

Eagle Mountain, Utah

May 4, 2010

The City Council of Eagle Mountain City, Utah (the "Council"), met in regular public session at the regular meeting place of the Council in Eagle Mountain, Utah, on May 4, 2010, at the hour of 7:00 p.m., with the following members of the Council being present:

Heather Jackson	Mayor
Donna Burnham	Councilmember
Eric Cieslak	Councilmember
Ryan Ireland	Councilmember
John Painter	Councilmember
Nathan Ochsenhirt	Councilmember

Also present:

John Hendrickson	City Administrator
Fionnuala Kofoed	City Recorder
Gerald Kinghorn	City Attorney

Absent:

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 Council a Certificate of Compliance with Open Meeting Law with respect to this May 4, 2010, meeting, a copy of which is attached hereto as Exhibit A.

The City Administrator then reported that after further input from the public, the City Council has concluded that it would be in the best interests of the City and its residents to delay the holding of the special bond election originally scheduled to be held on June 22, 2010, until the general election to be held on November 2, 2010.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember Cieslak and seconded by Councilmember Painter, was adopted by the following vote:

AYE: 4

NAY: 1

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

RESOLUTION NO. R-13-2010

A RESOLUTION REPEALING RESOLUTION NO. 5-2010 ADOPTED ON MARCH 16, 2010, AND PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 2, 2010, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF EAGLE MOUNTAIN CITY, UTAH, A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$7,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF CONSTRUCTING AN OUTDOOR AQUATIC CENTER AND RELATED IMPROVEMENTS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; APPROVING THE FORM OF AND DIRECTING THE PUBLICATION OF A NOTICE OF ELECTION AND THE BALLOT PROPOSITION; AND RELATED MATTERS.

WHEREAS, the City Council (the "Council") of Eagle Mountain City, Utah (the "City"), adopted Resolution No. 5-2010 on March 16, 2010, providing for a special bond election on June 22, 2010; and

WHEREAS, the Council has now determined to delay the holding of the special bond election to the general election to be held November 2, 2010; and now desires to repeal Resolution No. 5-2010 and to adopt a new resolution providing for a special bond election to be held on November 2, 2010; and

WHEREAS, the Council desires to defray all or a portion of the costs of constructing an aquatic center and related improvements; and

WHEREAS, the City does not have on hand money to pay for such costs and the Council has determined to defray the cost thereof through the issuance of General Obligation Bonds (the "Bonds") in the total principal amount set forth in the election proposition; and

WHEREAS, the Council desires to submit a proposition concerning the issuance of the Bonds to the vote of the qualified electors of the City pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended and applicable provisions of the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended (collectively, the "Act");

NOW, THEREFORE, It Is Hereby Resolved by the City Council of Eagle Mountain City, Utah, as follows:

Section 1. Resolution No. 5-2010 adopted by the City Council March 16, 2010, is hereby repealed.

Section 2. Election Call. On November 2, 2010, there shall be held in the City a special bond election (the "Bond Election") between the hours of 7:00 a.m. and 8:00 p.m., at which there shall be submitted to the qualified electors of the City the proposition appearing in the ballot proposition portion of the Notice of Election as substantially set out in Section 5 hereof. The City will hold the Bond Election in conjunction with the general election. The terms defined or described in the recitals hereto shall have the same meaning when used in the body of this Resolution.

Section 3. Voting Places and Election Judges. For purposes of the Bond Election, the voting precincts, the voting places, the election judges, and alternate election judges will be the same as those designated for the general election to be held on November 2, 2010, and shall be specified in the Notice of Election when published.

Section 4. Authorization and Reimbursement of Expenses. The Bond Election shall be conducted and the registration therefor shall be governed in conformity with the laws of the State of Utah, including particularly the Act, and the officials of the City or the County, as applicable, shall and are hereby authorized and directed to perform and do all things necessary to the proper calling and conduct of the Bond Election and the canvass of the results thereof.

In the event the proposition is approved at the Bond Election, the City reasonably expects to reimburse from proceeds of Bonds, capital expenditures advanced by the City to construct and equip the improvements therein described in a principal amount of not more than \$7,000,000.

Section 5. Public Hearing. The City Council shall hold a public hearing on September 21, 2010, to receive input from the public with respect to (a) the issuance of the Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed with bond proceeds will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published and shall not be sooner than thirty (30) days or later than five (5) business days before the first publication of the Notice of Election as described in this Resolution, such notice to be published (i) once a week for two consecutive weeks in The Provo Daily Herald, a newspaper of general circulation within the City, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the website described in Section 45-1-101, Utah Code Annotated 1953, as amended. The "Notice of Public Hearing" shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on May 4, 2010, the City Council (the "Council") of Eagle Mountain City, Utah (the "City"), adopted a resolution (the "Resolution") in which it authorized the calling of an election (the "Election") concerning the issuance of the City's General Obligation Bonds (the "Bonds") and called a public hearing to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities or properties financed in whole or in part with the proceeds of the Bonds (see below) may have on the private sector.

TIME, PLACE, AND LOCATION OF PUBLIC HEARING

The Council shall hold a public hearing on September 21, 2010, at the hour of 7:00 p.m. at the Eagle Mountain City Hall, 1650 East Stagecoach Run, Eagle Mountain, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS, MAXIMUM AMOUNT AND SECURITY

The Bonds are to be issued in the aggregate principal amount of not to exceed \$7,000,000 for the purpose of financing all or a portion of the costs of constructing an outdoor aquatic center and related improvements, and paying costs of issuance of the Bonds. The Bonds shall be secured by ad valorem property taxes of the City to the extent authorized by law.

The Bonds may be issued in one or more series and be sold from time to time, all as the Board may determine.

DATED this May 4, 2010.

/s/ Fionnuala Kofoed
City Recorder

Section 6. Notice of Election. In accordance with Section 11-14-202 of the Act, a Notice of the Bond Election shall be published in The Provo Daily Herald three (3) times, once a week for three (3) consecutive weeks, the first publication to be not less than twenty-one (21) nor more than thirty-five (35) days before the Bond Election. All such notices shall be given in substantially the following form (with such amendments, changes, or alterations as may be required to conform such notices to the Act (including amendments thereto prior to such publication) and actual election information to be confirmed prior to the first publication of such notice):

ELECTION NOTICE

To all qualified electors of Eagle Mountain City, Utah:

Take notice that on November 2, 2010, a special bond election (the "Bond Election") will be held in Eagle Mountain City, Utah (the "City"), in conjunction with the November 2, 2010, general election, at the places set out below for the purpose of submitting to the qualified electors of the City the questions contained in the following ballot proposition:

OFFICIAL BALLOT FOR THE EAGLE MOUNTAIN CITY, UTAH
SPECIAL BOND ELECTION
November 2, 2010

/s/ Fionnuala Kofoed
City Recorder

PROPOSITION*

Shall the City Council of Eagle Mountain City, Utah, be authorized to issue general obligation bonds in an amount not to exceed Seven Million Dollars (\$7,000,000) (the "Bonds") for the purpose of paying all or a portion of the costs of constructing an outdoor aquatic center and related improvements, and for payment of expenses reasonably incurred with the construction of said facilities and the authorization and issuance of the Bonds; said Bonds to be due and payable in not to exceed thirty (30) years from the date of issuance of the Bonds?

* The City Council is requesting authorization to issue general obligation bonds to finance the costs of these facilities. A vote for or against this proposition will not prevent the City Council from issuing other types of bonds to finance these facilities.

Property Tax Cost of Bonds. If the bonds described in the election Proposition are issued as planned, an annual property tax to pay debt service on the bonds will be required over a period of twenty (20) years in the estimated amount of \$77.01 on a \$196,000 residence and in the estimated amount of \$140.02 on a business property having the same value as said residence.

The information in this notice with respect to increases in taxes is an estimate only based on current assumptions of the City as to the financing plan and estimates, including estimated market interest rates for the bonds and the taxable values of property within the City. The information is intended to provide an elector with some indication of the impact the issuance of the Bonds may have on taxes paid. However, there is no limit on the tax rates the City may be required to levy to pay debt service on the bonds.

FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

AGAINST THE ISSUANCE OF GENERAL OBLIGATION BONDS

Voting at the special Bond Election shall be by electronic ballot.

For purposes of this Bond Election, the polling places for the Bond Election shall be the same as the polling places for the general election held on said date and are as follows: [adjust, if necessary to conform to County precincts and polling places]

<u>Voting Precincts</u>	<u>Polling Place</u>
Precincts EM05 & EM06	Pony Express Elementary 3985 East Smith Ranch Road
Precincts EM01 & EM03	Hidden Hollow Elementary 2546 East Pony Express Parkway
Precincts EM02 & EM04	Eagle Mountain City Hall 1650 East Stagecoach Run

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 Bond Election; all persons registered to vote in the general election shall be considered registered to vote in the Bond Election and the official register last made or revised shall constitute the register for the Bond Election. The County Clerk will make available at the polling places a registration list or copy thereof listing all registered electors entitled to use such polling places.

Voting will be allowed to take place at the times, places, and manner as provided by the Utah Election Code, Title 20A, Utah Code Annotated 1953, as amended. For information about alternate times and forms of voting (including by absentee ballot), voters may contact the office of the City Recorder, 1650 East Stagecoach Run, Eagle Mountain City, Utah, council@emcity.org. Pursuant to Section 20A-3-604 Utah Code Annotated 1953, as amended, the schedule for early voting including dates, times, and locations, shall be noticed and published by the City Recorder.

NOTICE is given that on _____, _____, at _____ .m., in the _____, located at _____, in _____, Utah, the Utah County Clerk will conduct a test of the voting and/or counting devices, as applicable, to be used for the general election. Any interested person may witness the testing procedure.

NOTICE is given that on November 16, 2010, that being a day no sooner than seven (7) days nor later than fourteen (14) days after the Bond Election, the City Council will meet at its regular meeting place at 7:00 p.m. to canvass the returns and declare the results of the Bond Election.

Pursuant to applicable provisions of the Local Government Bonding Act, the period allowed for any contest of the Bond Election shall end forty (40) days after November 16, 2010 (the date on which the returns of the election are to be canvassed and

the results thereof declared). No such contest shall be maintained unless a complaint is filed with the Clerk of the District Court of Utah County within the prescribed forty (40) day period.

GIVEN by order of the City Council of Eagle Mountain City, Utah, this May 4,
2010.

(SEAL)

By: /s/Heather Jackson
Mayor

ATTEST:

By: /s/ Fionnuala Kofoed
City Recorder

Publication Dates in The Provo Daily Herald: October 6, 13, and 20, 2010.

Section 7. Mailing of Voter Information Pamphlet. The Council hereby authorizes the City Recorder to mail at least seven (7) but not more than thirty (30) days before the scheduled Bond Election, a voter information pamphlet to each household with a registered voter who is eligible to vote on the Bonds. Said voter information pamphlet shall include: (a) the date and place of the Bond Election, (b) the hours during which the polls will be open, (c) the title and text of the ballot proposition, and (d) an explanation of the property tax impact, if any, on the issuance of the Bonds including (i) expected debt service on the Bonds to be issued, (ii) a description of the purpose, remaining principal balance, and maturity date on any outstanding general obligation bonds of the City, (iii) funds other than property taxes available to pay debt service on general obligation bonds, (iv) timing and expenditure of bond proceeds, (v) property values, and (vi) any additional information the Council determines may be useful to explain the property tax impact of issuance of the Bonds.

Section 8. Election Supplies and Ballots. The ballots to be used at the Bond Election shall comply in all respects with the requirements of Title 20A, Chapter 6 and Section 11-14-206, Utah Code Annotated 1953, as amended, and the proposition and election instructions with respect to the Bond Election shall be in substantially the form contained in the Notice of Election set forth in Section 6 hereof.

Section 9. Qualified Electors. Only registered, qualified electors of the City eighteen (18) years of age or older shall be permitted to vote at the Bond Election.

Section 10. Challenged Electors. Any person seeking to vote at any polling place designated for the conduct of the Bond Election whose qualifications to vote are challenged for reasons indicated in Section 20A-3-202(1)(b) of the Act by any one or more of the Election Officials or by any other person, shall be allowed to vote with a provisional ballot and the counting of that person's vote shall be determined in accordance with applicable law.

When a person's right to vote is challenged as provided in the paragraph above, the Election Officials shall follow the procedures set forth in Section 20A-3-105.5 of the Act.

Section 11. Appointment of Election Officials and an Election Officer. The election officials (the "Election Officials") shall each be a qualified elector of the City. Pursuant to Section 20A-1-102 and 20A-5-400.5 of the Act, the County Clerk will act as the election officer (the "Election Officer").

Section 12. Absentee Ballots/Early Voting. Any qualified elector of the City may vote by absentee ballot in accordance with Section 20A-3-301, et. seq. and, if applicable, Section 20A-3-401 et seq. of the Act.

Section 13. Canvass. Immediately after the polls are closed and the last qualified voter has voted, the Election Officials shall account for the ballots in accordance with the procedures of Title 20A, Chapter 4, Part 1 and Part 2 of the Act and the County Clerk (or designee) shall conduct the counting of the ballots as required by

said procedures and deliver the results to the City. The Council shall meet as a Board of Canvassers no sooner than seven (7) nor later than fourteen (14) days after the date of said election on November 16, 2010, at the hour of 7:00 p.m., at its regular meeting place in Eagle Mountain City, Utah, and if the majority of the votes at the Bond 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 the Council shall be authorized and directed to issue such Bonds.

Section 14. Registration of Electors. The Utah County Clerk shall, in accordance with Section 20A-5-401 of the Act, prepare an official register of voters for each polling place that will participate in the Bond Election.

Section 15. Severability. It is hereby declared that all parts of this Resolution are severable, and if any section, clause, or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause, or provision shall not affect the remaining sections, clauses, or provisions of this Resolution.

Section 16. Conflict. All resolutions, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation, or part thereof heretofore repealed.

Section 17. Captions. The headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any provisions or sections of this Resolution.

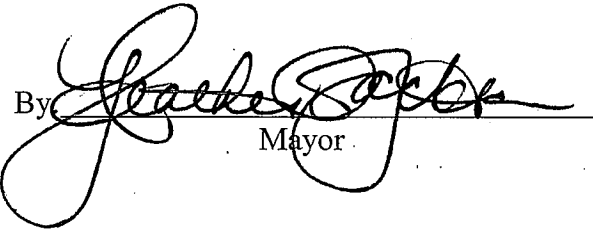
Section 18. Recording of Resolution; Effective Date; Notice to Lieutenant Governor. Immediately after its adoption, this Resolution shall be signed by the Mayor and City Recorder, shall be recorded in a book for that purpose, and shall take immediate effect. The City Recorder shall immediately furnish a certified copy of this Resolution to the Lieutenant Governor and Election Officer (the County Clerk) in accordance with Section 11-14-201 of the Act by no later than August 18, 2010, a date at least 75 days before the Bond Election.

Section 19. Further Authority. The Council hereby authorizes the Mayor to make changes to any notice or the ballot proposition described herein to cure any ambiguity or defect therein or to make any other changes to such notice or ballot proposition as may be required or allowed by the laws of the State of Utah.

Section 20. Compliance with Applicable Law. The Council intends that, to the extent the Act is amended effective prior to the holding of the Bond Election, the provisions of this resolution be interpreted to comply with the amended Act.

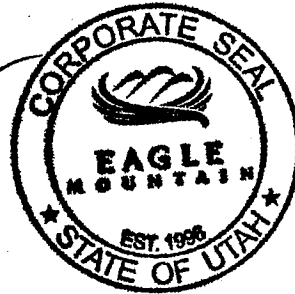
PASSED AND APPROVED this May 4, 2010.

(SEAL)

By: 
Mayor

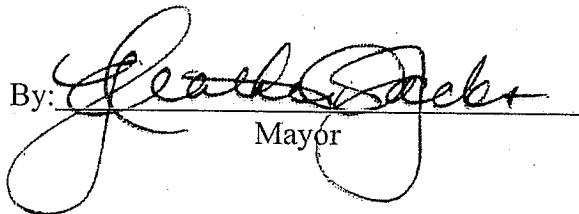
ATTEST:

By: 
City Recorder

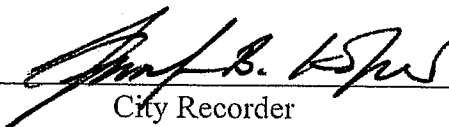


Pursuant to motion duly made and seconded, the meeting was adjourned.

(SEAL)

By: 
Mayor

ATTEST:

By: 
City Recorder



STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

I, Fionnuala Kofoed, hereby certify that I am the duly qualified and acting City Recorder of Eagle Mountain City, Utah.

I further certify that the above and foregoing constitutes a true and correct copy of the proceedings of a regular meeting of the City Council of Eagle Mountain City, Utah, including a resolution adopted at said meeting held on May 4, 2010, as said proceedings and resolution are officially of record in my possession.

I further certify that I have filed a certified copy of the within Resolution with the Utah County Clerk as described in Section 16 herein.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of Eagle Mountain City, Utah, this May 4, 2010.

(SEAL)

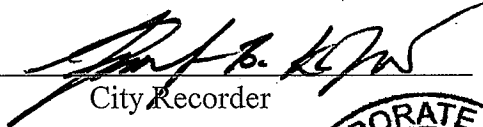
By: 
City Recorder



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Fionnuala Kofoed, the undersigned City Recorder of Eagle Mountain City, Utah (the "City"), 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 public meeting, held on May 4, 2010, by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices on April 29, 2010, 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; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Daily Herald on April 29, 2010, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) On the Utah Public Notice Website (<http://pmn.utah.gov>).

(d) In addition, the Notice of 2010 Annual Meeting Schedule for the City Council (the "Council") (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Council to be held during the year, by causing said Notice to be posted on December 2, ²⁰⁰⁹ 2010, at the principal office of the Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the City on December 2, 2010, and on the Utah Public Notice Website (<http://pmn.utah.gov>). ²⁰⁰⁹

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this May 4, 2010.

(SEAL)

By: _____


City Recorder



SCHEDULE 1

NOTICE OF MEETING

AGENDA
EAGLE MOUNTAIN CITY COUNCIL MEETING

May 4, 2010

Work Session 4:00 p.m. - Policy Session at 7:00 p.m.

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

**** This meeting may be held telephonically to allow a member of the City Council to participate ****

4:00 PM WORK SESSION – CITY COUNCIL CHAMBERS

1. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
2. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
 - A. Sustainability Committee Update
3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

4. CALL TO ORDER
5. PLEDGE OF ALLEGIANCE
6. INFORMATION ITEMS/UPCOMING EVENTS
7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
8. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
9. PROCLAMATION
 - A. Municipal Clerk/Recorders Week, May 2 through May 8, 2010
10. PRESENTATION – Utah Municipal Clerks Association Presentation of Certification to Fionnuala Kofoed and Melanie Lahman

CONSENT AGENDA

11. MINUTES
 - A. April 20 – Regular City Council Meeting

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Work Sessions, please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6610.

12. DEVELOPMENT AGREEMENT
 - A. Jacob's Well, Plat C
13. CHANGE ORDER
 - A. Wastewater Reclamation Facility – Stantec Consultants
14. FINAL PAYMENT
 - A. Tank 5 Waterline Project – Silver Spur Construction

SCHEDULED ITEMS

15. RESOLUTION – Consideration and Adoption of a Resolution Repealing Resolution No. R-05-2010 Adopted on March 16, 2010, and Providing for a Special Bond Election to be Held on November 2, 2010, for the Purpose of Submitting to the Qualified Electors of Eagle Mountain City, Utah, a Proposition Regarding the Issuance of Not to Exceed \$7,000,000 General Obligation Bonds to Finance the Costs of Constructing an Outdoor Aquatic Center and Related Improvements; Providing for the Publication of a Notice of Public Hearing; Approving the Form of and Directing the Publication of a Notice of Election and the Ballot Proposition; and Related Matters.

BACKGROUND: *(Presented by Jerry Kinghorn)* On March 16, 2010, the City Council of Eagle Mountain, adopted a resolution that authorized the calling of an election concerning the issuance of the City's General Obligation Bonds. After the public hearing on April 20, 2010 the City Council requested that the resolution be addressed at the May 4, 2010, meeting and that the original resolution calling for a bond election in June be repealed. It was the Council's opinion that a November election would have a higher voter turnout. The proposed resolution repeals the resolution adopted on March 16, 2010 and provides for a Special Bond Election to be held on November 2, 2010.

16. ORDINANCE – Consideration and Adoption of an Ordinance of Eagle Mountain City, Utah Repealing Ordinances O-09-2005, O-18-2004, O-15-2004, O-03-2003 and O-14-2002 and Enacting Section 13.30.010 of the City Code of Eagle Mountain City.

BACKGROUND: *(Presented by Jerry Kinghorn)* The proposed ordinance repeals all ordinances that regulate outdoor sprinkler operation by alternate day use and restricts irrigation to certain hours of the day. The new ordinance only limits the hours of sprinkler operation, during the day, between the hours of 10:00 a.m. and 6:00 p.m. every day.

17. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah Amending the Water Rate for Water Delivered Through the Eagle Mountain City Municipal System.

BACKGROUND: *(Presented by Chris Trusty)* The proposed resolution establishes a tiered water rate structure to promote water conservation in Eagle Mountain. There are two separate rates, one for lots less than half an acre and one rate for lots larger than half an acre. Residents will need to submit an application to the City showing that their lot is larger than half an acre to qualify for the larger lot rate. The usage for the proposed rate system is based on the state recommendation for outdoor irrigation which is 2.4 gallons per square foot per month. For half acre lots, the first tier will be up to 65 kgal/ month. For lots larger than a half acre, the first tier will be up to 120 kgal/

month. The first tier will be based on the City's current rate for water usage of \$0.80/ kgal. Subsequent tiers will be added for every additional 50 kgal of use, with an escalating rate increase of \$0.05 per tier.

18. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah Amending the Consolidated Fee Schedule.

BACKGROUND: *(Presented by Chris Trusty)* The proposed amendment to the Consolidated Fee Schedule reflects the Tiered Water Rates. All lots will be charged the rate for smaller lots (less than half an acre) unless an application is submitted to the City to qualify for the rate for larger lots (one acre or larger).

19. RESOLUTION – Consideration and Adoption of a Resolution of the City Council of Eagle Mountain City, Utah to Adopt the Eagle Mountain City Tentative Budget for Fiscal Year 2010-2011 and Set a Public Hearing for Adoption of the Final Budget on June 22, 2010 at 7:00 P.M.

BACKGROUND: *(Presented by John Hendrickson)* The State Code requires that the City Council review and tentatively adopt a budget by the first regularly scheduled meeting in May; additionally, the City Council needs to establish the time and place of the public hearing before the final budget is adopted.

20. AGREEMENT – Consideration and Approval of an Agreement between T & B Equipment Company and Eagle Mountain City for Rental of Bleachers for the Pony Express Rodeo.

BACKGROUND: *(Presented by John Hendrickson)* The 1st Annual Pony Express Rodeo, a Professional Rodeo Cowboy Association (PRCA) certified rodeo, scheduled on May 27-31, is expected to draw at least 3,000 – 4,000 people per day over the 4-day event. This estimate is based on other rodeos in the area that regularly average 6,000 to 8,000 people per event. The City plans to rent approximately 4,000 bleachers from T & B Equipment Company to accommodate seating at the event.

21. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

22. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

23. COMMUNICATION ITEMS

a. Upcoming Agenda Items

24. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this 29th day of April, 2010. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this 29th day of April, 2010, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

EAGLE MOUNTAIN CITY COUNCIL MEETING
SCHEDULE FOR 2010

The City Council of Eagle Mountain, at its regularly scheduled meeting on December 1, 2009, adopted the following meeting schedule for the year 2010.

Meeting times are: Work Sessions 4:00 p.m.
 Policy Sessions 7:00 p.m.

Sessions will be held at the Eagle Mountain City Council Chambers, 1650 E. Stagecoach Run, Eagle Mountain, Utah.

The 2010 City Council regular meeting schedule is as follows:

January 5, 19
February 2, 16
March 2, 16
April 6, 20
May 4, 18
June 8, 22
July 6, 20
August 3, 17
September 7, 21
October 5, 19
November 16
December 7

The 2010 Special City Council meeting schedule for a Town Hall forum is as follows:

February 25
May 27
August 26
November 10

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in a City Council meeting, please call the City Recorder's Office at least 3 working days prior to the meeting at 789-6611.

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 May 4, 2010, was published once a week for three (3) consecutive weeks in The Provo Daily Herald.