

Midvale, Utah

June 20, 2023

The City Council (the “Council”) of Midvale City, Utah (the “City”), held a regular public session, on June 20, 2023, at the hour of 7:00 p.m. with the following members of the Council being present:

Marcus Stevenson	Mayor
Bryant Brown	Councilmember
Dustin Gettel	Councilmember
Heidi Robinson	Councilmember
Quinn Sperry	Councilmember

Also present:

Rori Andreason	City Recorder
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Absent:

Paul Glover	Councilmember
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After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this June 20, 2023, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember Gettel and seconded by Councilmember Sperry, was adopted by the following vote:

AYE:

Councilmember Brown
Councilmember Sperry
Councilmember Robinson
Councilmember Gettel

NAY:

The resolution was then signed by the Mayor in open meeting and recorded by the City Recorder in the official records of the Issuer. The resolution is as follows:

RESOLUTION NO. 2023-R-30

A RESOLUTION OF MIDVALE CITY, UTAH (THE “ISSUER”); AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$15,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER, SEWER AND STORM WATER REVENUE BONDS (THE “BONDS”); FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE POSTING OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), the City Council (the “City Council”) of Midvale City, Utah (the “Issuer”), has authority to issue its Water, Sewer and Storm Water Revenue Bonds, Series 2023 (to be issued from time to time as one or more series and with such other series or title designation(s) as may be determined by the Issuer) (the “Series 2023 Bonds”) payable from the revenues received by the Issuer from its water system for the municipal purposes set forth therein; and

WHEREAS, subject to the limitations set forth herein, the Issuer desires to issue its Series 2023 Bonds to (a) finance the construction of certain water, sewer and storm water infrastructure improvements and all related improvements (collectively, the “Project”), (b) fund a debt service reserve fund, if necessary and (c) pay costs of issuance of the Series 2023 Bonds, pursuant to this Resolution, and a General Indenture of Trust and a Supplemental Indenture of Trust (together, the “Indenture”), in substantially the form presented to the meeting at which this Resolution was adopted and which is attached hereto as Exhibit B; and

WHEREAS, the Act provides that prior to issuing bonds for project purposes, an issuing entity must (i) give notice of its intent to issue such Series 2023 Bonds and (ii) hold a public hearing to receive input from the public with respect to (x) the issuance of the Series 2023 Bonds and (y) the potential economic impact that the improvement, facility or property for which the Series 2023 Bonds pay all or part of the cost will have on the private sector; and

WHEREAS, the Act provides for the posting of a Notice of Public Hearing and Bonds to Be Issued and the Issuer desires to post such notice in compliance with the Act with respect to the Series 2023 Bonds; and

WHEREAS, pursuant to Sections 11-14-316, and 11-14-318 of the Act, the Notice of Public Hearing and Bonds to be Issued shall (a) constitute the notice of intent to issue bonds, (b) constitute notice of a public hearing to receive input from the public with respect to the Series 2023 Bonds and (c) initiates a 30-day contestability period in which any person of interest may contest the issuance of the Series 2023 Bonds; and

NOW, THEREFORE, it is hereby resolved by the City Council of Midvale City, Utah, as follows:

Section 1. The City Council hereby finds and determines that it is in the best interests of the Issuer and the residents of Issuer to issue not more than Fifteen Million Dollars (\$15,000,000) aggregate principal amount of the Issuer's Water Revenue Bonds, Series 2023, to bear interest at a rate of not to exceed 6.00% per annum, to mature in not more than thirty (30) years from their date or dates, and to be sold at a price not less than ninety-seven percent (97%) of the total principal amount thereof, all pursuant to this Resolution, a resolution to be adopted by the City Council authorizing and confirming the issuance and sale of the Bonds (herein referred to as the "Final Bond Resolution"), an Indenture to be entered into at the time of issuance of the Bonds in substantially the form, and the Issuer hereby declares its intention to issue the Bonds according to the provisions of this Resolution, the Indenture and the Final Bond Resolution, when adopted.

Section 2. The Issuer hereby authorizes and approves the issuance and sale of the Series 2023 Bonds pursuant to the provisions of this Resolution, the Indenture and the Final Bond Resolution to be adopted by the City Council authorizing and confirming the issuance and sale of the Bonds and the final form of the Indenture.

Section 3. The Issuer shall hold a public hearing on July 18, 2023, to receive input from the public with respect to (a) the issuance of the Series 2023 Bonds and (b) the potential economic impact that the improvements to be financed with the proceeds of the Series 2023 Bonds will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is posted as a Class A notice under Section 63G-28-102 (i) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (ii) on the City's official website and (iii) in a public location within the City that is reasonably likely to be seen by residents of the City. The City Recorder shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in Issuer's offices, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the initial posting thereof. The Issuer directs its officers and staff to post a "Notice of Public Hearing" and Bonds to be Issued" in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), that on June 20, 2023, the City Council (the "Council") of Midvale City, Utah (the "Issuer"), adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Water, Sewer and Storm Water Revenue Bonds, Series 2023 (the "Series 2023 Bonds") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer), and called a public hearing to receive input from the public with respect to (a) the issuance of that portion of the Series 2023 Bonds issued under the Act and (b) any potential economic impact that the Project described herein to be financed with the proceeds of the Series 2023 Bonds issued under the Act may have on the private sector.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on July 18, 2023, at the hour of 7:00 p.m. at Midvale City Hall, 7505 Holden Street, Midvale City, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of that portion of the Series 2023 Bonds issued under the Act and (b) any potential economic impact that the Project to be financed with the proceeds of that portion of the Series 2023 Bonds issued under the Act may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE SERIES 2023 BONDS

The Series 2023 Bonds will be issued for the purpose of (a) financing water, sewer and storm water infrastructure improvements and all related improvements (collectively, the “Project”), (b) funding a debt service reserve fund, if necessary and (c) paying costs of issuance of the Series 2023 Bonds.

PARAMETERS OF THE SERIES 2023 BONDS

The Issuer intends to issue the Series 2023 Bonds in the aggregate principal amount of not more than Fifteen Million Dollars (\$15,000,000), to mature in not more than thirty (30) years from their date or dates, to be sold at a price not less than ninety-seven percent (97%) of the total principal amount thereof and bearing interest at a rate or rates not to exceed six percent (6.00%) per annum. The Series 2023 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a General Indenture of Trust and a Supplemental Indenture of Trust (collectively, the “Indenture”) which were before the City Council in substantially final form at the time of the adoption of the Resolution and said Indenture is to be executed by the Issuer in such form and with such changes thereto as shall be approved by the Issuer; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2023 Bonds will not exceed the maximums set forth above. The Issuer reserves the right to not issue the Series 2023 Bonds for any reason and at any time up to the issuance of the Series 2023 Bonds.

REVENUES PROPOSED TO BE PLEDGED

The Series 2023 Bonds are special limited obligations of the Issuer payable from the net revenues of the water, sewer and storm water systems.

OUTSTANDING BONDS SECURED BY REVENUES

The Issuer currently has \$17,716,000 of bonds outstanding secured by the net revenues of the System.

OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer’s outstanding bonds may be found in the Issuer’s financial report (the “Financial Report”) at: <https://reporting.auditor.utah.gov/searchreport>. For additional information, including any

information more recent than as of the date of the Financial Report, please contact Mariah Hill, Administrative Services Director at 801-567-7206.

TOTAL ESTIMATED COST OF BONDS

Based on the Issuer's current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Series 2023 Bonds to be issued under the Act to finance the Project, if held until maturity, is \$16,383,575.

A copy of the Resolution and the Indenture are on file at 7505 Holden Street, Midvale City Utah, where they may be examined during regular business hours from 8:00 a.m. to 6:00 p.m. Monday through Thursday, for a period of at least thirty (30) days from and after the date of posting of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Indenture (but only as it relates to the Series 2023 Bonds) or the Series 2023 Bonds, or any provision made for the security and payment of the Series 2023 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

DATED this June 20, 2023.

/s/ Rori Andreason

City Recorder

Section 4. The Issuer hereby expresses its intent that funds of the Issuer may be advanced for Project costs and that it intends to reimburse such costs from proceeds of the Series 2023 Bonds.

Section 5. The Issuer hereby reserves the right to opt not to issue the Series 2023 Bonds for any reason.

Section 6. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this June 20, 2023.

(SEAL)



By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Recorder

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)



By: 
Mayor

ATTEST:

By: 
City Recorder

STATE OF UTAH)
)
 : ss.
COUNTY OF SALT LAKE)

I, Rori Andreason, the undersigned, duly qualified, and acting City Recorder of the City Council (the “City Council”) of Midvale City, Utah (the “Issuer”), do hereby certify:

The foregoing pages are a true, perfect and complete copy of the record of proceedings of the City Council, had and taken at a lawful special meeting of said City Council held at the regular meeting place in Midvale, Utah, on June 20, 2023, commencing at the hour of 7:00 p.m., as recorded in the regular official book of the proceedings of the Issuer kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present as said meeting as therein shown.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on June 20, 2023, and that pursuant to the Resolution, a Notice of Public Hearing and Bonds to be Issued was posted no less than fourteen (14) days before the public hearing date as a Class A notice under Section 63G-28-102: (a) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (b) on the County's official website and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Issuer
this June 20, 2023.

(SEAL)



By: Rori L Anderson
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Rori Andreason, the undersigned City Recorder of Midvale City, Utah (the "Issuer"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the June 20, 2023, public meeting held by the Issuer as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the Issuer at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such notice, in the form attached hereto as Schedule 1 to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2023 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (a) posted on December 15, 2022, at the office of the Issuer, (b) provided to at least one newspaper of general circulation within the Issuer on January 1, 2023, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this June 20, 2023.

(SEAL)



By: Rori L. Andreason
City Recorder

SCHEDULE 1

NOTICE OF MEETING



7505 South Holden Street
Midvale, UT 84047
(801) 567-7200
www.midvalecity.org

**MIDVALE CITY COUNCIL REGULAR MEETING
AGENDA
JUNE 20, 2023**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **20th day of June 2023** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. **Public comments may be submitted electronically to the City Council at www.Midvalecity.org/government/contact-us by 5:00pm on June 19th and will be included in the record.**

The meeting will be broadcast on the following: **You Tube: www.MidvaleCity.org/YouTube**

6:00 PM – WORKSHOP

- Center & Ft. Union Station Area Plan Update *[Adam Olsen, Community Development Director]*
- Jordan Bluffs Development Update – *[Cody Hill, RDA Manager]*

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Department Report
- D. Independence Day Proclamation

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for a public hearing on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

III. MAYOR REPORT

- A. Mayor Marcus Stevenson

IV. COUNCIL REPORTS

- A. Councilmember Quinn Sperry
- B. Councilmember Bryant Brown
- C. Councilmember Heidi Robinson
- D. Councilmember Paul Glover

E. Councilmember Dustin Gettel

V. CITY MANAGER REPORT

VI. PUBLIC HEARINGS

- A. Consider a Final Subdivision Request for a Property located at 7433 S 410 E in the Single Family Residential 1/Duplex Overlay (SF-1/DO) zone to be split into two lots ***[Elizabeth Arnold, Senior Planner]***

ACTION: Consider Approval of a Final Subdivision Request for a Property located at 7433 S 410 E in the Single Family Residential 1/Duplex Overlay (SF-1/DO) zone to be split into two lots

- B. Consider Amending Title 17-7-1.10(B)(2)(h)(i) and 17-7-1.10 (B)(2)(h)(i) of the Midvale City Municipal Code to change the allowable number of hens in the lot size categories ***[Elizabeth Arnold, Senior Planner]***

ACTION: Consider Ordinance No. 2023-O-09 Amending Title 17-7-1.10(B)(2)(h)(i) and 17-7-1.10 (B)(2)(h)(i) of the Midvale City Municipal Code to change the allowable number of hens in the lot size categories

- C. Receive Public Comments on the Midvale City Fiscal Year 2024 Budget beginning July 1, 2023 and ending June 30, 2024 including the FY2024 Midvale City Municipal Fee Schedule, including utility rates; and salaries for employees, statutory and elective officers, and other positions within Midvale City ***[Mariah Hill, Administrative Services Director]***

ACTION: Consider Resolution No. 2023-R-24 Adopting the Midvale City Fiscal Year 2024 Fee Schedule

ACTION: Consider Resolution No. 2023-R-25 Adopting a Proposed Property Tax Rate on all Real Property in Midvale City for Calendar Year 2023

VII. CONSENT

- A. Consider Minutes of June 6, 2023 ***[Rori Andreason, H.R. Director/City Recorder]***

VIII. ACTION ITEMS

- A. Consider ***Resolution No. 2023-R-26*** Adopting Amendments to the FY2023 General Fund and other Funds as Necessary ***[Christian Larsen, Senior Accountant]***
- B. Consider ***Resolution No. 2023-R-27*** Appointing Temporary Justice Court Judges in the Midvale City Justice Court ***[Mariah Hill, Administrative Services Director]***
- C. Consider ***Resolution No. 2023-R-28*** Authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Salt Lake County relating to the Community Development Block Grant Program, Home Investment Partnership Program, and Emergency Solutions Grant Program ***[Nate Rockwood, Assistant City Manager]***
- D. Consider ***Resolution No. 2023-R-29*** Adopting Updates to Midvale City Financial Policies ***[Mariah Hill, Administrative Services Director]***

- E. Consider **Ordinance No. 2023-O-10** Adopting Proposed Amendments to the Midvale Municipal Code 10.15.160 Overnight Parking of Certain Vehicles Prohibited **[Garrett Wilcox, City Attorney]**
- F. Consideration for Adoption of **Resolution No. 2023-R-30** of Midvale City, Utah; Authorizing the Issuance and Sale of not more than \$15,000,000 Aggregate Principal Amount of Water, Sewer, and Storm Water Revenue Bonds; and Set the Public Hearing for the Water, Sewer, and Storm Water Bonds for July 18, 2023 at 7:00 p.m. **[Mariah Hill, Administrative Services Director]**

IX. POSSIBLE CLOSED SESSION

The City Council may, by motion, enter into a Closed Session for:

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual;
- B. Strategy sessions to discuss pending or reasonably imminent litigation;
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property;
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Investigative proceedings regarding allegations of criminal misconduct.

X. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working days advance notice of the meeting. TTY 711

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice Website at <http://pmn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

DATE POSTED: JUNE 15, 2023

**RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER**

SCHEDULE 2

ANNUAL MEETING NOTICE



Midvale City 2023 Meeting Schedule

NOTICE OF ANNUAL MEETING SCHEDULE OF MIDVALE CITY, UTAH, PUBLIC NOTICE
is hereby given that the meeting schedule for the Midvale City Council for the year 2023 shall be as follows:

City Council

The City is required to hold a minimum of one regular City Council meeting each month; however, the City Council has decided to hold two regular meetings. Generally, the two regular meetings are scheduled to be conducted on the first and third Tuesday or as posted. All meetings are scheduled to begin at 6:00 p.m. or at any time designated by the Council. All meetings will be held at City Hall in the Council Chambers, 7505 South Holden Street, Midvale City, Utah, unless otherwise posted. **Please Note: This schedule is subject to change.**

Midvale City may call an emergency meeting to consider matters of an emergency or urgent nature. In accordance with Section 52-4-202 (5) UCA, notice requirements may be disregarded and the best notice practicable given. In accordance with Section 10-3-502 UCA, the Council may call a special meeting providing at least a three-hour notice.

The scheduled meeting dates are as follows:

Business Meetings

January 3, 2023	January 17, 2023
February 7, 2023	February 21, 2023
March 7, 2023	March 21, 2023
April 4, 2023	April 18, 2023
May 2, 2023	May 16, 2023
June 6, 2023	June 20, 2023
July 11, 2023	July 25, 2023
August 8, 2023	August 22, 2023
Sept. 5, 2023	Sept. 19, 2023
October 3, 2023	October 17, 2023
November 14, 2023	November 21, 2023
December 5, 2023	December 12, 2023

Redevelopment Agency

The City Council, acting in its capacity as the Board of Trustees of the Midvale Redevelopment Agency will usually meet on Tuesdays, in conjunction with City Council meetings, as needed and for which public notice shall be given. All meetings will be held at City Hall in the Council Chambers, 7505 South Holden Street, Midvale City, Utah, unless otherwise posted.

Municipal Building Authority

The City Council, acting in its capacity as the Board of Trustees of the Municipal Building Authority of Midvale City, will usually meet on Tuesdays, in conjunction with City Council meetings, as needed and for which public notice shall be given. All meetings will be held at City Hall in the Council Chambers, 7505 South Holden Street, Midvale City, Utah, unless otherwise posted.

Planning Commission

Planning Commission meetings are normally scheduled for the second and fourth Wednesdays of each month at 7:00 p.m. The business meetings are held in the Council Chambers, Midvale City Hall, 7505 South Holden Street, Midvale, Utah, unless otherwise posted. At the discretion of the Planning

Commission, meetings may be canceled or starting times changed as deemed necessary. Meetings, in addition to those specified herein, may be held as circumstances require. Appropriate notice will be given for such changes or additions. All meetings of the Planning Commission are open to the public.

The scheduled meeting dates for the Planning Commission are as follows:

Business Meetings

January 11, 2023	January 25, 2023
February 8, 2023	February 22, 2023
March 8, 2023	March 22, 2023
April 12, 2023	April 26, 2023
May 10, 2023	May 24, 2023
June 14, 2023	June 28, 2023
July 12, 2023	July 26, 2023
August 9, 2023	August 23, 2023
September 13, 2023	September 27, 2023
October 11, 2023	October 25, 2023
November 8, 2023	
December 13, 2023	

Other Boards and Committees

Other Boards and Committees will meet on an as needed basis. The location of meetings will be announced.

Posted: December 15, 2022

Rori L. Andreason, MMC, City Recorder/HR Director

EXHIBIT B

FORM OF INDENTURE

(See Transcript Document No. __)