COTTONWOOD HEIGHTS

ORDINANCE NO. 352

AN ORDINANCE ADOPTING AN AMENDED BUDGET FOR THE PERIOD OF 1 JULY 2020 THROUGH 30 JUNE 2021

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, and on the Utah Public Notices Website, at least seven days prior to the public hearing; and (d) the public hearing shall be held; and

WHEREAS, the Act also provides that amendments to a city's adopted budget may be approved by resolution or ordinance following appropriate notice and a public hearing; and

WHEREAS, pursuant to its Ordinance No. 342 ("*Ordinance 342*") dated 16 June 2020, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") adopted a budget for the City's 2020-2021 fiscal year and set the real and personal property tax levy for realty and personalty within the City; and

WHEREAS, the City's budget officer heretofore has filed with the Council a proposed amended budget (the "*Amended Budget*") for the City's current fiscal year; and

WHEREAS, the Amended Budget has been reviewed by the Council; and

WHEREAS, the time and place of a public hearing regarding adoption of the Amended Budget were set for 7:00 p.m. on 19 January 2021 at 2277 East Bengal Blvd., Cottonwood Heights, Utah or, alternatively due to the current pandemic, via Zoom conference as provided in UTAH CODE ANN. §52-4-207(4); and

WHEREAS, notice of the public hearing concerning the Amended 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, on the home page of the City's website, and otherwise posted and published as required by statute; and

WHEREAS, the public hearing was held beginning at approximately 7:00 p.m. on 19 January 2021 via Zoom conference as provided in UTAH CODE ANN. §52-4-207(4) to receive public comment on the Amended 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, on 19 January 2021, the Council met in regular session to consider, among other things, approving the Amended Budget as proposed; and

WHEREAS, it is the intent and desire of the Council to comply with all applicable laws regarding adoption of the Amended Budget and ratification of the property tax rate and the levying of property taxes as provided in Ordinance 342; and

WHEREAS, after careful consideration, the Council finds that it has satisfied all legal requirements to adopt the Amended Budget and to ratify the tax rate and levy property taxes as provided in Ordinance 342, and that it is in the best interests of the citizens of the City to adopt the Amended Budget presented at the 19 January 2021 public hearing as the amended final budget for the City for the period in question, and to ratify the rate of property tax and to levy taxes upon all real and personal property within the City as provided in Ordinance 342;

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

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

A. The Amended Budget presented at the 19 January 2021 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 is, appropriated for the corporate purposes and objects of the City for the fiscal year in question, and hereby is adopted as the City's final budget for the period of 1 July 2020 through 30 June 2021, subject to amendment.

B. A copy of the Amended 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 Amended 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***. Section 2 of Ordinance 342 is hereby ratified, affirmed and incorporated herein by this reference.

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. 352, 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 19th day of January 2021.

COTTONWOOD HEIGHTS CITY COUNCIL

By: _____
Michael J. Peterson, Mayor

ATTEST:

_____
Paula Melgar, Recorder

VOTING:

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

DEPOSITED in the Recorder's office this 19th day of January 2021.

POSTED this 21 day of January 2021.