

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the HERRIMAN CITY SAFETY ENFORCEMENT AREA, dated December 13th, 2017, complying with Section 17B-1-215, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the HERRIMAN CITY SAFETY ENFORCEMENT AREA, located in Salt Lake County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21st day of December, 2017 at Salt Lake City, Utah.



SPENCER J. COX
Lieutenant Governor

UTAH LIEUTENANT GOVERNOR SPENCER J. COX
NOTICE OF IMPENDING BOUNDARY ACTION
CREATION OF THE HERRIMAN CITY SAFETY ENFORCEMENT AREA

The undersigned as Mayor of the responsible body of the municipality in which the proposed local district is located pursuant to Utah Code Ann. §§ 17B-1-215 and 67-1a-6.5, hereby submits to the Lieutenant Governor the following Notice of Impending Boundary Action for the Herriman City Safety Enforcement Area.

SECTION ONE

The name of the local entity shall be the Herriman City Safety Enforcement Area.

SECTION TWO

The boundary action for which an applicable certificate is sought is the creation of the Herriman City Public Safety Service Area which is a new local district created as a service area under the Service Area Act, Title 17B, Chapter 2a, Part 9 of the Utah Code.

SECTION THREE

The boundaries of the Herriman City Safety Enforcement Area shall be the entire area of Herriman City and as described on the attached approved final local entity plat.


SECTION FOUR

Pursuant to Utah Code Ann. § 67-1a-6.5(3)(d) attached is the required letter from the Utah State Retirement Office.

SECTION FIVE

Pursuant to Utah Code Ann. § 67-1a-6.5 (3)(e), the Mayor hereby certifies all requirements applicable to the boundary action have been met.


Signed and dated this 13th day of December, 2017.

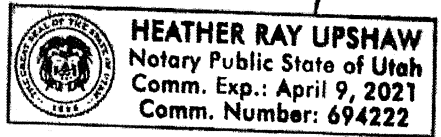

Carmen Freeman, Mayor

SUBSCRIBED AND SWORN to before me this 14 day of December 2017.

My Commission expires:

April 9, 2021





HERRIMAN, UTAH
RESOLUTION NO. R47-2017

**A RESOLUTION APPROVING THE CREATION OF THE HERRIMAN CITY SAFETY
ENFORCEMENT AREA TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN
HERRIMAN CITY**

WHEREAS, the Herriman City Council (“Council”) met in regular session on December 13, 2017, to consider, among other things, approving the creation of the Herriman City Safety Enforcement Area to provide law enforcement services within Herriman City ; and

WHEREAS, Herriman City obtains law enforcement and public safety services (“Law Enforcement Services”) from the Unified Police District of Greater Salt Lake (“UPD”) under the terms and conditions of an Interlocal Agreement; and

WHEREAS, Herriman City residents have paid for the Law Enforcement Services provided by the UPD pursuant to a property tax levied by a local district known as the Salt Lake Valley Law Enforcement Service Area (“SLVLESA”);

WHEREAS, at the end of the 2017 calendar year the municipal territory of Herriman City will be withdrawn from SLVLESA; and

WHEREAS, upon Herriman City withdrawal of its municipal territory from SLVLESA the Council finds that the time is appropriate to consider whether Law Enforcement Services should continue to be funded through property taxes levied by a local district which exist solely within the municipal territory of Herriman City , to be named the Herriman City Safety Enforcement Area; and

WHEREAS, pursuant to Utah Code Ann. § 17B- 1- 203, a resolution must be adopted by the Council to initiate the process by which Herriman City and Herriman City residents will consider whether to create a new service area known as the Herriman City Public Safety Service Area; and

WHEREAS, on August 29, 2017, the Council adopted Resolution No. R31-2017 thereby initiating the process to consider creation of the Herriman City Safety Enforcement Area; and

WHEREAS, Utah Code Ann. § 17B- 1- 210 requires the Council to hold a public hearing following public notice to consider the merits of whether to proceed with creation of a service area and to commence the protest period described in Utah Code Ann. § 17B- 1- 213; and

WHEREAS, on October 11, 2017, the Council held said public hearing required by Utah Code Ann. § 17B- 1- 210 to receive public comment; and

WHEREAS, upon the conclusion of the protest period described in Utah Code Ann. § 17B-1-213 the statute requires that a final resolution be adopted by the Council to affirm its approval to create the Herriman City Safety Enforcement Area; and

WHEREAS, the protest period has concluded and the Council has reviewed the various policy issues, including, but not limited to, level and quality of service, finances, and

transparency in the method of public funding associated with approving the creation of the Herriman City Public Safety Service Area.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Council hereby approves the creation of a local district pursuant to the Service Area Act Utah Code Ann. § 17B-2a-901 et seq. to law enforcement services. The service area proposed by this Resolution shall be composed of the entire area within the corporate limits of Herriman City, Utah, as described on the map and legal description which is attached hereto and by reference made a part hereof.

2. The name of the new service area shall be the Herriman City Safety Enforcement Area.

3. The Herriman City Safety Enforcement Area will be funded through an ad valorem property tax levy and as may be authorized by law.

4. The Herriman City Safety Enforcement Area will be governed by a Board of Trustees composed of five members who are appointed by the Herriman City Council in accordance with the requirements of Title 17B, Chapter 1, Part 3 of the Utah Code and the Service Area Act.

5. The Herriman City Safety Enforcement Area shall be subject to all laws that are applicable to a service area, including, but not limited to, Title 17B, Chapter 1, which includes the totality of Title 17B, Chapter 1 of the Utah Code, including Part 6, the Fiscal Procedures for Local Districts Act, and Title 17B, Chapter 2a, Part 9 of the Utah Code, which is the Service Area Act. The Board of Trustees shall adopt rules of order and procedure for the operation and governance of the Service Area. The Board of Trustees may also obtain enter into an interlocal agreement with Herriman City, or another public agency, for administration of the budget of the Herriman City Safety Enforcement Area and for other lawful services

6. The Herriman City Safety Enforcement Area shall be created and take effect upon completion of all proceedings required by law and approval and certification by the Utah Lieutenant Governor in accordance with Utah Code Ann. § 67- 1a- 6. 5 and shall operate on a fiscal year from July 1 to the following June 30.

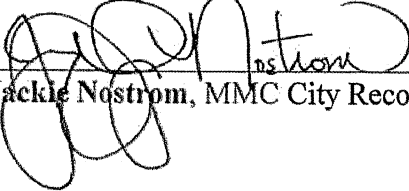
7. The Mayor is hereby authorized and directed to sign and verify a notice of impending boundary action certifying that all statutory requirements applicable to the creation of the Herriman City Safety Enforcement Area have been met a copy the Notice of Impending Boundary Action is attached hereto.

This Resolution, assigned No. R47-2017 shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Herriman, Utah, this 13th day of December, 2017.

HERRIMAN


Carmen Freeman, Mayor


Jackie Nostrom, MMC City Recorder



Utah Retirement Systems

Retirement Office

560 East 200 South
Salt Lake City, UT 84102-2021

(801) 366-7700
(800) 365-8772 Toll Free
(801) 366-7734 Fax
www.urs.org

DANIEL D. ANDERSEN
Executive Director

Public Employees Health Program

560 East 200 South
Salt Lake City, UT 84102-2004

(801) 366-7500
(800) 365-8772 Toll Free
(801) 366-7596 Fax
www.pehp.org

R. CHET LOFTIS
Director

December 14, 2017

Herriman City Public Safety Service Area
Attn: Brett Wood, City Manager
5355 West Herriman Main Street
Herriman, UT 84096

Re: Eligibility for Participation of a Newly Created Entity in the Utah State Retirement Systems

Dear Herriman City Safety Enforcement Area:

When a governmental entity is being incorporated or created, Utah law requires the Utah State Retirement Office ("Office") to provide a letter to that entity identifying the potential provisions under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act ("Retirement Act"), with which it shall comply. *See* Utah Code Ann. § 67-1a-6.5(3)(d). This letter serves as the official notice for the Herriman City Safety Enforcement Area, a newly created local district.

Based upon the information provided, the Office has determined that the Herriman City Safety Enforcement Area is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a local district. Accordingly, the Herriman City Safety Enforcement Area must comply with the participation requirements of the Retirement Act.

This does not mean that the Herriman City Safety Enforcement Area must provide retirement benefits to its employees. However, at the present time and throughout the future, the **Herriman City Safety Enforcement Area is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.**

The Herriman City Safety Enforcement Area may not currently have employees or may have not yet elected to provide a retirement benefit to its employees. Please be aware, it is not the obligation of the Office to monitor the activities of the Herriman City Safety Enforcement Area. **By law, it is the Herriman City Safety Enforcement Area's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.**

Once the Herriman City Safety Enforcement Area begins participation with URS, its public employees will be covered under either the Tier I or Tier II public employee retirement systems, as described in the Retirement Act. If the Herriman City Safety Enforcement Area employs public safety or firefighter service employees, those employees will be covered under the separate Tier I or Tier II systems for public safety and/or firefighter service employees described in the Retirement Act.

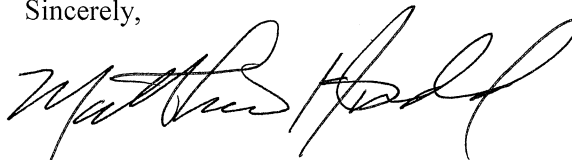
In addition, Participating Employers of URS are required by section 49-11-606 to “cover all employees eligible for service credit under this title.” As such, once admitted as a participating employer, the Herriman City Safety Enforcement Area will be required to cover all eligible employees, pursuant to the eligibility rules found in the Retirement Act.

Please note that the above-referenced laws are those used to determine eligibility for participation, and are not the only laws with which a participating employer must comply. Participating employers are required to “inform themselves of their rights and obligations” under Title 49 and should become familiar with all provisions of the Retirement Act. Once the Herriman City Safety Enforcement Area is admitted into the system, URS provides education about the requirements with which the Herriman City Safety Enforcement Area must comply as a participating employer.

Additionally, please be aware that should the Herriman City Safety Enforcement Area fail to participate with URS while offering another retirement benefit to its employees, the Herriman City Safety Enforcement Area’s employees may have a claim against it for service credit under the Retirement Act, which the Office is required to enforce. Under the Retirement Act, such a claim would include all past employer contributions, interest, and in some cases, penalties. *See* Utah Code Ann. § 49-11-601(3).

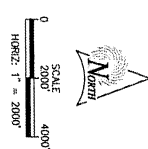
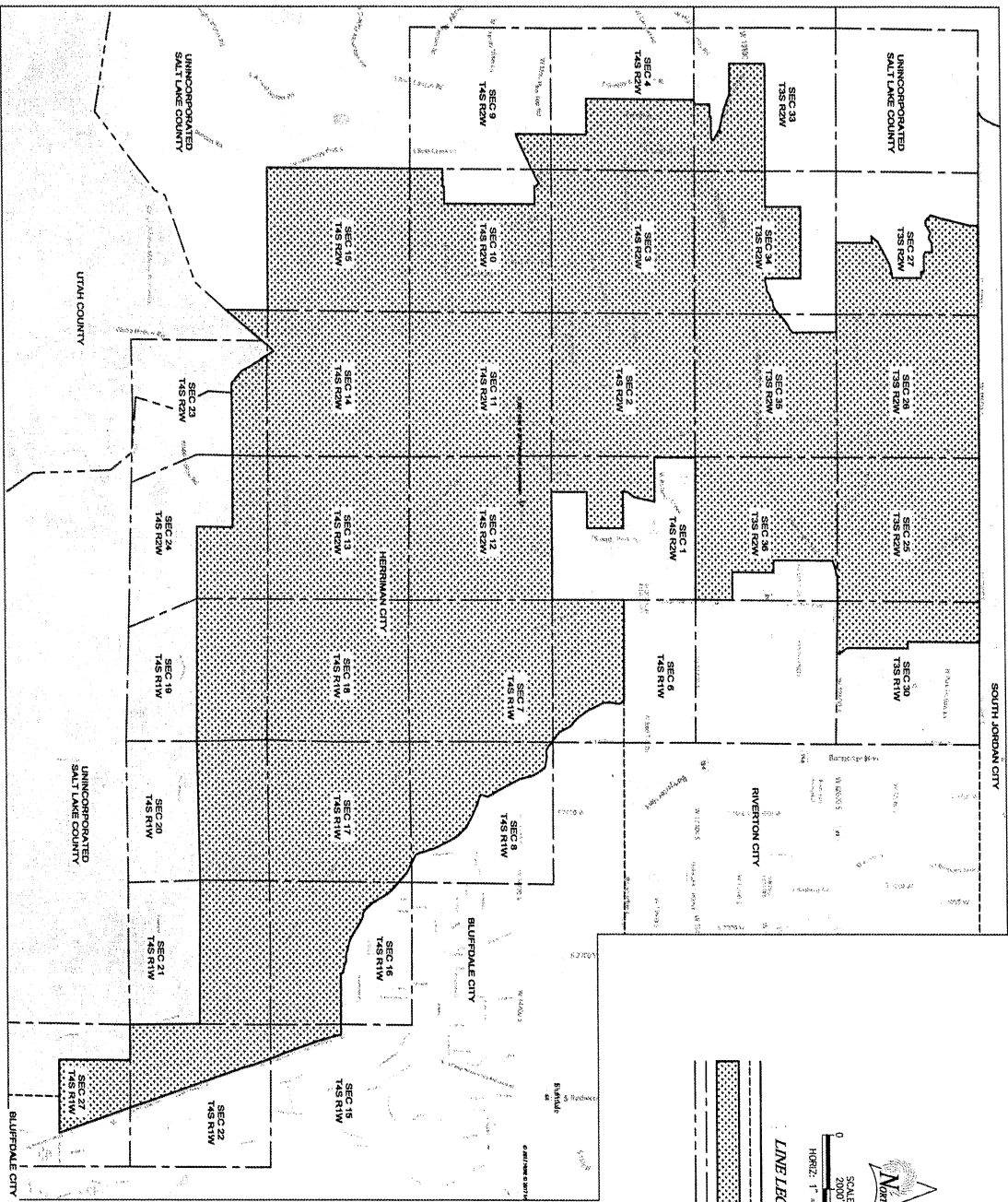
Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew K. Judd". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Matthew K. Judd
Records Management Director
Utah State Retirement Office

FINAL LOCAL ENTRY PLAT - HERRIMAN CITY SAFETY ENFORCEMENT AREA
 SITUATED IN SECTION 30 T3S R1W S1M; SECTIONS 25-27 & 33-36, T3S R2W S1M;
 SECTIONS 6-8, 15-22 & 27 T4S R1W S1M; AND SECTIONS 1-4, 9-15, 22-24 T4S R2W S1M
 SALT LAKE COUNTY, UTAH



LINE LEGEND

- HOUSE A BOUNDARY
- MUNICIPAL BOUNDARY
- SUBJECT AREA
- SECTION LINE
- COUNTY BOUNDARY

HERRIMAN CITY COUNCIL
 CITY OF HERRIMAN HEREBY APPROVES THIS PLAT AS SHOWN AND
 DESCRIBED HEREON.
 THE 18th OF _____ 2017
 ATTEST:

 CITY CLERK
 APPROVAL AS TO FORM
 THE 15th OF _____ 2017

 HERRIMAN CITY ATTORNEY
 COUNTY SURVEYOR APPROVAL
 Approved this 15th day of _____, 2017 as a Final
 Local Entry Plat by the Salt Lake County Surveyor.

 SALT LAKE COUNTY SURVEYOR

NARRATIVE
 THE PURPOSE OF THIS PLAT IS TO REMOVE AN AGGRAVATE
 GRAPHIC ILLUSTRATION OF THE BOUNDARY OF THE HERRIMAN
 CITY SAFETY ENFORCEMENT AREA.
 NO FIELD MEASUREMENT WERE TAKEN, NO MONUMENTS WERE
 FOUND OR SET.
 IT IS INTENDED FOR THE BOUNDARIES OF THE HERRIMAN CITY
 SAFETY ENFORCEMENT AREA TO FOLLOW THE CURRENT
 BOUNDARY OF HERRIMAN CITY.
LEGAL DESCRIPTION
 ALL OF THAT LAND SHOWN IN THE MUNICIPAL BOUNDARY OF
 HERRIMAN CITY, SALT LAKE COUNTY, UTAH ON JULY 7TH, 2017

SURVEYOR'S CERTIFICATE
 I, DANIEL A. ROBINSON, a duly Licensed Professional Engineer, Board
 No. 18888, State of Utah, License No. 17-2272, and a duly Licensed
 Professional Land Surveyor, License No. 17-2272, have made this plat and shown
 herein is a true and correct representation of said Final Local
 Entry Plat.

DATE: 10/22/17
 COUNTY: SALT LAKE COUNTY

SUNRISE ENGINEERING
 2700 SOUTH REDWOOD PARK DRIVE, SUITE 200
 SANDY, UT 84060
 TEL: 801-521-0100 FAX: 801-521-0990

FINAL LOCAL ENTRY PLAT
 HERRIMAN CITY SAFETY ENFORCEMENT AREA
 IN T3SR1W, T3SR2W, T4SR1W & T4SR2W, S1M

RECORDED: 17-037
 FILED AT THE REQUEST OF: _____
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 REC: _____ SALT LAKE COUNTY RECORDERS