

**RESOLUTION NO. 2016-09R**  
**A RESOLUTION OF SANTA CLARA CITY, UTAH,**  
**ESTABLISHING THE FORMULA & PROCESS FOR**  
**DISTRIBUTING “RAP” TAX REVENUE**  
**RECEIVED BY SANTA CLARA CITY**

**WHEREAS**, on June 24, 2015, the Santa Clara City Council voted to approve the First Amended Interlocal Cooperation Agreement between Washington County and Municipalities within the County regarding distribution guidelines for distributing a County-wide Recreation, Arts, and Parks (“RAP”) tax approved by voters in the 2014 elections; and

**WHEREAS**, in various public meetings of the Santa Clara City Council from February, 2015 to the present, the City Council has discussed possible formulas and processes for distributing the City’s share of RAP tax revenue; and

**WHEREAS**, the Santa Clara City Council desires to now establish by formal Resolution the formula and process for distributing RAP tax revenue received by Santa Clara City;

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

1. Purpose. Santa Clara City is host to numerous recreation and artistic events sponsored by both Santa Clara City and private entities. Santa Clara City also has a thriving parks and trail system that is in need of expansion to meet the public’s demand for such services in a growing community. In order to pay for some of the costs associated with recreation, arts, and parks within Santa Clara City, the purpose of this Resolution is to provide a structure for the distribution of the RAP tax revenues received by Santa Clara City and to minimize conflicts between funding requests.

2. Allocation. The Santa Clara City Council has determined that all RAP tax revenue received by Santa Clara City shall be divided as follows: 80% distributed to parks and trails and 20% distributed to arts. All funds not used from the previous fiscal year shall rollover to the following fiscal year.

3. Distribution by Agreement. Santa Clara City has already entered an agreement to contribute to the Tuacahn Center for the Arts, for a number of years, a portion of RAP tax revenue from the 20% share for the arts. The Santa Clara City Council may at any time during the term of the RAP tax determine that certain other amounts from the above apportioned shares are to be allocated to a specific entity for a specific purpose. Before entering into such an agreement, however, the City shall receive and consider all of the information required of any other applicant as set forth in paragraph (4) below. If the agreement is not used to obtain a bond, then the agreement shall contain an escape clause where the City can terminate the agreement if the City is not satisfied with the annual accounting or there has been a change in the applicant’s status. If the agreement is to be used for obtaining/paying for a bond, then the application process for distributions by agreement shall require, in addition to the basic application requirements for annual applications, at least 3 years of tax returns, at least 3 years of reviewed/audited financial statements, and copies/description of financial policies, including a policy/strategic plan for maintenance/replacement of capital improvements.

4. Application Process. For all RAP tax revenue not distributed by agreement, any person or organization, including the City (for arts only), requesting funds from RAP tax revenues must complete a Fund Request by April 30<sup>th</sup> of each year that the RAP tax revenues exist. Each such Fund Request must set forth a description of the project for which RAP tax funds are requested for the upcoming Fiscal Year (FY = July 1 to June 30) and the amount of RAP tax funds requested for that year in order to assist the City Council in deciding which projects have the highest priority and should be funded. For persons or organizations other than Santa Clara City, each Fund Request should also contain:

- a. Applicant's name, mailing & physical address, phone number, fax number and email address.
- b. Proof of applicant's non-profit status.
- c. An attachment showing applicant's other sources of funding for the project for which RAP tax revenue is requested.
- d. A statement of how long applicant has been in existence and a financial statement for applicant's prior year of operation.
- e. Proposed qualifying expenses to be paid with RAP tax funds.
- f. Detailed cost estimates for the proposed project.
- g. If applicant has received RAP tax funds within the past three (3) years, an accounting showing how the prior RAP funds were spent.
- h. Any other information that is reasonably related to determining how RAP tax funds would be spent by the applicant.

5. Review of Requests for Funds & Awarding of Funds.

- a. By June 30<sup>th</sup> of that fiscal year in which RAP tax revenue was received by Santa Clara City, the Santa Clara City Council shall meet to determine the recipients for that year's RAP tax funds and the amount to be distributed to each recipient.
- b. Due to the limited amount of RAP tax revenue that will be allotted to Santa Clara City, the funds awarded by the Santa Clara City Council shall be limited to activities located within Santa Clara City or which provide significant tax revenue to Santa Clara City. All other projects outside of Santa Clara City have the ability to petition Washington County or other cities for funding.

*(continued on following page)*

**Effective Date.** This Resolution shall become effective immediately upon adoption by the City Council, recording and posting in the manner prescribed by law.

**ADOPTED** by a duly constituted quorum of the Santa Clara City Council this 13<sup>th</sup> day of July, 2016.

**IN WITNESS THERETO:**

\_\_\_\_\_  
Rick Rosenberg, Mayor

**ATTEST:**

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Chris Shelley, City Recorder