

STATE OF UTAH

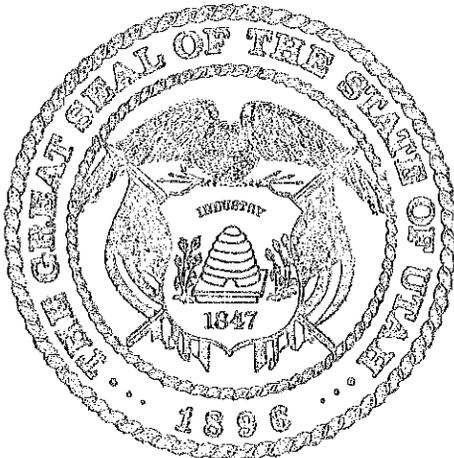


OFFICE OF THE LIEUTENANT GOVERNOR

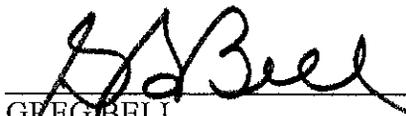
CERTIFICATE OF CREATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, dated June 17th, 2009, complying with Section 17C-1-201, 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 SUMMIT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, located in Summit County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 5th day of March, 2013.


GREG BELL
Lieutenant Governor

Kent Jones
County Clerk

www.summitcounty.org/clerk
kentjones@summitcounty.org



Phone: (435) 336-3203
FAX: (435) 336-3030
60 North Main
Coalville, UT 84017

January 4, 2013

Lieutenant Governor Greg Bell
Utah Lt. Governor's Office
Utah State Capitol Complex
Post Office Box 142325
Salt Lake City, Utah 84114-2325

RE: Notice of Impending Boundary Action – Creation of "Summit County Community Development and Renewal Agency"

Effective July 2, 2009, Ordinance 719 (see attached) enacted the "Summit County Community Development and Renewal Agency" (the "Agency"). The Ordinance was enacted on June 17, 2009 by the County Council and published on June 27, 2009. The Agency's boundaries shall always be coterminous with the boundaries of Summit County, Utah.

With this notice of impending boundary action, the Summit County Clerk certifies that all requirements applicable to this action have been met.

Summit County respectfully requests a Certificate of Creation for the Agency.

Should you require additional information or have any questions regarding this matter you may contact Kent Jones, County Clerk, at (435) 336-3203 or by email at kentjones@summitcounty.org. Thank you for your attention to this matter.

Sincerely,


Kent Jones
County Clerk



Attachment
Ordinance 719

SUMMIT COUNTY COMMUNITY DEVELOPMENT
AND RENEWAL AGENCY
GOVERNANCE ORDINANCE
SUMMIT COUNTY, STATE OF UTAH
ORDINANCE NO. 719

PREAMBLE

WHEREAS, pursuant to Utah Code Annotated, §17C-1-101 et. seq. (the "Limited Purpose Government Entities – Community Development and Renewal Agencies"), 1953, amended, the Summit County Council is desirous to create a community development and renewal agency for the purposes prescribed by statute; and

WHEREAS, the Summit County Council further desires to enact a governing ordinance to govern the procedures for the management of the Summit County Community Development and Renewal Agency;

NOW, THEREFORE, the Summit County Council ordains as follows:

Pursuant to UCA, Title 17C, there is hereby created a "Summit County Community Development and Renewal Agency."

Section 1: Definitions

- a) Agency: When used herein shall mean the Summit County Community Development and Renewal Agency.
- b) Board: When used herein shall mean the governing Board of the Summit County Community Development and Renewal Agency.
- c) County: When used herein shall mean Summit County, Utah.
- d) County Council: When used herein shall mean the Summit County Council who exercises legislative authority in the county.
- e) County Manager: When used herein shall mean the Chief Executive Officer of the County, who shall also act as the Executive Director of the Agency.
- f) Executive Director: When used herein shall mean the Executive Director of the Agency, who shall be the County Manager.

Section 2: Board: As provided pursuant to Utah Code Annotated, 17C-1-203 the Agency is hereby governed by a six member Board who shall consist of five members of the County

Council and the County Manager, as ex officio (non voting trustee), who shall also serve as the Executive Director of the Agency.

Section 3: Powers and Duties of the Board: The Board of the Agency hereby has all rights, powers, authority and duties to exercise all or any of the powers provided for in Utah Code Annotated, §17C-1-202, as amended. In addition, the Board shall have the following authority and duties:

- a) The Board shall conduct its business according to by-laws, which it shall adopt, with the Board meeting as needed to act on the business of the Agency. The by-laws may be amended from time to time by a majority vote of the Board.
- b) The Board shall adopt policies, procedures, and regulations for the Agency.

Section 4: Executive Director: The County Council hereby delegates the following powers, authorities and duties to the County Manager as the Executive Director of the Agency:

- a) To govern the day-to-day operations of the Agency;
- b) To prepare all project area plans for adoption by the Board.
- c) To execute all contracts, bond documents, leases, loans, security for payment of bonds, purchase agreements for the acquisition of property, all documents necessary for the sale of property, and any other duties and authority necessary for the implementation of the project area plan.
- d) To provide a recommendation to the Board as to the establishment of policies, procedures, and regulations, which shall govern the Agency.

Section 5: Other Policies, Procedures, and Officers of the Agency: The Board may adopt policies and procedures, and regulations, including personnel, procurement, and fiscal management procedures, for the Agency. All collections, investments,

disbursements, procurement, and other financial transactions shall be managed by the Executive Director. The Executive Director may utilize the services of the County Treasurer, Auditor, and County Attorney to assist in any matters deem pertinent to the accomplishment of the project area plan.

Section 6: Indemnification: The Agency shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil or criminal, administrative or investigative, by reason of the fact that he or she is or was a director, officer, employee, or agent of the Agency. The indemnification shall be for all expenses (including attorneys' fees), judgments, fines, and amount paid in settlement, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding, including any appeal of the action, suit or proceeding, if he or she acted in good faith or in a manner he or she reasonably believed to be in or not opposed to the best interests of the Agency, and with respect to any criminal action or proceeding, if he or she had no reasonable cause to believe the conduct was unlawful.

Determination of any action, suit, or proceeding by judgment, order, settlement, conviction or on a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the party did not meet the applicable standard of conduct. Indemnification under this article may be paid by the Agency in advance of the final disposition of any action, suit, or proceeding, on a preliminary determination that a director, officer, employee, or agent met the application standard of conduct and on receipt of an undertaking by or on behalf of a director, officer, employee, or agent to repay the amount, unless it is ultimately determined that he or she is entitled to be indemnified by the Building Authority as authorized in this section.

The Agency shall also indemnify any director, officer, employee, or agent who has been successful on the merits or otherwise, in defense of any action, suit, or proceeding, or in defense of any claim, issue, or matter in the action, suit, or proceeding, against all expenses, including attorneys' fees, actually and reasonably incurred, without the necessity of an independent determination that a director, officer, employee, or agent met any appropriate standard of conduct.

The indemnification provided for in this article shall continue as to any person who has ceased to be a director, officer, employee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of that person.

Section 7: Insurance: The Agency shall have power to purchase and maintain insurance on behalf of any person who is a director, officer, employee, or agent of the Agency against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Agency would have authority to indemnify him or her against the liability under the provisions of these articles, or under law.

Adopted this 17 day of June 2009.

SUMMIT COUNTY COUNCIL

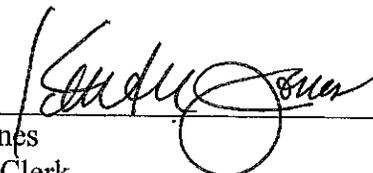


John Hanrahan, Chair

VOTING OF COUNCIL MEMBERS

John Hanrahan	<u>Aye</u>
Chris Robinson	<u>Aye</u>
David Ure	<u>Aye</u>
Sally Elliott	<u>Aye</u>
Claudia McMullin	<u>Aye</u>

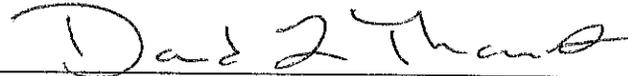
ATTEST:



Kent Jones
County Clerk



APPROVED AS TO FORM:



David L. Thomas
Chief Civil Deputy