COTTONWOOD HEIGHTS

ORDINANCE NO. 369

AN ORDINANCE ADOPTING AN AMENDED BUDGET FOR THE PERIOD OF 1 JULY 2021 THROUGH 30 JUNE 2022

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. 358 ("*Ordinance 358*") dated 15 June 2021, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") adopted a budget for the City's 2021-2022 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 5 October 2021 at 2277 East Bengal Blvd., Cottonwood Heights, Utah; and

WHEREAS, notice of the public hearing concerning the Amended Budget was timely posted and published as required by statute; and

WHEREAS, the public hearing was held beginning at approximately 7:00 p.m. on 5 October 2021 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 5 October 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 358; 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 358, and that it is in the best interests of the citizens of the City to adopt the Amended Budget presented at the 5 October 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 358;

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 5 October 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 358 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. 369, 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 5th day of October 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 ___ Excused

DEPOSITED in the Recorder's office this 5th day of October 2021.

POSTED this 8 day of October 2021.