



# COTTONWOOD HEIGHTS

## ORDINANCE NO. 257

AN ORDINANCE ADOPTING AN AMENDED FINAL BUDGET FOR THE PERIOD OF 1 JULY 2015 THROUGH 30 JUNE 2016; ADOPTING A FINAL BUDGET FOR THE PERIOD OF 1 JULY 2016 THROUGH 30 JUNE 2017; MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF COTTONWOOD HEIGHTS FOR SUCH PERIODS; 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 at least seven days prior to the public hearing; and (d) the public hearing shall be held; and

**WHEREAS**, the Act also provides that certain amendments to a city’s adopted budget require similar procedures for adoption, including approval of the amendment by resolution or ordinance following a public hearing; 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 meeting of the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) on 10 May 2016, Dean Lundell, the City’s budget officer (the “*Budget Officer*”), filed with the Council (a) a proposed amended budget for the City for the period of 1 July 2015 through 30 June 2016, (b) a tentative budget for the City for the period of 1 July 2016 through 30 June 2017, and (c) an accompanying budget message as required by the Act; and

**WHEREAS**, those budgets (the “*Budgets*”) were reviewed, considered and tentatively adopted by the Council on 10 May 2016 pursuant to its authority under UTAH CODE ANN. §10-6-118; and

**WHEREAS**, from and after 10 May 2016, copies of the Budgets have been available for public inspection in the office of the City’s recorder; and

**WHEREAS**, the Council set 7:00 p.m. on 14 June 2016 at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah as the time and place of a public hearing regarding adoption of the Budgets; and

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

**WHEREAS**, the public hearing was held beginning at approximately 7:00 p.m. on 14 June 2016 at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah to receive public comment on the Budgets 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 21 June 2016, the Council met in regular session to consider, among other things, approving the Budgets as proposed; and

**WHEREAS**, it is the intent and desire of the Council to comply with all applicable laws regarding adoption of the Budgets, 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 Budgets, 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 Budgets presented at the 14 June 2016 public hearing (as heretofore modified by the Budget Officer under Council direction, including the amendments specified on the exhibits that are attached to this Ordinance) as the final budgets for the City for the periods 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 Budgets.**

A. The Budgets presented at the 14 June 2016 public hearing (as heretofore modified by the Budget Officer under Council direction, including any amendments specified on exhibits that are attached to this Ordinance) be, and hereby are, appropriated for the corporate purposes and objects of the City for the fiscal years in question, and hereby are adopted as the City's final budgets for the periods of 1 July 2015 through 30 June 2016 and 1 July 2016 through 30 June 2017, respectively, subject to amendment.

B. Copies of the final Budgets 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 Budgets, 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 2016 through 30 June 2017, such general property tax on all real and personal property within the City shall be set at the certified tax rate, being .002064.

B. For the period from 1 July 2016 through 30 June 2017, 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.

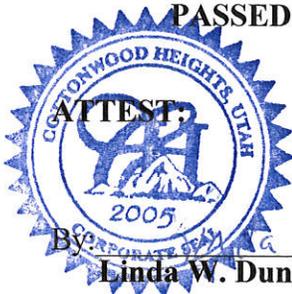
Section 3. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

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. 257, 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 21<sup>st</sup> day of June 2016.



By Linda W. Dunlavy, Recorder

**COTTONWOOD HEIGHTS CITY COUNCIL**

By Kelvyn H. Cullimore, Jr., Mayor

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**DEPOSITED** in the Recorder's office this 21<sup>st</sup> day of June 2016.

**POSTED** this 29 day of June 2016.



PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

COTTONWOOD HEIGHTS,  
LINDA DUNLAVY  
1265 E FORT UNION BLVD., SUITE

MIDVALE UT 84047

ACCOUNT NUMBER

9001356263

DATE

6/27/2016

ACCOUNT NAME

COTTONWOOD HEIGHTS,

TELEPHONE

8019447000

ORDER # / INVOICE NUMBER

0001098060 /

PUBLICATION SCHEDULE

START 06/26/2016 END 06/26/2016

CUSTOMER REFERENCE NUMBER

Ordinance No. 257

CAPTION

COTTONWOOD HEIGHTS PUBLIC NOTICE Notice is hereby given that during a City C

SIZE

33 LINES 1 COLUMN(S)

TIMES

3

TOTAL COST

60.44

COTTONWOOD HEIGHTS  
PUBLIC NOTICE  
Notice is hereby given that during a City Council meeting on June 21, 2016, the Cottonwood Heights City Council adopted Ordinance No. 257, an ordinance adopting an amended final budget for the period of 1 July 2015 through 30 June 2016; adopting a final budget for the period of 1 July 2016 through 30 June 2017; making appropriations for the support of the city of Cottonwood Heights for such periods; and determining the rate of tax and levying taxes upon all real and personal property within the city of Cottonwood Heights. A complete copy of the ordinance can be found at www.ch.utah.gov.  
Linda W. Dunlavy, CMC  
City Recorder  
1098060 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **COTTONWOOD HEIGHTS PUBLIC NOTICE** Notice is hereby given that during a City Council meeting on **June 21, 2016, the Cottonwood Heights City Council adopted Ordin** FOR **COTTONWOOD HEIGHTS**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH, NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 06/26/2016 End 06/26/2016

DATE 6/27/2016

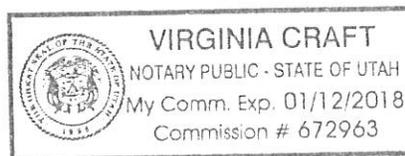
SIGNATURE *Ann Dartnell*

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 27TH DAY OF JUNE IN THE YEAR 2016

BY ANN DARTNELL



*Virginia Craft*  
NOTARY PUBLIC SIGNATURE



PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

COTTONWOOD HEIGHTS,  
LINDA DUNLAVY  
1265 E FORT UNION BLVD., SUITE

MIDVALE UT 84047

ACCOUNT NUMBER

9001356263

DATE

6/27/2016

ACCOUNT NAME

COTTONWOOD HEIGHTS,

TELEPHONE

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ORDER # / INVOICE NUMBER

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Linda W. Dunlavy, CVC  
City Recorder  
1098060 UPAXLP

AFFIDAVIT OF PUBLICATION

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PUBLISHED ON Start 06/26/2016 End 06/26/2016

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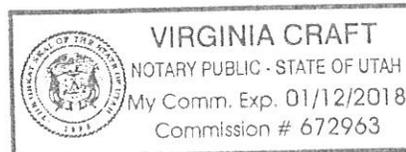
SIGNATURE *Ann Dartnell*

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 27TH DAY OF JUNE IN THE YEAR 2016

BY ANN DARTNELL



*Virginia Craft*  
NOTARY PUBLIC SIGNATURE

COTTONWOOD HEIGHTS

RESOLUTION NO. 2016-48

A RESOLUTION APPROVING AN INDEPENDENT CONTRACTOR AGREEMENT WITH PRECISION CONCRETE CUTTING, INC. (2016-17 FISCAL YEAR)

WHEREAS, the city council (the "Council") of the city of Cottonwood Heights (the "City") met in regular session on 21 June 2016 to consider, among other things, approving an independent contractor agreement (the "Agreement") with Precision Concrete Cutting, Inc. ("Precision") whereunder Precision would provide concrete cutting, concrete grinding and other forms of sidewalk trip hazard mitigation and related services to the City during the City's 2016-17 fiscal year; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City's entry into the Agreement as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the attached Agreement is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2016-48, shall take effect immediately upon passage.

PASSED AND APPROVED effective 21 June 2016.



ATTEST:

By Linda W. Dunlavy, Recorder

COTTONWOOD HEIGHTS CITY COUNCIL

By Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr. Yea [checked] Nay \_\_\_
Michael L. Shelton Yea [checked] Nay \_\_\_
J. Scott Bracken Yea [checked] Nay \_\_\_
Michael J. Peterson Yea [checked] Nay \_\_\_
Tee W. Tyler Yea [checked] Nay \_\_\_

DEPOSITED in the office of the City Recorder this 21st day of June 2016.

RECORDED this 22 day of June 2016.

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2016-49

### A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH H-GAC FOR COOPERATIVE PURCHASING (STREET SWEEPER)

**WHEREAS**, UTAH CODE ANN. §11-13-101, *et seq.* (the “*Interlocal Cooperation Act*”) provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action; and

**WHEREAS**, the city of Cottonwood Heights (the “*City*”) and Houston-Galveston Area Council (“*H-GAC*”) are public agencies for purposes of the Interlocal Cooperation Act; and

**WHEREAS**, COTTONWOOD HEIGHTS CODE §2.160.180 provides that purchases by the City in cooperation with another governmental entity which comply with the solicitation procedures of that other entity constitute the City’s compliance with its own solicitation requirements if the cooperative agreement is approved by resolution of the City’s city council (the “*Council*”) and otherwise meets any applicable requirements of the Interlocal Cooperation Act; and

**WHEREAS**, pursuant to its Resolution No. 2016-41, the Council heretofore has authorized the City to acquire a street sweeper vehicle (the “*Sweeper*”) at a cost of up to \$300,000; and

**WHEREAS**, pursuant to the authority granted in the Interlocal Cooperation Act, the City desires to enter into an “Interlocal Contract for Cooperative Purchasing” (the “*Agreement*”) with H-GAC to purchase the Sweeper; and

**WHEREAS**, the city council (the “*Council*”) of the City met in regular session on 21 June 2016 to consider, among other things, approving the City’s entry into the Agreement; and

**WHEREAS**, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

**WHEREAS**, the city attorney of the City has approved the form of the Agreement as required by *Utah Code Ann.* §11-13-202.5(3); and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City’s residents to approve the City’s entry into the Agreement as proposed in order to make efficient use of the City’s resources;

**NOW, THEREFORE, BE IT RESOLVED** by the city council of Cottonwood Heights that the attached Agreement with H-GAC is hereby approved (with such modifications and additions as the City’s mayor, in consultation with the City manager and attorney, directs), and that the City’s mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2016-49, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 21<sup>st</sup> day of June 2016.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By   
\_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

**ATTEST:**

Linda W. Dunlavy  
Linda W. Dunlavy, Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 21<sup>st</sup> day of June 2016.

**RECORDED** this 22 day of June 2016.

# COTTONWOOD HEIGHTS

## RESOLUTION NO. 2016-51

### A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH CANYONS SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER

**WHEREAS**, the Interlocal Cooperation Act, UTAH CODE ANN. §11-13-101 *et. seq.* (the “*Act*”), provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

**WHEREAS**, Canyons School District (the “*District*”) and the city of Cottonwood Heights (the “*City*”) are public agencies for purposes of the Act; and

**WHEREAS**, UTAH CODE ANN. §53A-11-1604 provides that the District may contract with a law enforcement agency to provide school resource officer (“*SRO*”) services at the District’s schools after review and approval of such agreement by the District’s board; and

**WHEREAS**, the District and the City believe that the interests and welfare of the public within their respective jurisdictions will best be served by their entry into an interlocal agreement (the “*Agreement*”) whereunder the City’s police department will provide an SRO on the terms and conditions of the Agreement to maintain safer schools, improve school climate, and support educational opportunities for students while serving at Brighton High School, as well as middle schools and elementary schools in the City; and

**WHEREAS**, the City’s municipal council (the “*Council*”) met in regular session on 21 June 2016 to consider, among other things, approving the City’s entry into the Agreement; and

**WHEREAS**, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City’s entry into the Agreement as proposed;

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Cottonwood Heights that the attached Agreement be, and hereby is, approved, and that the City’s mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2016-51, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 21<sup>st</sup> day of June 2016.

COTTONWOOD HEIGHTS CITY COUNCIL



ATTEST:

Linda W. Dunlavy  
Linda W. Dunlavy, Recorder

By Kelvyn H. Cullimore, Jr.  
Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 21<sup>st</sup> day of June 2016.

RECORDED this 22 day of June 2016.

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2016-52

### A RESOLUTION APPROVING REIMBURSEMENT (TEN SNOW PLOW VEHICLES AND OTHER PUBLIC WORKS EQUIPMENT)

**WHEREAS**, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) met on 21 June 2016 to consider, among other things, expressing its intention to advance approximately \$1.2 Million (the “*Advance*”) from its general and capital fund (the “*Fund*”) to provide interim downpayment or other financing to purchase, or commit to purchase, ten snow plow vehicles and other public works equipment and accessories for the City’s use in its public works activities (the “*Project*”), and to subsequently enter into a lease/purchase agreement or other obligation in the estimated total, maximum principal amount of \$2,000,000, the interest on which will be exempt from federal income taxation (the “*Obligation*”), and to use proceeds therefrom to reimburse the Advance; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to so act;

**NOW, THEREFORE, BE IT RESOLVED** by the city council of Cottonwood Heights that the Council hereby expresses the City’s intention to make, and hereby authorizes and consents to, the Advance from the Fund to provide interim financing for acquisition of the Project, and the subsequent entry into the Obligation in the estimated maximum principal amount specified above, and the reimbursement of all or a portion of the Advance from the proceeds of the Obligation; provided, however, that such reimbursement shall be evidenced by an allocation made by or on behalf of the City in writing:

- (a) not later than 18 months after the later of:
  - (i) the date the original expenditure is paid; or
  - (ii) the date the Project is “placed in service” (as that term is defined in Section 1.150-2(c) of the U.S. Treasury Regulations [the “*Regulations*”]) or abandoned;
- (b) but in no event more than three years after the original expenditure is paid;

and further provided that only the following types of expenditures (collectively, “*Reimbursable Expenditures*”) shall be reimbursed with proceeds of the Obligation:

- (y) all expenditures incurred with respect to the Project on or after the date hereof; plus
- (z) the following types of expenditures incurred with respect to the Project prior to the date hereof:
  - (i) capital expenditures made no earlier than 60 days prior to the date hereof; plus
  - (ii) “preliminary expenditures” as described in Section 1.150-2(f)(2) of the Regulations, not in excess of twenty percent (20%) of the aggregate “issue price” (as that term is defined in Section 1.148-1[b] of the Regulations) of the Obligation for architectural, engineering, surveying, soil testing, reimbursement bond issuance, and similar costs that are incurred prior to the commencement of acquisition and/or construction of the Project, other than land acquisition, site preparation, and similar costs incident to commencement of construction; plus
  - (iii) the lesser of \$100,000 or five percent (5%) of the proceeds of the Obligation;

and

**BE IT FURTHER RESOLVED** by the city council of Cottonwood Heights that this Resolution is intended, among other things, to be a declaration of official intent with respect to the City's present, reasonable intention and expectation to proceed with the acquisition and/or construction of the Project, the execution of the Obligation to finance the same, and the reimbursement with proceeds of the Obligation of the Reimbursable Expenditures with respect thereto, under the applicable provisions of Section 1.150-2 of the Regulations, but shall not be construed to obligate the City to execute or cause to be executed the Obligation unless the Council determines, under the particular circumstances then in effect, to proceed with the issuance of the Obligation for the purposes herein expressed.

This Resolution, assigned no. 2016-52, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 21<sup>st</sup> day of June 2016.



**ATTEST:**

By: Linda W. Dunlavy  
Linda W. Dunlavy, Recorder

**COTTONWOOD HEIGHTS CITY COUNCIL**

By: Kelvyn H. Cullimore, Jr.  
Kelvyn H. Cullimore, Jr., Mayor

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Michael L. Shelton	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
J. Scott Bracken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Michael J. Peterson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Tee W. Tyler	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 21<sup>st</sup> day of June 2016.

**RECORDED** this 22 day of June 2016.

COTTONWOOD HEIGHTS

RESOLUTION NO. 2016-53

A RESOLUTION APPROVING AN "ATM PLACEMENT AGREEMENT" WITH MOUNTAIN AMERICA CREDIT UNION FOR 2016 BUTLERVILLE DAYS

WHEREAS, the city council (the "Council") of the city of Cottonwood Heights (the "City") met on 21 June 2016 to consider, among other things, approving and ratifying an "ATM Placement Agreement" (the "Agreement") with Mountain America Credit Union ("Provider") whereunder the City would authorize Provider to place and operate one or more automated teller machines at the City's 2016 "Butlerville Days" community celebration on the terms and conditions specified in the Agreement; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto as an exhibit; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City's entry into the Agreement as proposed;

NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Agreement with Provider is hereby approved and ratified, and that the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2016-53, shall take effect immediately upon passage.

PASSED AND APPROVED this 21st day of June 2016.



ATTEST:

By Linda W. Dunlavy, Recorder

COTTONWOOD HEIGHTS CITY COUNCIL

By Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 21st day of June 2016.

RECORDED this \_\_\_ day of June 2016.