

PUBLIC HEARING AND CITY COUNCIL MEETING
Tuesday, June 17, 2008 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

This meeting may be held electronically via telephone to permit one or more of the council members to participate.

NOTICE is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a Public Hearing in connection with their Regular City Council Meeting on Tuesday, June 17, 2008, beginning at 7:00 p.m.

COUNCIL MEETING

1. Call to Order, Invocation and Pledge
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (Comments limited to 3 minutes per person with a total of 30 minutes for this item).

PUBLIC HEARINGS

3. Amendments to the Fiscal Year 2008 Budget (July 1, 2007 to June 30, 2008)

CONSENT AGENDA

4. Minutes from the June 3, 2008, Public Hearing and Regular City Council Meeting

SCHEDULED ITEMS

5. Introduce the Youth City Council
6. Review/Action on Golf Course Reconfiguration
7. Review/Action on Resolution Adopting the 2008-2009 Real and Personal Property Tax Levy
8. Review/Action on Resolution Adopting the Fiscal Year 2009 Budget (July 1, 2008 to June 30, 2009)
9. Review/Action on Amendments to the Fiscal Year 2008 Budget (July 1, 2007 to June 30, 2008)
10. Review/Action on a Park and Recreation (PAR) Tax
11. City Manager Report and Discussion

MAYOR AND COUNCIL REPORTS

12. Board and Committee Reports

EXECUTIVE SESSION

13. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-5
* * * EXECUTIVE SESSION * * *
14. Motion to Adjourn Executive Session and Reconvene City Council Meeting

ADJOURNMENT

15. Adjourn

Posted this 12th day of June, 2008.

Kim E. Holindrake, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.



CITY OF CEDAR HILLS

TO:	Mayor and Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/11/2008

SUBJECT:	Introduction of Youth City Council
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	Ashley Vogelsberg
BACKGROUND AND FINDINGS: For the term of 2008-2009, the Youth City Council officers and members are as follows: MAYOR Ashley Clingo MAYOR Brianne Burraston RECORDER Dallin Dressman HISTORIAN Holly Nufer PUBLICITY Marisa Hope COUNCIL Breton Hallsted COUNCIL Cambri McDonald COUNCIL Eliza Marie Wilson COUNCIL Hayli Perry COUNCIL Jake Lewis COUNCIL Jessica Jensen COUNCIL Kandice Blair COUNCIL Kylee Gordon COUNCIL Lauren Burraston COUNCIL Matthew Lloyd COUNCIL Morgan Olsen COUNCIL Talmage Cromar COUNCIL Whitney Taylor	
PREVIOUS LEGISLATIVE ACTION:	
FISCAL IMPACT:	
SUPPORTING DOCUMENTS:	
RECOMMENDATION:	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/17/2008

City Council Agenda Item

SUBJECT:	Golf Reconfiguration
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Mr. David Bunker
BACKGROUND AND FINDINGS: The City of Cedar Hills is currently in the process of golf course reconfiguration. Following are important highlights of where we are to date: <ol style="list-style-type: none">1. St. Andrews - update on Realtors/Developers – we have received two (2) proposals – NAI and Century 21 Harman. Staff would propose that Century 21 Harman get the job. Main reason is that most components are status quo and the cost is 4% less.2. Progress of reconfiguration – report on hole 15 – piping of #15 and #9	
PREVIOUS LEGISLATIVE ACTION: NONE	
FISCAL IMPACT: The purpose of all of this reconfiguration is to pay down the golf course construction bond.	
SUPPORTING DOCUMENTS: None	
RECOMMENDATION: None	
MOTION: None	



CITY OF CEDAR HILLS

TO:	Mayor McGee & City Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/11/08

City Council Memorandum

SUBJECT:	Certified Tax Rate 2008
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	
BACKGROUND AND FINDINGS:	<p>We are still Waiting for the Calculated tax rate from the County and will email an updated memo on this matter when we receive the tax rate.</p>
PREVIOUS LEGISLATIVE ACTION:	
FISCAL IMPACT:	
SUPPORTING DOCUMENTS:	
RECOMMENDATION:	<p>Click here to enter text.</p>
MOTION:	



CITY OF CEDAR HILLS

TO:	Mayor McGee & City Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/11/2008

City Council Memorandum

SUBJECT:	FY09 Budget
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	
BACKGROUND AND FINDINGS:	<p>Presentation of Proposed FY09 Budget -Some small changes have been made to the proposed budget</p>
PREVIOUS LEGISLATIVE ACTION:	
FISCAL IMPACT:	
SUPPORTING DOCUMENTS:	
RECOMMENDATION:	<p>To adopt the resolution</p>
MOTION:	<p>Motion to adopt Resolution No _____, A Resolution Adopting the 2008-2009 Fiscal Year Budget for the City of Cedar Hills, Utah.</p>



CITY OF CEDAR HILLS

TO:	Mayor McGee and City Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/11/08

SUBJECT:	Budget Amendments
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	
BACKGROUND AND FINDINGS: Several factors have combined to require making some amendments to the FY08 budget. We have discussed with the Council previously that many of these amendments would be necessary.	
PREVIOUS LEGISLATIVE ACTION:	
FISCAL IMPACT: Solid Waste Services Revenue: General Fund Balance - \$48,500 Expense: Solid Waste Services - \$41,500 Expense: Recycling - \$7,000 Building & Zoning Revenue: General Fund Balance – \$10,000 Expense: Benefits - \$10,000 Motor Pool Fund Revenue: TX from General Fund \$6,875 Revenue: TX from W&S Fund \$5,375 Expense: Admin Gas & Oil - \$1,000 BZ Gas & Oil - \$500 PW Gas & Oil - \$8,000 PW Maintenance - \$2,000 PW – Insurance - \$750 Total - \$12,250 Golf Course Reconfiguration Revenue: Cottonwood Estates Expense: Golf Course Reconfiguration – \$150,000	
SUPPORTING DOCUMENTS:	
RECOMMENDATION: Approve/reject the resolution	
MOTION: Adopt Resolution No. _____ A RESOLUTION ADOPTING THE AMENDED 2007-2008 FISCAL YEAR BUDGET FOR THE CITY OF CEDAR HILLS, UTAH.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Konrad Hildebrandt, City Manager
DATE:	6/17/2008

City Council Agenda Item

SUBJECT:	Parks and Recreation Tax
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Ms. Kim Holindrake
BACKGROUND AND FINDINGS: The City of Cedar Hills is currently in the process of placing the PAR Tax on a November election vote timetable. The adoption of this resolution is the first step in completing this process. Some of the benefits of having a .1% added retail tax is that many of our potential new retail customers will come from neighboring cities. Even though the resolution states zoo's , etc. the PAR tax should be designated solely for Parks and Recreation.	
PREVIOUS LEGISLATIVE ACTION: NONE	
FISCAL IMPACT: To be determined. .1 % of sales tax revenue	
SUPPORTING DOCUMENTS: PAR Tax Timetable and Resolution	
RECOMMENDATION: Motion to approve the PAR Tax Resolution	
MOTION: To approve Resolution # 6-17-2008 (?)	

**CITY OF CEDAR HILLS, UTAH
CITY COUNCIL**

**RESOLUTION PROPOSING 0.1% SALES AND USE TAX
June 17, 2008**

A RESOLUTION INDICATING INTENT TO IMPOSE A 0.1% SALES AND USE TAX WITHIN THE CITY TO FUND PARKS, ARTS AND RECREATIONAL FACILITIES IN THE CITY; PROVIDING FOR THE PUBLICATION OF NOTICES AND CALLING A PUBLIC HEARING AND REGULAR GENERAL ELECTION REGARDING THAT PROPOSED TAX; AND RELATED MATTERS.

WHEREAS, Title 59, Chapter 12, Part 14 of the Utah Code (the “Act”) authorizes cities in Utah to submit to the registered voters of the city the question of whether the city should impose a 0.1% Sales and Use Tax within the City for the limited purpose of funding recreational facilities, including any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, cultural facility, or other facility used for recreational purposes, in the City (the “PAR Tax”); and

WHEREAS, the City Council of the City of Cedar Hills (the “City”) has determined that a PAR Tax would be beneficial to the City and its residents through the promotion of recreational facilities in the City, and therefore desires to submit an opinion question to the registered voters within the City; and

WHEREAS, before the City Council may submit the opinion question to the registered voters in the City, the Act requires the City Council to provide written notice to the Utah County Board of County Commissioners (the “County”) regarding the City Council’s intent to impose the PAR Tax; and

WHEREAS, within 60 days of receipt of the City’s notice, the Act requires the County to deliver certain information to the City; and

WHEREAS, the Act requires that before the City Council may submit the opinion question to the registered voters in the City, the City must hold a public hearing to receive public input on the proposed imposition of the PAR Tax; and

WHEREAS, upon receipt of the required information from the County and after holding the public hearing, the City Council may then submit the question of the imposition of the PAR Tax to the registered voters within the City; and

WHEREAS, if a majority of the registered voters voting on the imposition of the PAR Tax vote in favor of the imposition of the PAR Tax then the City Council may by majority vote impose the PAR Tax within the City:

THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Hills, Utah:

Section 1. Under the authority granted by Title 59, Chapter 12, Part 14 of the Utah Code, the City Council intends to enact a 0.1% Sales and Use Tax within the City for the limited purpose of funding recreational facilities, including any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, cultural facility, or other facility used for recreational purposes, in the City (the "PAR Tax"). The City Council determines that the proposed PAR Tax would be beneficial to the City and its residents.

Section 2. The City Council directs the City Recorder to cause to be submitted to the Utah County Board of County Commissioners a Notice of Intent to Impose PAR Tax, in substantially the form attached as Exhibit A.

Section 3. The City Council will hold a public hearing on September 16, 2008, to receive public input on the proposed imposition of the PAR Tax.

Section 4. The City Council directs the City Recorder to cause to be published a Notice of Public Hearing, in substantially the form attached as Exhibit B, once each week for two consecutive weeks in a newspaper of general circulation within the City, with the first publication being not less than 14 days before the date of the public hearing. Additionally, the City Council directs the City Recorder to cause to be published the Notice of Public Hearing, in substantially the form attached as Exhibit A, on the Utah Public Notice Website (assuming availability) no less than 14 days before the date of the Public Hearing.

Section 5. On November 4, 2008, there will be held in the City a regular general election (the "Election") from 7:00 a.m. to 8:00 p.m., at which Election there will be submitted to the qualified voters of the City the proposition appearing in the ballot proposition portion of the Election Notice set out in Exhibit C attached to this Resolution.

Section 6. At the Election, the voting precincts, voting places and the election officials to work at those voting places will all be designated by the Election Officer. The voting precincts and voting places will be designated by the Election Officer before the first publication of the Election Notice.

Section 7. Under Section 59-12-1402 of the Utah Code, the Election will be conducted following the procedures outlined in the Utah Local Government Bonding Act, Title 11, Chapter 14 of the Utah Code.

Section 8. Under Section 11-14-202 of the Utah Code, the New Utah, a newspaper of general circulation in the City, is designated as the "official newspaper" for the publication of all notices required under the Utah Code. The Election Notice, in substantially the form attached as Exhibit C, shall be published in the New Utah three

times, once each week for three consecutive weeks, the first publication to be at least 21 but not more than 35 days before the Election.

Section 9. The Election Officer shall prepare and furnish to the Election Officials (herein defined) the necessary ballot boxes, paraphernalia, equipment, supplies and ballots to be used in voting upon the proposition submitted at the Election. The ballots to be used at the Election shall comply in all respects with the requirements of Title 20A, Chapter 6 of the Utah Code, and the proposition and election instructions with respect to the Election shall be in substantially the form contained in the Election Notice set forth in the attached Exhibit C.

Section 10. Pursuant to Section 11-14-201 of the Utah Code, the City Council directs the City Recorder to submit to the Election Officer and the Lieutenant Governor a certified copy of this Resolution.

Section 11. Only registered, qualified electors of the City eighteen years of age and older will be permitted to vote at the Election.

Section 12. Any person applying for a ballot at any polling place designated for the conduct of the Election at which he or she is entitled to vote, whose qualifications to vote are challenged for cause by any one or more of the Election Officials, or by any other person at the time the ballot is applied for, shall receive a provisional ballot and be permitted to vote if such person (1) is shown on the registration lists as a registered voter in the City, or (2) provides valid voter identification establishing the person's identity and residence in the voting precinct. The Election Official shall provide a provisional ballot and proceed as directed by Section 20A-3-105.5 of the Utah Code.

Section 13. The election officials (the "Election Officials") shall be appointed by the Election Officer. Bryon Thompson, Utah County Clerk/Auditor, is designated the Election Officer pursuant to Section 20A-5-400.5 of the Utah Code.

Section 14. Any qualified elector of the City may apply for and vote by absentee ballot. Absentee ballots must be received at the office of the Election Officer before the closing of the polls on November 4, 2008, or clearly postmarked before Election Day and received in the office of the Election Officer before 12:00 o'clock noon on November 18, 2008, the day of the official canvass, in order to be counted. If the Election Officer is unable to determine the voting precinct to which a valid absentee ballot should be sent, or if valid absentee ballots are received too late for delivery on the day of the Election to the Election Officer, the Election Officer shall retain them in a safe place and shall deliver the absentee ballots to the place of the official canvass of the Election at noon on the day of the official canvass. The Election Officer is directed to prepare the necessary absentee ballots, applications and envelopes as required by law for voting by absent and disabled electors.

Section 15. Any eligible registered voter may vote during the Early Voting Period. The Early Voting Period will begin on October 21, 2008, which is the date that is 14 days before the Election, and will end on October 31, 2008, which is the Friday before

the date of the Election. Early voting will be administered as provided by Title 20A, Chapter 3, Part 6 of the Utah Code. The polling places for the Early Voting Period will be designated by the Election Officer, notice of which will be given by the Election Officer by publication one time in a newspaper of general circulation within the City, and by posting at each polling place, at least five days before the first day of the Early Voting Period.

Section 16. Immediately after the polls are closed, and the last qualified voter has voted, the election judges shall place (i) all voted ballots in a ballot container for delivery to the counting center located at the office of the Election Officer, (ii) all unused ballots in a container and sealed for return to the Election Officer, and (iii) the voting devices in their containers and sealed for return to the Election Officer. The election judges shall also prepare in duplicate a report of the number of voters who have voted at the respective polling places, the original copy of which report shall be placed in the ballot container and a duplicate copy of which shall be returned to the City Council prior to the date set to canvass the returns of the Election.

In accordance with Section 11-14-207 of the Utah Code, the Election Officer is directed to make returns to the City Council of the votes cast at the Election in order to enable the City Council to meet and canvass the returns of the Election and to declare the results thereof. The ballots will be counted under the supervision of an election official in compliance with the requirements of Title 20A, Chapter 4, Section 104 of the Utah Code. Upon completion of the counting, the Election Officer shall certify the official returns and make them open to the public. The City Council shall meet as a Board of Canvassers on November 18, 2008, at the hour of 7:00 p.m., at its regular meeting place in Cedar Hills, Utah, which date is not sooner than 7 days and not later than 14 days after the Election. If all of the election returns have not been received by November 18, 2008, the Board of Canvassers shall postpone the canvass from day to day, Sunday and legal holidays excepted, until all of the election returns are received or the Board of Canvassers has postponed the canvass seven times. If the majority of the votes cast at the Election are in favor of the proposition submitted, then the City Recorder shall cause an entry of that fact to be made upon its minutes. Thereupon this City Council shall be authorized to impose the PAR Tax by a majority vote of the City Council.

Section 17. The Utah County Clerk shall, in accordance with the Act, register at the County Clerk office during regular office hours, except Saturdays, Sundays and holidays and except during the 30-day period immediately preceding the Election, any person who on the day of the Election will be a legally qualified elector. However, the Utah County Clerk will register voters who present themselves to the County Clerk office between the 15-30 day period immediately preceding the Election, provided that voters registered during that time period must vote on the Election day as they will not be eligible for early voting. In no event will any person who registers to vote with the County Clerk during the 14 day period immediately preceding the Election be qualified to vote at the Election. The Utah County Clerk shall also make available at each polling place herein established for the conduct of said election, registration lists, or copies thereof, listing all registered electors entitled to use such voting place.

Section 17. All acts and resolutions in conflict with any part of this Resolution are repealed and superseded by this Resolution.

Section 18. This Resolution takes immediate effect upon its adoption and approval.

**APPROVED AND ADOPTED by the City Council of the City of Cedar Hills, Utah,
this June 17, 2008.**

Mayor

ATTEST:

City Recorder

(SEAL)

RECORD OF PROCEEDINGS

I, Kim Holindrake, certify that I am the duly qualified and acting City Recorder of the City of Cedar Hills, Utah. I further certify that this Resolution constitutes a true and correct copy of the minutes of a public meeting of the City Council held on June 17, 2008, at its regular meeting place at 3925 W. Cedar hills Drive in Cedar Hills, Utah, at 7:00 p.m. or as soon thereafter as feasible, with the following members present:

Michael McGee	Mayor
Jim Perry	Councilmember
Eric Richardson	Councilmember
Charelle Bowman	Councilmember
Kenneth Kirk	Councilmember
Marisa Wright	Councilmember

Also present:

Kim Holindrake	City Recorder
Konrad Hildebrandt	City Manager

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, 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 meeting, a copy of which is attached.

Councilmember _____ then introduced and moved the adoption of this Resolution, which motion was seconded by Councilmember _____ and the motion was passed as follows:

YES:

NO:

ABSTAIN:

IN WITNESS WHEREOF, I have subscribed my official signature and affixed the seal of the City.

City Recorder

(S E A L)

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kim Holindrake, the City Recorder of the City, 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 52-4-6(2), 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 17, 2008 public meeting, held by the City as follows:

By causing a Meeting Notice, in the form attached, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the City at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2008 Annual Meeting Schedule for the City, attached, specifying the date, time and place of the regular meetings of the governing body of the City to be held during the calendar year 2008 was posted on _____, 200__, at the principal offices of the City and provided to at least one newspaper of general circulation within the geographic jurisdiction of the City on _____, 200__.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this June 17, 2008.

City Recorder

[Attach "Meeting Notice"]
[Attach "Notice of 2008 Annual Meeting Schedule"]
[Attach Affidavit of Publication of Notice of Public Hearing]
[Attach Proof of Publication of Election Notice]

PROOF OF PUBLICATION OF ELECTION NOTICE

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the Election Notice which was contained in the Resolution adopted by the City Council on June 17, 2008, was published once a week for three (3) consecutive weeks in a newspaper of general circulation in the City.

Exhibit A

NOTICE OF INTENT TO IMPOSE PAR TAX

On June 17, 2008, the City Council of the City of Cedar Hills, Utah, adopted a Resolution in which the City Council expressed its intent to impose a 0.1% Sales and Use Tax within the City in order to fund recreational facilities, including any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, cultural facility, or other facility used for recreational purposes, in the City (the "PAR Tax"), all pursuant to authority granted under Title 59, Chapter 12, Part 14 of the Utah Code (the "Act").

The City Council called a public hearing to be held on September 16, 2008, at 7:00 p.m., or as soon thereafter as feasible, at the City offices located at 3925 W. Cedar Hills Drive in Cedar Hills, Utah. At the public hearing, the City Council will listen to all public comments regarding the proposed PAR Tax.

The City Council also called a special election to be held on November 4, 2008, at which election will be submitted to the registered voters within the City an opinion question of whether the City Council should be authorized to impose the PAR Tax. If a majority of the registered voters voting on the imposition of the PAR Tax vote in favor of the imposition of the PAR Tax then the City Council may by majority vote impose the PAR Tax within the City.

The Act requires that the County, within 60 days of receipt of this Notice, provide to the City one of the following: (1) a written resolution passed by the City Council of County Commissioners stating that either (a) Utah County is not seeking to impose a tax under Title 59, Chapter 12, Part 7, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, or (b) the results of a Utah County opinion question submitted to the residents of Utah County under Title 59, Chapter 12, Part 7, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, permit the City Council to submit the opinion question to the residents of the City; or (2) written notice that the Utah County Board of County Commissioners will submit an opinion question to the residents of Utah County under Title 59, Chapter 12, Part 7, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, for Utah County to impose a tax under that part.

If enacted, the effective date of the PAR Tax will be January 1, 2009.

DATED: June 17, 2008.

ATTEST:

City Recorder

Mayor

(SEAL)

Exhibit B

NOTICE OF PUBLIC HEARING

On June 17, 2008, the City Council of the City of Cedar Hills, Utah, adopted a Resolution in which the City Council expressed its intent to impose a 0.1% Sales and Use Tax within the City in order to fund recreational facilities, including any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, cultural facility, or other facility used for recreational purposes, in the City (the "PAR Tax"), all pursuant to authority granted under Title 59, Chapter 12, Part 14 of the Utah Code (the "Act").

The City Council called a public hearing to be held on September 16, 2008, at 7:00 p.m., or as soon thereafter as feasible, at the City offices located at 3925 W. Cedar Hills Drive in Cedar Hills, Utah. At the public hearing, the City Council will listen to all public comments regarding the proposed PAR Tax. All interested persons are invited to attend and provide comments.

The City Council also called a special election to be held on November 4, 2008, at which election will be submitted to the registered voters within the City an opinion question of whether the City Council should be authorized to impose the PAR Tax. If a majority of the registered voters voting on the imposition of the PAR Tax vote in favor of the imposition of the PAR Tax then the City Council may by majority vote impose the PAR Tax within the City.

/s/ Kim Holindrake
City Recorder

Exhibit C

ELECTION NOTICE

To all qualified electors of the City of Cedar Hills, Utah:

Take notice that on November 4, 2008, a special election (the "Election") will be held in the City of Cedar Hills, Utah (the "City"), at the places set out below for the purpose of submitting to the qualified electors of the City the proposition contained in the following ballot proposition:

OFFICIAL BALLOT PROPOSITION FOR THE
CITY OF CEDAR HILLS, UTAH
SPECIAL ELECTION
November 4, 2008

/s/ Kim Holindrake
City Recorder

PROPOSITION

Shall the City Council of the City of Cedar Hills, Utah be authorized, by majority vote of the City Council, to impose a 0.1% Sales and Use Tax within the City for the purpose of funding parks, arts, and recreational facilities in the City?

For the Imposition of the 0.1% Sales and Use Tax

Against the Imposition of the 0.1% Sales and Use Tax

The voting at the Election shall be by ballot in the form set forth above, which ballots will be furnished by the Election Officer to the election officials who, in turn, will furnish them to the qualified voters. In addition, voters may vote by absentee ballot at this Election under circumstances and procedures which comply with the requirements of the Election.

The Election will be held at the following polling place:

Voting

<u>Precincts</u>	<u>Polling Place</u>
Precincts 1 and 2	Cedar Ridge Elementary 4501 W. Cedar Hills Drive
Precincts 3 and 4	Deer Field Elementary 4353 W. Harvey Boulevard.

The polls will be open from 7:00 a.m. to 8:00 p.m.

There will be no special registration of voters for the Election, and the official register last made or revised shall constitute the register for such election except that the Utah County Clerk will register as provided by law at the County Clerk's office during regular office hours, except Saturdays, Sundays and holidays, and except during the 30-day period immediately preceding the Election, any person who is or will be eighteen years of age or older and who otherwise will be a qualified elector on the day of the Election. If a registration form is submitted in person at the office of the County Clerk during the period from 15-30 days before the date of the Election, the County Clerk shall accept registration forms from all persons who present themselves for registration at the clerk's office during designated office hours if those persons, on voting day, will be legally qualified and entitled to vote in a voting precinct in the county and the County Clerk will inform them that they will be registered to vote in the pending Election and for the pending Election, they must vote on the day of the Election and will not be eligible to vote using early voting under Chapter 3, Part 6, Early Voting, because they registered too late. Failure to register to vote at the County Clerk's office at any time before 14 days before the Election will result in the voter being ineligible to vote at the Election. The County Clerk will make available at the above-described polling place, a registration list or copy thereof listing all registered electors entitled to use such voting place.

Absentee ballots may be obtained by any person otherwise eligible to vote at the Election by making application in the manner and time provided by law, either by mail or fax or in person at the office of the Election Officer in the County Offices located at 100 East Center Street in Provo, Utah (fax (801)851-8146; telephone (801)851-8000). Any eligible registered voter may vote during the Early Voting Period. The Early Voting Period will begin on October 21, 2008, which is the date that is 14 days before the Election, and will end on October 31, 2008, which is

the Friday before the date of the Election. The polling places for the Early Voting Period will be designated by the Election Officer, notice of which will be given by the Election Officer to be published one time in a newspaper of general circulation within the Issuer, and to be posted at each polling place, at least five days before the first day of the Early Voting Period.

NOTICE is further given that on November 18, 2008, that being a day between seven days and fourteen days after the Election, the City Council will meet at its regular meeting place at 7:00 p.m. to canvass and declare the results of the Election. Attendance of a simple majority of the City Council shall constitute a quorum for conducting the canvass. If all of the election returns have not been received by November 18, 2008, the Board of Canvassers shall postpone the canvass from day to day, Sunday and legal holidays excepted, until all of the election returns are received or the Board of Canvassers has postponed the canvass seven times.

Pursuant to applicable provisions of State law, the period allowed for any contest of the Election shall end forty days after the date on which the results of the election are canvassed and declared. No such contest shall be maintained unless a complaint meeting the requirements of applicable law is filed in the District Court of Utah County within the prescribed forty-day period.

GIVEN by order of the City Council of the City of Cedar Hills, Utah this June 17, 2008.

/s/ Michael McGee

Mayor

ATTEST:

/s/ Kim Holindrake

City Recorder

PAR Tax Timetable – City of Cedar Hills

- 1. Adopt Resolution of Intent to Impose PAR Tax: June 17, 2008**
 - a. Direct delivery of notice to the County
 - b. Direct delivery of a certified copy of the Resolution to lieutenant governor and Election Officer
 - c. Call and direct publishing of notice of a public hearing regarding the PAR Tax
 - d. Call and direct publishing of notice of Election
 - e. Include substantially final form of ballot proposition

- 2. Deliver certified copy of the Resolution of Intent to Impose PAR Tax to the Lt. Governor and Election Officer (UCA 11-14-201).**
 - a. This must be done at least 75 days before the election

- 3. Deliver Notice of Intent to Impose PAR Tax to the Utah County Board of County Commissioners (UCA 59-12-1402(6)).**
 - a. The County has 60 days from the date of receipt of the notice to provide a response to the City.

- 4. Publish Notice of Public Hearing (UCA 11-14-318(1)(a))**
 - a. Two times (once each week for two consecutive weeks) in a newspaper of general circulation within the City, with the first publication being not less than 14 days before the public hearing
 - i. Publish on _____ and _____, 2008.
 - b. On the Utah Public Notice website not less than 14 days before the public hearing.

- 5. Hold Public Hearing: September 16, 2008 (UCA 11-14-318(1)(b))**
 - a. Must be held no sooner than 30 days, but no later than 5 *business* days, before the day on which the Notice of Election is first published.

- 6. Publish Notice of Election (UCA 11-14-202)**
 - a. Publish in newspaper on _____, _____, and _____, 2008.
 - i. The first publication must be at least 21 but not more than 35 days before November 4, 2008.

- 7. Notice of Early Voting (this is provided by the Election Officer, not the City).**
 - a. Publish the notice once in a newspaper of general circulation within the Issuer.
 - i. Publication must occur at least 5 calendar days before the date that the early voting period begins.

- b. Post the notice at each early voting polling place at least 5 calendar days before the date the early voting period begins.
- 8. Early Voting Period: Begins on October 21, 2008, and ends October 31, 2008.**
- a. Must begin on the date that is 14 days before the Election date.
 - b. Must end on the Friday before the Tuesday election.
 - c. See Title 20A, Chapter 3, Part 6 of the Utah Code for the requirements of early voting.
- 9. Receive response from Board of County Commissioners (UCA 59-12-1402(6))**
- a. Depending on the response, either move forward with the Election or call the Election off.
- 10. Election: November 4, 2008**
- a. Held first Tuesday after first Monday in November.
- 11. Canvass the Election Results: November 18, 2008.**
- a. Must occur within seven to fourteen days after the Election date.
 - b. If a majority of the voters approve the imposition of the PAR Tax, move forward.
- 12. Adopt Resolution Imposing PAR Tax: _____, 2008.**
- a. Majority vote of City Council required.