



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
November 20, 2018**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Ave, Park City, Utah 84060 for the purposes and at the times as described below on Tuesday, November 20, 2018.

SPECIAL MEETING - 2:00 P.M.

I. ROLL CALL

II. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

III. NEW BUSINESS

1. Consideration to Approve Resolution No. 30-2018, a Resolution of the Board of Canvassers Certifying the Official Canvassers' Report of the November 6, 2018, Special Bond Election for Park City, Utah
[Canvass Proceedings and Resolution](#)

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for Council meeting attendees that park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: November 20, 2018

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Resolution

Agenda Section: NEW BUSINESS

Subject:

Consideration to Approve Resolution No. 30-2018, a Resolution of the Board of Canvassers Certifying the Official Canvassers' Report of the November 6, 2018, Special Bond Election for Park City, Utah

Suggested Action:

The following counts are the unofficial results, and include mail-in ballots postmarked on or before November 5, 2018, ballots deposited in official Summit County drop boxes, and provisional ballots verified as acceptable for counting by the Summit County Clerk's Office on November 6, 2018. The official results will be distributed in Council meeting.

Attachments:

[Canvass Proceedings and Resolution](#)

Park City, Utah

November 20, 2018

The City Council (the “*City Council*”) of Park City, Utah (the “*City*”), met in public session on November 20, 2018, at its regular place of meeting in the City Council Chambers, located in the Marsac Municipal Building, at 445 Marsac Avenue in Park City, Utah, at 2:00 p.m., required legal and timely notice of the meeting having been given to all members as required by law.

The meeting was duly called to order by the Mayor with the following members of the City Council being present, constituting a quorum of the City Council:

Andy Beerman	Mayor
Steve Joyce	Councilmember
Becca Gerber	Councilmember
Nann Worel	Councilmember
Tim Henney	Councilmember
Lynn Ware-Peek	Councilmember

Absent: _____

There were also present:

Diane Foster	City Manager
Mark D. Harrington	City Attorney
Michelle Kellogg	City Recorder

After the minutes of the preceding meeting had been read and approved, the City Recorder presented to the City Council an affidavit evidencing the giving of not less than twenty-four (24) hours' public notice of the agenda, date, time and place of the November 20, 2018 public meeting of the City Council in compliance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, by (1) posting written notice of the meeting at the principal office of the City Council, (2) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the City or to a local media correspondent, and (3) posting written notice of the meeting at the Utah Public Notice Website. The affidavit was ordered recorded in the minutes of the meeting and is as follows:

STATE OF UTAH)
)
COUNTY OF SUMMIT)

I, Michelle Kellogg, the duly qualified and acting City Recorder of Park City, Utah (the “City”), do hereby certify, according to the records of said 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 November 20, 2018 public meeting held by the City Council of the City (the “City Council”), by:

(a) causing a Notice of Public Meeting to be posted at the principal office of the City Council, located in the Marsac Municipal Building, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as *Exhibit A*; said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the City until the convening of the meeting;

(b) causing a copy of the Notice of Public Meeting in the form attached hereto as *Exhibit A* to be provided at least twenty-four (24) hours before the convening of the meeting to *The Park Record*, a newspaper of general circulation within the geographic jurisdiction of Park City, Utah; and

(c) causing a Notice of Public Meeting to be posted at the Utah Public Notice Website at least twenty-four (24) hours before the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November
20, 2018.

City Recorder

EXHIBIT 1

[ATTACH NOTICE OF PUBLIC MEETING]

The Mayor announced that the one purpose of the meeting was to canvass the results of the special bond election held in the City on Tuesday, November 6, 2018 (the “*Special Bond Election*”), at the same time as the general election, on the question of the issuance of \$48,000,000 general obligation bonds of the City. The City Council thereupon recessed and convened as a board of canvassers (the “*Board of Canvassers*”).

The Business Administrator presented to the Board of Canvassers the election results from each voting precinct (the “*Election Results*”) of the Special Bond Election on the proposition hereinafter set forth, such results having been provided by the County Clerks of Wasatch County and Summit County (the “*Election Officers*”).

The Election Results included a count of the votes cast at the Special Bond Election by valid absentee ballots and provisional ballots received by the Election Officers as required by law, before the canvass of the general election by the Board of Canvassers on the date hereof. The Election Results were ordered filed with the official records of the City.

It was thereupon moved by _____, seconded by _____ and carried that the Board of Canvassers publicly proceed to canvass and declare the results of the Special Bond Election. The Election Results of the Special Bond Election were then canvassed by the Board of Canvassers.

After canvassing the results of the Special Bond Election, the Board of Canvassers thereupon adjourned and reconvened as the City Council.

The following resolution was thereupon introduced in written form for consideration by the City Council. After due consideration of the resolution by the City Council,

_____ moved for its adoption, and _____ seconded the motion. On being put to a vote, the motion was carried by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 30-2018

A RESOLUTION finding and promulgating the results of a special bond election held in Park City, Utah, on November 6, 2018, to determine the issuance of \$48,000,000 General Obligation Bonds; ratifying and confirming acts done in connection therewith; and providing for related matters.

*** *** ***

WHEREAS, pursuant to a resolution duly adopted on August 16, 2018, a special bond election was called by the City Council (the “*City Council*”) of Park City, Utah (the “*City*”), to be held on November 6, 2018 (the “*Special Bond Election*”), at the same time as the general election, for the purpose of submitting to the qualified, registered electors of the City the bond proposition hereinafter set forth;

WHEREAS, the Special Bond Election was duly and regularly held and the election results thereof have been counted and tabulated;

WHEREAS, the election results (including any provisional ballots) have been certified by the City Council as the official election results for the Special Bond Election;

WHEREAS, a majority of the qualified, registered electors of the City who voted at the Special Bond Election voted in favor of the bonds described in the proposition hereinafter set forth, and the results of the Special Bond Election have today been officially canvassed by this City Council and declared to have resulted in favor of the approval of such proposition; and

WHEREAS, the City Council desires now to make the official findings required by Section 11-14-207 of Utah Code Annotated 1953, as amended (the “*Utah Code*”).

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Utah, as follows:

Section 1. There having been furnished to the City Council the election results of the Special Bond Election held in the City on November 6, 2018, it is hereby officially found, determined and declared that, as to the proposition set forth in full in Section 2 of this Resolution, [3,912] votes were cast, of which [3,043] votes were in the affirmative and [869] votes were in the negative, no voters were challenged, and because there were no challenged voters, no challenged voters were permitted to vote by provisional ballot and, therefore, no provisional ballots issued to challenged voters were counted.

Section 2. At the Special Bond Election on the proposition appearing below, a majority of the qualified, registered electors of the City voting on the following proposition and a majority of the qualified, registered electors of the City receiving ballots have assented to the issuance of the bonds described in such proposition:

CITY PROPOSITION NUMBER 1

Shall Park City, Utah be authorized to issue general obligation bonds to acquire, improve and forever preserve open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture in order to protect the conservation values thereof, to eliminate any future commercial or residential development, and to make limited improvements for public access, trailhead parking and use, in an amount not to exceed \$48,000,000 and to mature in no more than 16 years from the date or dates of such bonds?

Therefore, the City is authorized to proceed with the issuance of the bonds specified in the foregoing proposition.

Section 3. The election results (including any provisional ballots), a true and correct copy of such election results being attached hereto as *Annex 1*, are hereby certified by the City Council as the official election results for the Special Bond Election.

Section 4. Only qualified, registered electors of the City under the Constitution and laws of the State of Utah were permitted to vote on the proposition submitted at the Special Bond Election.

Section 5. A public hearing (which public hearing was held on September 15, 2018) was held in accordance with the requirements of Section 11-14-318 of the Utah Code. Notice of the public hearing, containing all matters required by law to be contained therein, was given by (i) publication on September 1, 2018 and September 8, 2018 in *The Park Record*, a newspaper of general circulation in the City and (ii) posting on September 1, 2018, on the Utah Public Notice Website, with the first publication and the posting being at least 14 days prior to the date set for the public hearing. The notice of the public hearing, as published and posted, and the public hearing proceedings are hereby in all respects approved, ratified and confirmed.

Section 6. Notice of the Special Bond Election, embracing all matters required by law to be contained therein, was provided (a) by publication on October 10, 2018, October 17, 2018, and October 24, 2018, in *The Park Record*, a newspaper of general circulation in the City (the date of the first of these publications was not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date set for the Special Bond Election, (b) to www.utahlegals.com, a website established and maintained by the collective efforts of Utah's newspapers, on October 10, 2015, at least the 3 weeks immediately preceding the Special Bond Election, and (c) on the Utah Public Notice Website on October 10, 2018. The notice of the Special Bond Election, as given, is hereby in all respects approved, ratified and confirmed.

Section 7. All things whatsoever required by law to be done in connection with the calling and holding of the Special Bond Election and the counting of the election results of the Special Bond Election were properly and duly performed in manner and form as required by law.

Section 8. The City Council hereby ratifies, confirms, approves and finds to be in all respects regular and in compliance with law all (i) proceedings taken, (ii) acts performed, (iii) notices given, (iv) ballots prepared, (v) provisional ballot envelopes printed, (vi) election officials appointed, and (vii) things done in connection with the calling, giving notice and holding of the Special Bond Election and the counting of the votes cast at the Special Bond Election in accordance with the provisions of Chapter 4, Title 20A of the Utah Code.

Section 9. The City Council, having adopted this Resolution pursuant to the provisions of Section 11-14-207 of the Utah Code, determining that a majority of the qualified, registered electors of the City voting on the aforesaid proposition assented to the issuance of such bonds, the City is, therefore, authorized to proceed to issue the bonds voted at the Special Bond Election as permitted in Section 11-14-301 and in Chapter 27 of Title 11 of the Utah Code.

Section 10. The bonds approved at the Special Bond Election shall be sold as provided by law.

Section 11. This Resolution shall be effective immediately upon its adoption.

ADOPTED AND APPROVED by the City Council of Park City, Utah, this November 20, 2018.

PARK CITY, UTAH

By _____
Mayor

[SEAL]

ATTEST AND COUNTERSIGN:

By _____
City Recorder

APPROVED AS TO FORM:

By _____
City Attorney

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

Upon the conclusion of all business and upon motion duly made and carried, the meeting of the City Council was adjourned.

PARK CITY, UTAH

Mayor

[SEAL]

ATTEST:

City Recorder

STATE OF UTAH)
)
COUNTY OF SUMMIT)

I, Michelle Kellogg, the duly qualified and acting City Recorder of Park City, Utah (the “City”), do hereby certify, according to the records of said City in my official possession, that the foregoing is a full, true and correct copy of the extracts of minutes of a public meeting of the City Council of Park City, Utah (the “*City Council*”) held on November 20, 2018, including a resolution adopted at the meeting, as recorded in the regular official book of minutes of the proceedings of the City Council kept in my office, that all members were given due, legal and timely notice of said meeting, that the meeting therein shown was in all respects called, held and conducted in accordance with law and in full conformity therewith, and that the persons therein named were present at the meeting, as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand this November 20, 2018.

City Recorder

ANNEX 1

[ATTACH COPY OF ELECTION RESULTS]