COTTONWOOD HEIGHTS

ORDINANCE NO. 342

AN ORDINANCE ADOPTING A FINAL BUDGET FOR THE PERIOD OF 1 JULY 2020 THROUGH 30 JUNE 2021; MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF COTTONWOOD HEIGHTS FOR SUCH PERIOD; AND DETERMINING THE RATE OF TAX AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF COTTONWOOD HEIGHTS

WHEREAS, the Uniform Fiscal Procedures Act for Utah Cities (the "*Act*") provides, among other things, that prior to adoption by a city's governing body of a municipal budget, the city's mayor or other budget officer shall propose a tentative budget which shall be reviewed, considered and tentatively adopted by the governing body in open meeting, whereupon (a) the governing body shall establish the time and place of a public hearing to consider the adoption of the tentative budget; (b) the tentative budget shall be a public record in the office of the city's recorder available for public inspection for a period of at least ten days prior to the adoption of a final budget; (c) notice of the public hearing shall be published in a newspaper of general circulation in the city, on the home page of the city's website, and on the Utah public notice website at least seven days prior to the public hearing; and (d) the public hearing shall be held; and

WHEREAS, pursuant to UTAH CODE ANN. §10-6-133(1), before June 22 of each year (or August 17 in the case of certain property tax rate increases), the governing body of a Utah municipality, at a regular or special meeting called for that purpose, shall by ordinance or resolution set the real and personal property tax levy for realty within such city; and

WHEREAS, at a prior meeting of the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*"), Scott Jurges, the City's budget officer (the "*Budget Officer*"), filed with the Council (a) a tentative budget for the City for the period of 1 July 2020 through 30 June 2021, and (b) an accompanying budget message as required by the Act; and

WHEREAS, that budget (the "*Budget*") was reviewed, considered and tentatively adopted by the Council on 5 May 2020 pursuant to its authority under UTAH CODE ANN. §10-6-118; and

WHEREAS, from and after 5 May 2020, a copy of the Budget has been available for public inspection in the office of the City's recorder; and

WHEREAS, the Council set 7:00 p.m. on 16 June 2020 at 2277 East Bengal Blvd., Cottonwood Heights, Utah as the time and place of a public hearing regarding adoption of the Budget; and

WHEREAS, notice of the public hearing concerning the Budget was timely published in the *Deseret News* and *Salt Lake Tribune*, on the Utah Public Notices Website established under UTAH CODE ANN. §63F-1-701, and on the home page of the City's website, as required by statute; and

WHEREAS, the public hearing was held beginning at approximately 7:00 p.m. on 16 June 2020 at 2277 East Bengal Blvd., Cottonwood Heights, Utah to receive public comment on the Budget as set forth in the published notice; and

WHEREAS, at the public hearing, all interested persons were given an opportunity to be heard; and

WHEREAS, the City has published the necessary notice and held the public hearing required prior to adopting the proposed property tax rate and setting the property tax levy; and

WHEREAS, on 16 June 2020, the Council met in regular session to consider, among other things, approving the Budget as proposed; and

WHEREAS, it is the intent and desire of the Council to comply with all applicable laws regarding adoption of the Budget, the adoption of a property tax rate and the levying of property taxes; and

WHEREAS, after careful consideration, the Council finds that it has satisfied all legal requirements to adopt the Budget, adopt a tax rate and levy property taxes, and that it is in the best interests of the citizens of the City to adopt the Budget presented at the 16 June 2020 public hearing (as heretofore modified by the Budget Officer under Council direction, including the amendments specified on any exhibits that are attached to this Ordinance) as the final budget for the City for the period in question, to determine the rate of property tax and to levy taxes upon all real and personal property within the City;

NOW, THEREFORE, BE IT ORDAINED by the Cottonwood Heights city council as follows:

Section 1. ***Adoption of Budget***.

A. The Budget presented at the 16 June 2020 public hearing (as heretofore modified by the Budget Officer under Council direction, including the amendments specified on any exhibits that are attached to this Ordinance) be, and hereby are, appropriated for the corporate purposes and objects of the City for the fiscal year in question, and hereby are adopted as the City's final budget for the period of 1 July 2020 through 30 June 2021, subject to amendment.

B. Copies of the final Budget adopted hereby shall be certified and filed with the Utah State Auditor, as appropriate, and shall be available for public inspection during regular business hours at the City's business offices.

C. The City's manager and other officers are hereby directed to take any other necessary actions pertinent to the adoption of the Budget, including, without limitation, such notification, reporting and publishing as may be required by applicable law.

D. Amounts in excess of the City's cash requirements shall be deposited in the investment fund maintained by the state treasurer under the State Money Management Act, UTAH CODE ANN. §51-7-1 *et seq.*

Section 2. ***Property Tax Rate and Levy***.

A. For the purpose of defraying the necessary and proper expenses of the City and for maintaining the government thereof, it is hereby determined that a general property tax shall be levied against the taxable value of all real and personal property within the City. For the period from 1 July 2020 through 30 June 2021, such general property tax on all real and personal property within the City shall be set at the certified tax rate, being 0.001898.

B. For the period from 1 July 2020 thought 30 June 2021, there is hereby levied upon all taxable real and personal property within the City a general property tax at the same rate as set forth above on the taxable value of said property, to provide revenue for the City's general fund and for general City purposes.

C. The City's manager and other officers are hereby directed to take any other necessary actions pertinent to the setting of the general property tax rate and levy of the property tax, including, without limitation, notification to the Salt Lake County Auditor, the Utah State Tax Commission, and such other notification, reporting and publishing as may be required by applicable law.

Section 3. ***Action of Officers***. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. ***Severability***. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance 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 sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. ***Repealer***. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. ***Effective Date***. This Ordinance, assigned no. 342, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 16th day of June 2020.

ATTEST: **COTTONWOOD HEIGHTS CITY COUNCIL**

By: By:

Paula Melgar, Recorder **Michael J. Peterson**, Mayor

VOTING:

Michael J. Peterson	Yea ✓	Nay ___
Douglas Petersen	Yea ✓	Nay ___
J. Scott Bracken	Yea ✓	Nay ___
Tali C. Bruce	Yea ___	Nay ✓
Christine Watson Mikell	Yea Absent	Nay

DEPOSITED in the Recorder's office this 16th day of June 2020.

POSTED this 16 day of June 2020.