

City Council Announcements

December 13, 2005

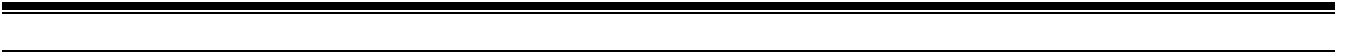
A. Decisions, Feedback & Information needed by staff

1. Regarding petition number 400-04-43, a request by **Menlo Associates** to close and abandon a portion of 300 South Street (between approximately 5100 and 5200 West): The other abutting property owner, South Farm LLC, came to the public hearing and objected to the street closure because it would eliminate access to their property. The Council voted to continue the hearing and directed the Planning Division to work with the two parties to resolve the issue. Discussions have been held but no agreement has been reached. The Planning Division then received a letter from the petitioner (Menlo) requesting to withdraw the petition, reserving the right to open the issue again in the future. The Council can either vote to close the hearing, which would mean the petitioner would have to file a new petition and pay another fee, or instruct the recorder's office to file the petition with the hearing still open. In the latter case, the petitioner would not have to pay another fee to re-open the issue in the future. **What would the Council like to do?**
2. A Legislative Action by Council Members Christensen and Love regarding a request to amend sections of the City's Code that pertain to **home day care operations: Is it okay with the Council to forward this to the January 3rd formal agenda for consideration, or would you like to schedule a Work Session discussion about this?**
3. **Interim Financial Statements** for the period ending September 30, 2005 are attached. General Fund cash shows a substantial increase compared to one year ago primarily as a result of excess revenue over budget during fiscal year 2004-05. Fund balance amounts are not very useful on an interim basis because property taxes are not received until December and because accruals of sales and franchise taxes occur at year end. However, council staff's understanding is that fund balance as of June 30, 2005 is up significantly compared to estimates that were discussed during last May's budget discussions. More information will be available with the audited financial statements that will be issued before the end of December.

Since two of the three months in the first quarter have 31-day months, the normal salary costs will be 25.3% during the first quarter. Council staff will monitor those departments that show larger percentages of salary costs. Some departments may have exceeded the three-month personal-services budget because of retirement payouts or because normal operations are greater during the summer months. Each fund is included in the interim report along with detailed financial information for every CIP and CDBG project. If Council Members have questions on the interim financial statements, Gary can coordinate getting answers or additional information.

B. For your information

1. Carlton Christensen has provided the Annual Report from the Quality Growth Commission.



MEMORANDUM

To: City Council Members
From: Council Members Carlton Christensen and Jill Remington Love
Re: Legislative Action to amend the City's regulations on home day care businesses
Date: December 9, 2005
CC: Rocky Fluhart, Louis Zunguze, Alex Ikefuna, Janice Lew, Kevin LoPiccolo, Orion Goff, Larry Butcher, Diana Karrenberg, Barry Esham, Annette Daley, Gwen Springmeyer

We would appreciate the Council's support in adopting a Legislative Action to ask the Administration to amend sections of the City's Code that pertain to home day care operations.

SUMMARY

This request came about due to requests by various day care providers and representatives of day care support organizations. The requested amendments would make the City Code consistent with the current State certification and laws. While the City is allowed to have different regulations than the State, these changes would make it easier for the day care providers and the state inspectors. (The State regulations changed several years ago, before which the City and State were the same. When the State's rules changed, the City's did not.)

This Legislative Action would also include an amendment to require an annual business license for a home day care business, so that it is consistent with City regulations of other home occupations.

KEY ELEMENTS

- Numbers of children
 - The State currently allows one caregiver to care for up to eight children.
 - Under the State limits, the caregiver must include their own children under the age of 12.
 - Under the State limits, if there are more than two children under the age of two, then an additional caregiver is required.
 - The City limits the number of children to six.
 - Under the City Code, if there are more than six children, then the City code would require an additional caregiver.
This Legislative Action would request that these limits be amended to be consistent with State limits.
 - Under the City Code, employees not lawfully living at the home are not permitted. (Section 21A.36.030 (H)(4) "The home occupation work conducted at the residence shall not involve any employees other than persons lawfully living in the residence.")
This Legislative Action does not intend to modify the prohibition of employees, as such the City Code would still limit the number of children under two so that another caregiver is neither required nor authorized.
- City Business licensing and zoning approvals

- Currently, the City does not require a business license for this type of home occupation, per Section 21A.36.130 of the *Salt Lake City Code*.
This Legislative Action requests that this Section of the City Code be changed so that an annual business license would be required.
- Currently a home day care business is treated as a Home Occupation Special Exception per Section 21A.52 of the *Salt Lake City Code*.
- Coordination between the City and the State licensing and certification
 - During an initial meeting on this issue, the representative from the State mentioned that when issuing certifications and performing inspections, they use the local government's specific zoning and licensing requirements.
 - These proposed changes would require coordination with the State to ensure that the State is aware of any new documents (such as a business license) or City requirements.

During the course of research, the City will likely gain a better understanding of the State's certification and inspection process on other similar day care services.