrictions are necessary and desirable to promote proper land use and development balance within the City and to allow for adequate and necessary study to address issues relating to the appropriate regulations, and location of smoke shop development within the City. In order to accomplish the foregoing objective and matters related thereto, it is essential and mandatory that adequate time be provided to complete study, evaluation, planning and review with regard to the General Plan, Zoning Ordinance and other development regulations and procedures of the City.

Temporary Regulations.

a. **Restrictions on Application Acceptance and Processing.** No new applications for a smoke shop retail use, including conditional use approval, site plan approval, building permit, or business license shall be accepted and processed for any of the affected areas as described herein during the term of this Ordinance.

b. **Scheduled Hearings.** Any matters referenced in subparagraph (a) which are presently scheduled for hearing as of the date hereof will be heard on the dates previously noticed and scheduled for such hearing.

c. **Term.** This Ordinance shall remain in effect for six (6) months from its effective date unless sooner terminated by action of the City Council.

Section 2. Conflict. To the extent of any conflict between this Ordinance and any other Farmington City Ordinances, Resolutions or regulations, the provisions of this Ordinance shall be controlling. This Ordinance is not intended to amend or repeal any other Farmington City Ordinances, Resolutions or regulations.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Effective Date. For the preservation of public safety and welfare, this Ordinance shall take effect immediately upon passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY,
STATE OF UTAH, THIS ____ DAY OF _____, 2012.**

FARMINGTON CITY

ATTEST:

Holly Gadd
City Recorder

By: _____
Scott C. Harbertson
Mayor

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

S U B J E C T: Resolution Adopting the Tentative Budget for Fiscal Year 2013

ACTION TO BE CONSIDERED:

Adopt the resolution setting the tentative budget for FY2013 and setting the public hearing to adopt the budget on June 19, 2012.

GENERAL INFORMATION:

See enclosed staff report prepared by Keith Johnson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY



SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
NELSEN MICHAELSON
CORY R. RITZ
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: Keith Johnson, Assistant City Manager

Date: April 24, 2012

Subject: **TENTATIVE BUDGET FOR FY 2013**

RECOMMENDATIONS

Adopt the resolution setting the tentative budget for FY 2013 and setting the public hearing to adopt the budget on June 19, 2012.

BACKGROUND

The City is required to adopt a tentative budget on the first meeting in May and set the date for the public hearing to adopt the final budget. Enclosed is the tentative budget for FY 2013 with the budget message. There will be budget work sessions over the next few weeks to discuss, change or modify any of these budgets and proposals.

Respectfully Submitted,

Keith Johnson,
Assistant City Manager

Review and Concur,

Dave Millheim,
City Manager

RESOLUTION NO. 2012-

A RESOLUTION ADOPTING THE FARMINGTON CITY TENTATIVE BUDGET FOR FISCAL YEAR 2012-2013

WHEREAS, pursuant to State law, a tentative budget has been delivered to the Farmington City Council for consideration; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adoption of Tentative Budget. The Farmington City Council hereby adopts the tentative budget for Fiscal Year 2012-2013 which is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Setting of a public hearing for final adoption. The Farmington City Council hereby directs staff to provide notice of a public hearing for June 19, 2012, after which hearing the City Council will consider adoption of the final budget on said date.

Section 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH THIS 1st DAY OF MAY, 2012.

ATTEST:

FARMINGTON CITY

Holly Gadd
City Recorder

By: _____
Scott C. Harbertson
Mayor

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

SUBJECT: City Manager Report

1. Upcoming Agenda Items

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Upcoming Agenda Items

May 15, 2012 – Staff Reports Due: May 4th

Election Signage (Work Session Discussion)

Public Hearing: Establishing Criteria for Retail Tobacco Stores

Action Items:

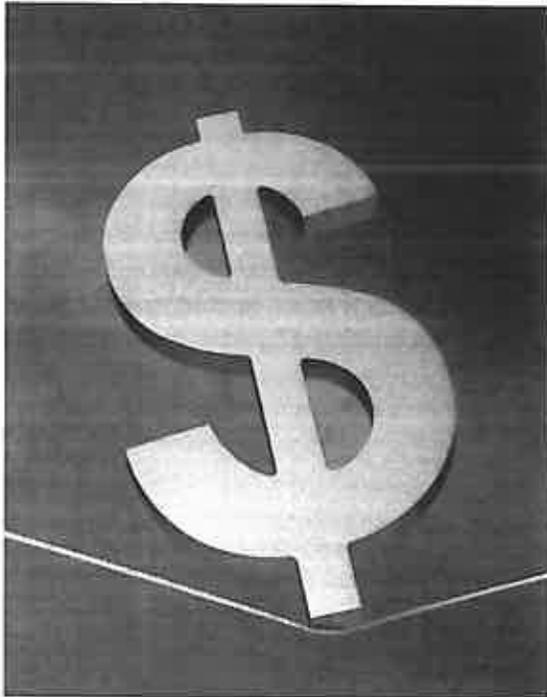
- HHI Trail Easement
- Yield Plan Ordinance Review
- Fire Restrictions

Summary Action Items:

- Approval of Minutes of Previous Meetings (April 17th and May 1)
- Ratification of Approvals of Storm Water Bond Logs
- Approval of Disbursement Lists

BY AUSTIN ABRAHAM

NOW THE BUDGET IS BALANCED, WHAT ABOUT THE EMPLOYEES?



of the 2008 recession, with its ruthless budget cutting and staff reductions, it is time to remind ourselves that governments do not run on balanced budgets. Governments run on the skills, efforts, and dedication of employees.

A balanced budget is important, of course, but a balanced budget is neatly footed columns on a spreadsheet. Waving a balanced spreadsheet at a public meeting accomplishes nothing except perhaps some self-aggrandizement for those doing the waving.

A balanced budget performs no work that night

at the water treatment plant, the next morning in the administrative offices, or in the afternoon when public safety crews race to the scene of a fire.

Your budget document does not come to work each day with education, experience, creativity, dedication, or a sense of community service. Nor can it tell a joke, share a smile, or give a word of encouragement. There is no “pitching in,” no “finding more efficient ways,” no “let me take on that new challenge” in a budget document. But these attributes do arrive daily with employees.

For all the fighting for a balanced budget, we may have risked as much as we have gained. After manhandling finances and staffing levels into a semblance of balance against the rising tide of spending of the past 30 years, it should be no surprise that employees now feel manhandled as well.

Is it only a dream that we once promoted training, education, and job enrichment? Perhaps we have focused so

laboriously and for so long on balancing budgets that the neatly footed columns have become our holy grail of management. Have we forgotten the reasons we were taught and mentored to value employees? In response to employee concerns, have we silently, or openly, adopted the mantra, “If you still have a job, be grateful and don’t complain”?

In this age of layoffs and restructurings, we should not lose sight of what has been learned over the past 100 years about managing people. Although no management theory captures all the truths of managing people, it is a good time to refresh our understanding of Maslow’s hierarchy, Herzberg’s hygiene and motivation factors, the insights of Drucker and Blanchard, the teachings of faith, and our own intuition about good leadership.

Remember the Human Ledger

The next great challenge for governments is nurturing back to health the vibrancy of the workforce. This cannot be accomplished by the same “force fit” of a square peg in a round hole that was used to balance budgets. Managers should reacquaint themselves and their organizations with the human side of organizations, with the same zeal evidenced in balancing the budget.

Like investors in an uncertain stock market, employees are on the sidelines, hesitant to invest, reluctant to speak up, and cowering in self-preservation. The human ledger must also be balanced for the sake of the communities we serve. We are kidding ourselves and selling employees short if we think this is not also our job. FM

Like many managers your focus has been on balancing the budget in the most severe recession in decades. You have been reorganizing, reengineering, and reinventing your government. And because you have salvaged your organization from the brink of financial disaster, at least for another year, you are feeling pretty good about your efforts. Surely your organization’s employees are feeling the same satisfaction? Don’t count on it!

Anything But Balanced

The last thing most government employees are feeling right now is satisfaction, accomplishment, or success. Although the budget may be balanced, employees may not be. In governments across the country, employees feel unappreciated, insecure, and confused—anything but balanced.

Remember when we touted (and really meant) that employees are our most important asset? In the aftermath



AUSTIN ABRAHAM
Former Director
Management Services Division
Frederick County, Maryland
asabraham@aol.com

CITY COUNCIL AGENDA

For Council Meeting:
May 1, 2012

SUBJECT: Mayor Harbertson & City Council Reports

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.