

South Jordan, Utah

April 5, 2022

The City Council (the “Council”) of the City of South Jordan, Utah (the “City”), met in regular public session at the regular meeting place of the Council in South Jordan, Utah, on Tuesday, April 5, 2022, at the hour of 6:30 p.m., with the following members of the Council being present:

Dawn R. Ramsey	Mayor
Patrick Harris	Councilmember
Brad Marlor	Councilmember
Jason T. McGuire	Councilmember
Donald Shelton	Councilmember
Tamara Zander	Councilmember

Also present:

Gary Whatcott	City Manager
Anna Crookston	City Recorder
Sunil Naidu	Chief Financial Officer
Ryan Loose	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 following Resolution was introduced in written form along with a Certificate of Compliance with Open Meeting Law with respect to this April 5, 2022, meeting, a copy of which is attached hereto as Exhibit A.

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

AYE:

NAY:

After the Mayor signed the resolution, it was recorded by the City Recorder in the official records of the City. The resolution is as follows:

RESOLUTION NO. 2022-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH (THE “CITY”) AUTHORIZING AND APPROVING THE EXECUTION OF A LOAN AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION TO FINANCE TRANSPORTATION INFRASTRUCTURE PROJECTS WITHIN THE CITY; PROVIDING FOR THE PUBLICATION OF A NOTICE OF THIS RESOLUTION AND THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, Section 72-2-121 of the Utah Code Annotated 1953, as amended, authorized an annual allocation to the City of \$700,000 to be used to mitigate congestion and improve transportation safety (the “Annual Allocations”); and

WHEREAS, the City desires to enter into a loan agreement (the “Loan Agreement”) with the Utah Department of Transportation (“UDOT”) to borrow funds appropriated to the State Infrastructure Bank Fund in order to finance certain transportation infrastructure projects within the City, such Loan Agreement to be in substantially the form attached hereto as Exhibit B; and

WHEREAS, the City intends to pledge the Annual Allocations to repay amounts borrowed under the Loan Agreement; and

WHEREAS, Section 72-2-204 of the Utah Code Annotated 1953, as amended (the “Loan Act”), provides that before obtaining an infrastructure loan, a municipality must give notice of its intention to obtain such loan; and

WHEREAS, the City desires to provide such notice in compliance with the Loan Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH AS FOLLOWS:

Section 1. The Loan Agreement, in substantially the form presented to this meeting and attached hereto as Exhibit B, is hereby authorized, approved, and confirmed. The City Manager and Chief Financial Officer/ Budget Officer are hereby authorized to execute and deliver the Loan Agreement in substantially the form and with substantially the content as the form presented at this meeting for and on behalf of the City, and with any alterations, changes or additions which may be necessary to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instrument, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 2. In compliance with the Loan Act, the City shall publish notice of this Resolution (i) once in The Salt Lake Tribune, a newspaper of general circulation in the City, (ii) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website

(www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The City Recorder shall cause a copy of the Loan Agreement to be kept on file in her office in the City for public examination during the regular business hours of the City until at least thirty (30) days from and after the date of publication. For a period of thirty (30) days from and after the date of the publication of such notice is provided by law during which any person in interest shall have the right to contest the legality of this Resolution or the Loan Agreement, or any provision made for the security and payment of the Loan Agreement, 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.

Section 3. This Resolution shall take effect immediately upon its approval and adoption.

PASSED, ADOPTED AND APPROVED this April 5, 2022.

CITY OF SOUTH JORDAN, UTAH

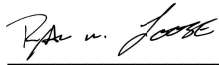
(SEAL)

Mayor Dawn R. Ramsey

ATTEST:

City Recorder

APPROVED AS TO FORM:



Office of the City Attorney

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the City Council adjourned.

(SEAL)

Mayor

ATTEST:

City Recorder

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

I, Anna Crookston, the undersigned duly appointed, qualified and acting City Recorder of the City of South Jordan, Utah (the “City”), do hereby certify:

1. The foregoing pages are a true, perfect and complete copy of a resolution duly adopted by the City Council of the City during proceedings of the City Council of the City, had and taken at a lawful regular meeting of said City Council held at the City offices in South Jordan, Utah, on April 5, 2022, commencing at the hour of 6:30 p.m., as recorded in the regular official book of the proceedings of the City 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 at said meeting as therein shown.

2. All members of said City Council of said City were duly notified of said meeting pursuant to law.

3. I further certify that the Resolution, with all exhibits attached, was deposited in my office on April 5, 2022, and that pursuant to the Resolution, notice of the Resolution will be published:

(i) in The Salt Lake Tribune, a newspaper having general circulation in the City, and with the affidavit of said publication, when available, attached hereto;

(ii) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended; and

(iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this April 5, 2022.

By: _____
City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Anna Crookston, the undersigned City Recorder of the City of South Jordan, Utah (the “City”) do hereby certify, according to the records of the City Council of the City (the “Council”) 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 April 5, 2022, public meeting held by the City Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City 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 delivered to The Salt Lake Tribute, either directly or through the newspaper’s subscription 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 Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2022 Annual Meeting Schedule for 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 (a) posted on _____ at the principal office of City, (b) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year and (c) provided to at least one newspaper of general circulation within the City either directly or pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 5, 2022.

(SEAL)

By: _____
City Recorder

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2
ANNUAL MEETING SCHEDULE

(attach Proof of Publication of Resolution)

EXHIBIT B

FORM OF LOAN AGREEMENT