

# COTTONWOOD HEIGHTS

## ORDINANCE No. 223

AN ORDINANCE ADOPTING AN AMENDED FINAL BUDGET  
FOR THE PERIOD OF 1 JULY 2013 THROUGH 30 JUNE 2014;  
ADOPTING A FINAL BUDGET FOR THE PERIOD OF 1 JULY 2014  
THROUGH 30 JUNE 2015; 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 13 May 2014, Steve Fawcett, 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 2013 through 30 June 2014, (b) a tentative budget for the City for the period of 1 July 2014 through 30 June 2015, 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 13 May 2014 pursuant to its authority under UTAH CODE ANN. §10-6-118; and

**WHEREAS**, from and after 13 May 2014, 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 27 May 2014 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 27 May 2014 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 17 June 2014, 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 27 May 2014 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 27 May 2014 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 2013 through 30 June 2014 and 1 July 2014 through 30 June 2015, 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 2014 through 30 June 2015, such general property tax on all real and personal property within the City shall be set at the certified tax rate, being .002384.

B. For the period from 1 July 2014 through 30 June 2015, 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. 223, 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 17<sup>th</sup> day of June 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

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

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio,** Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea ___ Nay ___
Michael L. Shelton	Yea ___ Nay ___
J. Scott Bracken	Yea ___ Nay ___
Michael J. Peterson	Yea ___ Nay ___
Tee W. Tyler	Yea ___ Nay ___

**DEPOSITED** in the Recorder's office this 17<sup>th</sup> day of June 2014.

**POSTED** this \_\_\_ day of June 2014.

620998.1

GENERAL FUND FY2015

CAPITAL PROJECTS FUND FY2015

Description	Tentative Budget Amount	Change	Final Budget Amount
Tentative Budget Revenue:	15,472,102		
Adjustments:			
cdbg grant revenue moved to capital improvements fund		-35,000	
certified tax rate		-30,571	
Adjusted Revenue:			15,406,531
Tentative Budget Other Sources	962,641		
Adjustments:			
Appropriation of Fund Balance		-453,111	
		-38,467	
Adjusted Other Sources:			471,063
<b>TOTAL Revenue and Other Sources:</b>	<b>16,434,743</b>	<b>-557,149</b>	<b>15,877,594</b>

Description	Tentative Budget Amount	Change	Final Budget Amount
Tentative Budget Expenditures:	15,981,632		
Adjustments:			
cdbg grant expenditures moved to capital improvements fund		-35,000	
city 10 year celebration		15,000	
move \$13,000 financial advisor costs for police car lease from city council budget to debt service and expenses (vehicle lease program).		0	
city manager office adjustments		4,050	
move \$5,000 of city attorney budget to police department		0	
adjust police department by -1.00 fte		-70,088	
adjust for road salt on hand (600 tons)		-18,000	
Adjusted Expenditures:			15,877,594
Tentative Budget Other Uses	453,111		
Adjustments:			
remove fy15 debt service payment to reflect debt payments starting in fy16		-453,111	
Adjusted Other Uses:			0
<b>TOTAL Expenditures and Other Uses:</b>	<b>16,434,743</b>	<b>-557,149</b>	<b>15,877,594</b>

Description	Tentative Budget Amount	Change
Tentative Budget Revenue:	80,000	
Adjustments:		
cdbg grant revenue added to capital improvements fund		121,051
Adjusted Revenue:		
Tentative Budget Other Sources	18,741,826	
Adjustments:		
Estimated Carryover of Open Capital Projects		15,635,855
Other Unreserved Fund Balance		-18,741,826
Adjusted Other Sources:		
<b>TOTAL Revenue and Other Sources:</b>	<b>18,821,826</b>	<b>-2,984,920</b>

Description	Tentative Budget Amount	Increase
Tentative Budget Expenditures:	1,016,926	
Adjustments:		
ada ramps and trip hazard mitigation		121,051
pavement management		5,000
adjust for carryover balance of the \$3,250,000 state funded projects that have not been expended as of 6/30/14. These include \$1,351,470 for bengal blvd., \$925,000 for ft. union blvd. park and ride		2,276,470
adjust for carryover balance of city municipal center		10,460,959
pw site		1,956,500
Adjusted Expenditures:		
Tentative Budget Other Uses	0	
Adjustments:		
Estimated Carryover of Open Projects		
Adjusted Other Uses:		
<b>TOTAL Expenditures and Other Uses:</b>	<b>1,016,926</b>	<b>14,819,980</b>

**TOTAL GOVERNMENTAL FUNDS FY2015**

**TOTAL BUDGET AMENDMENT #3 FY2014**

Description	Tentative Budget Amount	Change	Final Budget Amount
<b>Tentative Budget Revenue:</b>	15,552,102		
Adjustments:			
cdbg grant revenue moved to capital improvements fund		-35,000	
cdbg grant revenue added to capital improvements fund		121,051	
certified tax rate		-30,571	
Adjusted Revenue:			15,607,582
<b>Tentative Budget Other Sources</b>	19,704,467		
Adjustments:			
Appropriation of Fund Balance and Estimated Carryover of Open Capital Projects		15,635,855	
Other Unreserved Fund Balance		-18,741,826	
general fund balance		-453,111	
general fund balance		-38,467	
Adjusted Other Sources:			16,106,918
<b>TOTAL Revenue and Other Sources:</b>	<u>35,256,569</u>	<u>-3,542,069</u>	<u>31,714,500</u>

Description	Tentative Budget Amount	Change	Final Budget Amount
<b>Tentative Budget Expenditures:</b>	16,998,558		
Adjustments:			
cdbg grant expenditures moved to capital improvements fund		-35,000	
city 10 year celebration		15,000	
move \$13,000 financial advisor costs for police car lease from city council budget to debt service and expenses (vehicle lease program).		0	
city manager office adjustments		4,050	
move \$5,000 of city attorney budget to police department		0	
adjust police department by -1.00 fte		-70,088	
adjust for road salt on hand (600 tons)		-18,000	
ada ramps and trip hazard mitigation		121,051	
pavement management		5,000	
adjust for carryover balance of the \$3,250,000 state funded projects that have not been expended as of 6/30/14. These include \$1,351,470 for bengal blvd., \$925,000 for ft. union blvd. park and ride		2,276,470	
adjust for carryover balance of city municipal center		10,460,959	
pw site		1,956,500	
Adjusted Expenditures:			31,714,500
<b>Tentative Budget Other Uses</b>	453,111		
Adjustments:			
remove fy15 debt service payment to reflect debt payments starting in fy16		-453,111	
Adjusted Other Uses:			0
<b>TOTAL Expenditures and Other Uses:</b>	<u>17,451,669</u>	<u>-557,149</u>	<u>31,714,500</u>

Description	Tentative Budget Amount	Change
<b>Tentative Amended Budget Revenue:</b>	34,317,828	
Adjustments:		
Adjusted Revenue:		
<b>Tentative Budget Other Sources</b>		
Adjustments:		
Capital Improvement Fund Balance		20,000
Adjusted Other Sources:	5,423,925	
<b>TOTAL Revenue and Other Sources:</b>	<u>39,741,754</u>	<u>20,000</u>

Description	Tentative Budget Amount	Change
<b>Tentative Budget Expenditures:</b>	38,866,139	
Adjustments:		
pavement management		20,000
Adjusted Expenditures:		
<b>Tentative Budget Other Uses</b>	875,615	
Adjustments:		
Adjusted Other Uses:		
<b>TOTAL Expenditures and Other Uses:</b>	<u>39,741,754</u>	<u>20,000</u>

**Final Budget  
Amount**

201,051

15,635,855

15,836,906

**Final Budget  
Amount**

15,836,906

0

15,836,906

**Final Budget  
Amount**

34,317,828

20,000

34,337,828

**Final Budget  
Amount**

38,886,139

875,615

39,761,754

COTTONWOOD HEIGHTS

RESOLUTION No. 2014-33

A RESOLUTION APPROVING AN “EVENT PROPOSAL” CONTRACT  
WITH CUSTOM EVENTS, INC. FOR 2014 BUTLERVILLE DAYS

**WHEREAS**, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) met on 17 June 2014 to consider, among other things, approving and ratifying two contracts and an amendment thereto (collectively, the “*Agreement*”) with Custom Events, Inc. (“*Provider*”) whereunder the City would retain Provider to provide and oversee various games and events at the City’s 2014 “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. 2014-33, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 17<sup>th</sup> day of June 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

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

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio**, Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea ___ Nay ___
Michael L. Shelton	Yea ___ Nay ___
J. Scott Bracken	Yea ___ Nay ___
Michael J. Peterson	Yea ___ Nay ___
Tee W. Tyler	Yea ___ Nay ___

**DEPOSITED** in the office of the City Recorder this 17<sup>th</sup> day of June 2014.

**RECORDED** this \_\_\_ day of June 2014.

620999.1

# CUSTOM EVENTS

(801) 446-5115  
fax: (801) 562-1240  
538 west 9560 south  
Sandy, Utah 84070  
[www.customeventsinc.com](http://www.customeventsinc.com)

## EVENT PROPOSAL\*

Company: Butlerville Days

Contact: Ann Eatchel

Telephone: 801-550-8225

Fax/email: [aeatchel@ch.utah.gov](mailto:aeatchel@ch.utah.gov)

Date: Wednesday July 23<sup>rd</sup> and Thursday July 24<sup>th</sup> 2014

Time: 5:00 - 9:15 p.m. for the 23<sup>rd</sup> and 2:00 p.m. -9:15 July 24<sup>th</sup>

Location: 7500 South 2700 East, Cottonwood Heights

Custom Events will provide the following services:

**\*\*Custom Events will provide the following rides Kong Slide, Jurassic Adventure, Titanic Slide, 14' Slide, Batman Obstacle, Double Splash Wave, Rescue Squad, Sponge Bob, Princess, Bungee Run, Airborne Adventure(After 3pm on the 24<sup>th</sup> ), and two rockwalls. All rides will cost 2 tickets with both rockwalls at 10 tickets. Custom Events will also sell all light up and glow items at the park with prices no higher than \$5.00. Custom Events will have an exclusive on these items.**

**\*\*Custom Events will sell tickets @ 1 for \$0.25 Custom Events will**

**also offer a 1 day unlimited ride pass for \$13.00, and a 2 day unlimited ride pass for \$20.00. Custom Events will take all forms of payment including cash, credit card, and checks. Custom Events will also have enough staff on site to help with any lines at the ticket booth to keep lines to a minimum. Custom Events will have proper tents and signage at the ticket booths and rides to help the flow of the lines.**

**\*\*Custom Events will come for a presale at the Cottonwood Rec Center Saturday July 19<sup>th</sup> from 1:00 p.m. to 3:00 p.m. and Monday July 21<sup>st</sup> from 1:00 p.m. to 3:00 p.m. with presale prices to be tickets \$0.25 and wristbands at a discounted price of \$11.00 for a single day and \$18.00 for two days.**

**\*\*Custom Events will provide Butlerville Days Committee with 100 free wristbands to give as incentive for volunteers all wristbands not used must be returned at the end of the event.**

**\*\* Custom Events will give Butlerville Days 15% proceeds of all monies collected for anything Custom Events raises money on.**

**\*\*Custom Events will set up, staff, and clean up all attractions and booths. Custom Events will also provide their own power for all attractions.**

\*\*Custom Events Inc. operates all equipment according to manufacturer, and insurance specifications. Custom Events Inc. will not be held liable if wind, weather, or other acts of nature affect our ability to perform this event, as there is no minimum fee for performance Custom Events agrees the customer will not be responsible for any setup costs for services.

\*Custom Events Inc. schedules the use of attractions on a first come, first serve basis.

The equipment on this proposal is not guaranteed unless a signed copy is received and confirmed by Custom Events Inc.

Proposal accepted by: \_\_\_\_\_

Date signed: \_\_\_\_\_

**\*\*PLEASE PROVIDE ADDRESS BELOW\*\***

Company Mailing Address:

---

---

---

# CUSTOM EVENTS

(801) 446-5115  
fax: (801) 562-1240  
538 west 9560 south  
Sandy, Utah 84070  
[www.customeventsinc.com](http://www.customeventsinc.com)

## EVENT PROPOSAL\*

Company: Butlerville Days

Contact: Ann Eatchel

Telephone: 801-550-8225

Fax/email: [aeatchel@ch.utah.gov](mailto:aeatchel@ch.utah.gov)

Date: Thursday July 24<sup>th</sup> 2014

Time: 4:30 – 8:30 p.m.

Location: 7500 South 2700 East, Cottonwood Heights

Custom Events will provide the following services:

**\*\*Jeff's OLD FASHIONED Fun and Games FROM 5:00 – 8:00 p.m.** This popular activity grew out of demand from previous customers. Jeff Mace is the owner of our company and has a talent for making people have fun! He is energetic and loves to personally interact with your crowd doing fun contests, games, and activities. Everyone who participates will receive a great prize! This service provides an opportunity for lots of people to be involved having fun together! AS PER YOUR REQUEST, WE WILL CONCENTRATE ON THE OLD FASHIONED GAMES! **Bring Extra prizes for all kid games.**

**\*\*4 Face Painters From 4:30 to 5:30, 4 More from 5:30 – 8:30 p.m. (total of 8 face painters)**  
Kids of all ages love the attention they get from having characters painted on their face!

The total price for the above services will be: \$2,350.00

Minus We love you discount: savings of \$700.00

Subtotal before tax: \$1,650.00

Sale tax of 6.6%: \$N/A

To book the above services a 25% deposit is required along with a signed copy of an acceptable proposal.

[^The remainder will be due on the day of your event.^](#)

*\*Custom Events Inc. schedules the use of attractions on a first come, first serve basis. The equipment on this proposal is not guaranteed unless a signed copy is received and confirmed by Custom Events Inc.*

*\*\*Custom Events Inc. operates all equipment according to manufacturer, and insurance specifications. Custom Events Inc. will not be held liable if wind, weather, or other acts of nature affect our ability to perform this event.*

*\*\*\*This contract is subject to a \$25% cancellation fee if event is cancelled within 30 days of event date.*

Proposal accepted by: \_\_\_\_\_

Date signed: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_