

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 from
the SOUTH DAVIS METRO FIRE SERVICE AREA, dated December 8, 2015,
complying with Title 17B, 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 SOUTH DAVIS METRO FIRE AGENCY, located in Davis County, State of Utah.

1847

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 18th day of December, 2015 at Salt Lake City, Utah.

SPENCER J. COX Lieutenant Governor

South Davis Metro Fire Agency

Proudly Serving the Communities of

Bountiful - Centerville - Davis County - North Salt Lake - West Bountiful - Woods Cross
Office of the Fire Chief

December 9, 2015

Spencer J. Cox Lieutenant Governor of the State of Utah Utah State Capitol Complex, Suite 220 P. O. Box 142325 Salt Lake City, UT 84114-2325

Re: Notice of Impending Boundary Action–Incorporation of the South Davis Metro Fire Service Area

Dear Lieutenant Governor Cox:

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory, have completed all necessary requirements and steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. Enclosed herewith, in accordance with UCA Sec. 67-1a-6.5, are the following:

- a. Copies of the final Resolutions Approving the Creation of the Service Area approved, adopted and executed on behalf of each of the above listed entities;
- b. A separate Notice of Impending Boundary Action containing a certification by each involved approving authority that all requirements applicable to the creation of the Service Area have been met;
- c. An approved final local entity plat prepared by a licensed surveyor and approved by the Davis County Surveyor in accordance with UCA Sec. 17-23-20; and
- d. A letter issued by the Utah State Retirement Office identifying the potential provisions under Title 49 of the Utah Code that will apply to the South Davis Metro Fire Service Area.

If your Office desires the plat and documents in electronic form, please notify us at the contact information below.

The Service Area will assume all functions and responsibilities of the existing South Davis Metro Fire Agency, an Interlocal entity created pursuant to the Utah Interlocal Cooperation Act in 2004. Effective July 1, 2016, the Service Area will assume the operational responsibilities of the Interlocal entity and the Interlocal entity will be dissolved. The details of that transition are set forth in the Service Area Resolutions that are attached to this request.

If there are any questions or concerns, please feel free to contact either:

Jeff Bassett, Fire Chief South Davis Metro Fire Service Area 801-677-2400 (O), 801-970-8544 ©

or

Karl Hendrickson Attorney for South Davis Metro Fire Agency 801-450-3420 Karl.Hendrickson@comcast.net

Thank you for your attention to this matter and your assistance in completing the incorporation of the Service Area.

Sincerely,

Jeff Bassett, Fire Chief

pc: Spencer Hadley (without attachments)

Utah Retirement Systems

Retirement Office 660 East 200 South Salt Lake City, UT 84102-2021 (801) 366-7700 (800) 365-8772 Toll Free (801) 366-7734 Fax www.urs.ora

DANIEL D. ANDERSEN Executive Director Public Employees Health Program 560 Fast 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

December 8, 2015

South Davis Metro Fire Service Area Attn: Chief Jeffrey Bassett 255 South 100 West Bountiful, UT 84010

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

Dear Chief Bassett:

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 South Davis Metro Fire Service Area ("Service Area"), a newly created Special Service Area, transitioned from the South Davis Metro Fire Agency (the "Agency").

The Agency is already a Participating Employer with URS, and based upon the information provided, the Office has determined that the Service Area is also an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a Special Service Area. Accordingly, the Service Area is eligible and must comply with the participation requirements of the Retirement Act.

Please be aware that for purposes of the Retirement Office, the entity's name change will be recorded, but a new application for participation will not be required. The Service Area may continue participation under the Agency's existing employer group number with associated employee numbers and information.

As a reminder, the Service Area will continue to be subject to all applicable provisions of the Retirement Act with which the Agency has been complying. This means that at the present time and throughout the future, the Service Area is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.

The Service Area's public employees will continue to be covered under either the Tier I or Tier II public employee retirement systems, and firefighter service employees will be covered

under the separate Tier I or Tier II systems for firefighter service employees, as 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, the Service 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. At any time, URS would be happy to provide additional education about the requirements with which the Service Area must comply as a participating employer.

Additionally, please be aware that should the Service Area fail to cover all of its employees or otherwise comply with participation requirements, the Service 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,

Matthew K. Judd

Records Management Director

Utah State Retirement Office



BOUNTIFUL

City of Beautiful Homes and Gardens

RANDY C. LEWIS MAYOR

CITY COUNCIL, KENDALYN HARRIS RICHARD HIGGINSON BETH HOLBROOK JOHN M. (MARC) KNIGHT JOHN PITT

CITY MANAGER

December 8, 2015

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action—Incorporation of the South Davis Metro Fire Service Area

Dear Lt. Governor Cox

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. A copy of Bountiful City Resolution 2015-14 Approving the Creation of the South Davis Metro Fire Service Area is attached to this Notice. In addition, a local entity plat approved by the County Surveyor in accordance with UCA Sec. 17-23-20 is attached.

The Service Area assumes all responsibilities, employees and functions of the existing interlocal entity, the South Davis Metro Fire Agency. In accordance with UCA Sec. 49-11-621 none of the existing employees are deemed terminated for retirement purposes. The Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and Verified this 8th day of December, 2015.

Mayor Randy Lewis

Bountiful City

attached: Bountiful City Resolution 2015-14, Approved Local Plat.



BOUNTIFUL

City of Beautiful Homes and Gardens

MAYOR
Randy C. Lewis
CITY COUNCH,
Kendalyn Hartis
Richard Higginson
Beth Holbrook
John Marc Knight
John S. Fitt

CITY MANAGER Gary R. Hill

BOUNTIFUL CITY RESOLUTION NO. 2015-14

A Resolution of the Bountiful City Council, a municipal corporation of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.

WHEREAS, on August 11, 2015, Bountiful City adopted a Resolution proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by that Resolution, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed local district and service area shall be known as the South Davis Metro Fire Service Area;

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area;

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 8th day of September, 2015, at the Bountiful City Hall, 790 So. 100 E., Bountiful, UT at 6:00 pm. In accordance with UCA Sec. 17B-1-211, the City Recorder in conjunction with the County Clerk and the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website in accordance:

WHEREAS, the statutorily mandated protest period began of September 8, 2015, and ended on November 9, 2015;

WHEREAS, Bountiful City received -0- protests constituting -0- percent of the number of votes cast in the city for the office of President of the United States at the most recent presidential election prior to the date of the adoption of the resolution and -0-% of the value of

all of the private land area in the city. The City Council determines and finds the protest levels are less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the City Council is authorized to proceed with the creation of the Service Area and having considered all written or verbal input provided the City Council during the public hearing and thereafter believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services with the boundaries as described.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bountiful City, Utah, as follows:

Section 1. Fire Service Area Approved. The City Council, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. The City Council determines that it would to be in the best interests of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Section 3. Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

 a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and Administrative Officer of the district. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.

- ħ. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the county if the county is an entity participating in the creation of the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an ex officio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the service area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.

<u>Section 5.</u> Fiscal Year. The fiscal year of the Service Area shall be from July 1 of each year through the following June 30th.

Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.

Section 7. Cooperation of City Staff. City staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The City Recorder shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of the adoption of this Resolution.

Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency, Effective July 1, 2016, the interlocal agreement establishing the South Davis Metro Fire Agency dated October 1, 2004 and any amendment thereto shall be terminated and dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h), and any amendment thereto shall continue in full force and effect until satisfied, Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement, Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

Adopted by the Bountiful City Council this 8th day of December, 2015.

ATTEST:

SHAWNA ANDRUS, CITY RECORDER



CENTERVILLE CITY

250 North Main Centerville, Utah 84014-1824 • (801) 295-3477 ·Fax: (801) 292-8034

Incorporated in 1915



November 18, 2015

Mayor

Paul A. Cutter

City Council

Ken S. Averett
Tamilyn Fillmore
John T. Higginson
Stephanie Ivle

Lawrence Wright

City Manager

Steve H. Thacker

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re:

Notice of Impending Boundary Action-Incorporation of the South Davis Metro

Fire Service Area

Dear Lt. Governor Cox:

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory, have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly, a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. A copy of the Centerville City Resolution Approving the Creation of the South Davis Metro Fire Service Area is attached to this Notice. This Resolution No. 2015-17 was adopted by the Centerville City Council on November 17, 2015. In addition, a local entity plat approved by the County Surveyor in accordance with UCA § 17-23-20 is attached.

The South Davis Metro Fire Service Area assumes all responsibilities, employees and functions of the existing interlocal entity known as the South Davis Metro Fire Agency. In accordance with UCA § 49-11-621, none of the existing employees are deemed terminated for retirement purposes. The South Davis Metro Fire Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and Verified this 19 nd day of November, 2015.

Mayor Paul A. Carller

Attached:

Centerville City Resolution No. 2015-17

Approved Local Entity Plat

Letter from Utah State Retirement Office



RESOLUTION NO. 2015-17

A RESOLUTION OF CENTERVILLE CITY, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, APPROVING THE CREATION OF A LOCAL DISTRICT AND SERVICE AREA FOR THE PROVISION OF FIRE PROTECTION, EMERGENCY MEDICAL RESPONSE, PARAMEDIC, EMERGENCY RESPONSE SERVICES, AMBULANCE SERVICES AND RELATED SERVICES TO THE CITIES OF BOUNTIFUL, CENTERVILLE, NORTH SALT LAKE, WEST BOUNTIFUL, WOODS CROSS AND THE UNINCORPORATED AREA OF SOUTH DAVIS COUNTY AND THE TRANSFER OF THE RESPONSIBILITIES AND OPERATIONS OF THE EXISTING SOUTH DAVIS METRO FIRE AGENCY TO THE SERVICE AREA

WHEREAS, on August 4, 2015, Centerville City adopted Resolution No. 2015-14 proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by Resolution No. 2015-14, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as shown on the map which is attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed local district and service area shall be known as the South Davis Metro Fire Service Area;

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into by the member entities and the Service Area; and

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 15th day of September, 2015, at the Centerville City Hall, 250 N. Main, Centerville, Utah at 7:00 p.m. In accordance with UCA Sec. 17B-1-211, the City Recorder in conjunction with the County Clerk and the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website; and

WHEREAS, the statutorily mandated protest period began on September 15, 2015, and ended on November 16, 2015; and

WHEREAS, Centerville City received no protests constituting 0% percent of the number of votes cast in the city for the office of President of the United States at the most recent presidential election prior to the date of the adoption of the resolution and 0% of the value of all of the private land area in the city. The City Council determines and finds the protest levels are

less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the City Council is authorized to proceed with the creation of the Service Area and having considered all written and verbal input provided the City Council during the public hearing and thereafter believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services with the boundaries as described.

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

Section 1. Fire Service Area Approved. The City Council, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as shown on the map which is attached hereto as Attachment A. The City Council determines that it would to be in the best interest of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and Administrative Officer of the Service Area. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.

- b. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the county if the county is an entity participating in the creation of the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an ex officio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the Service Area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.
- Section 5. Fiscal Year. The fiscal year of the Service Area shall be from July 1st of each year through the following June 30th.
- Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.
- Section 7. Cooperation of City Staff. City staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The City Recorder shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of the adoption of this Resolution.
- Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency. Effective July 1, 2016, the interlocal agreement establishing the South Davis Metro Fire Agency dated October 1, 2004 and any amendment thereto shall be terminated and

dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h), and any amendment thereto shall continue in full force and effect until satisfied. Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement, Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 17^{TH} DAY OF NOVEMBER, 2015.

CENTERVILLE CITY

By: Mayor Paul A. Cutler

ATTEST:

Marsha L. Morrow, City Recorder

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council, recorded by me in a book used exclusively for that purpose, and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

Marsha L. Morrow, City Recorder DATED: 11/19/15

EFFECTIVE DATE: 11 day of November 20 15.

Mayor Kenneth Romnev

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council

lames Ahlstrom James Bruhn Kelly Enquist Debbie McKean Mark Preece 550 North 800 West West Bountiful, Utah 84087

> Phone (801) 292-4486 FAX (801) 292-6355 www.WBCity.org

Recorder Cathy Brightwell

City Engineer Ben White

Public Works Director Steve Maughan

November 18, 2015

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action-Incorporation of the South Davis Metro Fire Service Area

Dear Lt. Governor Cox:

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, and Woods Cross and Davis County, on behalf of a portion of its unincorporated territory, have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. A copy of the West Bountiful City Resolution Approving the Creation of the South Davis Metro Fire Service Area is attached to this Notice. In addition, a local entity plat approved by the County Surveyor in accordance with UCA Sec. 17-23-20 is attached.

The Service Area assumes all responsibilities, employees and functions of the existing interlocal entity, the South Davis Metro Fire Agency. In accordance with UCA Sec. 49-11-621 none of the existing employees are deemed terminated for retirement purposes. The Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and Verified this 18th day of November, 2015.

Mayor, West Bountant City

Attached: West Bountiful City Resolution (373-15) & Approved Local Plat.

WEST BOUNTIFUL CITY

RESOLUTION #373-15

A RESOLUTION OF THE CITY COUNCIL OF WEST BOUNTIFUL CITY, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, APPROVING THE CREATION OF A SERVICE AREA FOR THE PROVISION OF FIRE PROTECTION, EMERGENCY MEDICAL RESPONSE, PARAMEDIC, EMERGENCY RESPONSE SERVICES, AMBULANCE SERVICES AND RELATED SERVICES TO THE CITIES OF BOUNTIFUL, CENTERVILLE, NORTH SALT LAKE, WEST BOUNTIFUL, WOODS CROSS AND THE UNINCORPORATED AREA OF SOUTH DAVIS COUNTY, AND THE TRANSFER OF THE RESPONSIBILITIES AND OPERATIONS OF THE EXISTING SOUTH DAVIS METRO FIRE AGENCY TO THE SERVICE AREA CREATED HEREBY.

WHEREAS, on August 4, 2015, the City Council of West Bountiful City adopted a Resolution proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by that Resolution, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as shown on the map which is attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed Service Area shall be known as the South Davis Metro Fire Service Area;

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues as are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area;

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 15th day of September, 2015, at the West Bountiful City Hall, 550 N. 800 W., West Bountiful, UT at 7:30 pm. In accordance with UCA Sec. 17B-1-211, the City Recorder in conjunction with the County Clerk and the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website;

WHEREAS, the statutorily mandated protest period began September 15, 2015, and ended November 16, 2015;

WHEREAS, West Bountiful City received zero protests, constituting 0% of the number of votes cast in the city for the office of President of the United States at the most recent presidential election prior to the date of the adoption of the resolution and 0% of the value of all of the private

land area in the city. The City Council determines and finds the protest levels are less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the City Council is authorized to proceed with the creation of the Service Area and, having considered all written or verbal input provided the City Council during the public hearing and thereafter, believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services within the boundaries as described.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City, Utah, as follows:

Section 1. Fire Service Area Approved. The City Council, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as shown on the map which is attached hereto as Attachment A. The City Council determines that it would be in the best interests of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Section 3. Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues as are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and Administrative Officer of the Service Area. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.

- b. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the county if the county is an entity participating in the creation of the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. 'The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an ex officio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the Service Area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.

Section 5. Fiscal Year. The fiscal year of the Service Area shall be from July 1 of each year through the following June 30th,

Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.

Section 7. Cooperation of City Staff. City staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The City Recorder shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of the adoption of this Resolution.

Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency. Effective July 1, 2016, the interlocal agreement establishing the South Davis Metro Fire

Agency dated October 1, 2004 and any amendment thereto shall be terminated and dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h), and any amendment thereto shall continue in full force and effect until satisfied. Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement, Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

Adopted by the West Bountiful City Council this 17th day of November, 2015.

Voting by the City Council: Aye

Nay

Councilmember Ahlstrom
Councilmember Bruhn
Councilmember Enquist
Councilmember McKean
Councilmember Preece

ATTEST:

Cathy Brightwell, City Recorder



CITY OF NORTH SALT LAKE

10 East Center Street North Salt Lake, Utah 84054 (801) 335-8700 Voice (801) 335-8719 Fax www.nsleity.org

LEONARD K. ARAVE Mayor D. BARRY EDWARDS City Manager

November 18, 2015

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action-Incorporation of the South Davis Metro Fire Service Area

Dear Lt. Governor Cox:

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. A copy of City of North Salt Lake Resolution 2015-28R Approving the Creation of the South Davis Metro Fire Service Area is attached to this Notice. In addition, a local entity plat approved by the County Surveyor in accordance with UCA Sec. 17-23-20 is attached.

The Service Area assumes all responsibilities, employees and functions of the existing interlocal entity, the South Davis Metro Fire Agency. In accordance with UCA Sec. 49-11-621 none of the existing employees are deemed terminated for retirement purposes. The Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and verified this 17th day of November, 2015.

Len Arave, Mayor City of North Salt Lake

Attached: Resolution 2015-28R City Resolution, Approved Local Plat.

RESOLUTION NO. 2015-28R

A RESOLUTION OF THE NORTH SALT LAKE CITY COUNCIL, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, APPROVING THE CREATION OF A SERVICE AREA FOR THE PROVISION OF FIRE PROTECTION, EMERGENCY MEDICAL RESPONSE, PARAMEDIC, EMERGENCY RESPONSE SERVICES, AMBULANCE SERVICES AND RELATED SERVICES TO THE CITIES OF BOUNTIFUL, CENTERVILLE, NORTH SALT LAKE, WEST BOUNTIFUL, WOODS CROSS AND THE UNINCORPORATED AREA OF SOUTH DAVIS COUNTY AND THE TRANSFER OF THE RESPONSIBILITIES AND OPERATIONS OF THE EXISTING SOUTH DAVIS METRO FIRE AGENCY TO THE SERVICE AREA CREATED HEREBY.

WHEREAS, on August 4, 2015, the City of North Salt Lake adopted a Resolution proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by that Resolution, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed Service Area shall be known as the South Davis Metro Fire Service Area;

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area;

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 15th day of September, 2015, at the North Salt Lake City Hall, 10 E. Center Street, North Salt Lake, UT at 7:00 pm. In accordance with UCA Sec. 17B-1-211, the City Recorder in conjunction with the County Clerk and the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website in accordance;

WHEREAS, the statutorily mandated protest period began of September 15, 2015, and ended on November 16, 2015;

WHEREAS, North Salt Lake City received <u>zero</u> protests constituting <u>zero</u> percent of the number of votes cast in the city for the office of President of the United States at the most

recent presidential election prior to the date of the adoption of the resolution and _____% of the value of all of the private land area in the city. The City Council determines and finds the protest levels are less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the City Council is authorized to proceed with the creation of the Service Area and having considered all written or verbal input provided the City Council during the public hearing and thereafter believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services with the boundaries as described.

NOW, THEREFORE, BE IT RESOLVED by the City Council of North Salt Lake City, Utah, as follows:

Section 1. Fire Service Area Approved. The City Council, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. The City Council determines that it would to be in the best interests of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Section 3. Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and

- Administrative Officer of the Service Area. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.
- b. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the county if the county is an entity participating in the creation of the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an ex officio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the service area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.

Section 5. Fiscal Year. The fiscal year of the Service Area shall be from July 1 of each year through the following June 30th,

Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.

Section 7. Cooperation of City Staff. City staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The City

Recorder shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of the adoption of this Resolution.

Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency. Effective July 1, 2016, the interlocal agreement establishing the South Davis Metro Fire Agency dated October 1, 2004 and any amendment thereto shall be terminated and dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h), and any amendment thereto shall continue in full force and effect until satisfied. Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement, Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

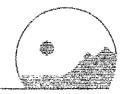
Adopted by the North Salt Lake City Council this 17th day of November, 2015.

Leonard K. Arave, Mayor

ATTEST:

D. Barry Edwards, City Recorder

Woods Cross City



December 4, 2015

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action-Incorporation of the South Davis Metro Fire Service Area

Dear Lt. Governor Cox

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. Accordingly a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested. A copy of the Woods Cross City Resolution Approving the Creation of the South Davis Metro Fire Service Area is attached to this Notice. In addition, a local entity plat approved by the County Surveyor in accordance with UCA Sec. 17-23-20 is attached.

The Service Area assumes all responsibilities, employees and functions of the existing interlocal entity, the South Davis Metro Fire Agency. In accordance with UCA Sec. 49-11-621 none of the existing employees are deemed terminated for retirement purposes. The Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and Verified this 4th day of December, 2015.

Rick Earnshaw, Mayor

Woods Cross City

attached: Woods Cross City Resolution, Approved Local Plat.

2015-613 Resolution No. 613

A Resolution of the Woods Cross City Council, a municipal corporation of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.

WHEREAS, on August 4, 2015, Woods Cross City adopted a Resolution proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by that Resolution, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed Service Area shall be known as the South Davis Metro Fire Service Area;

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area;

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 15th day of September, 2015, at the Woods Cross City Hall, 1555 S. 800 W., Woods Cross City, UT at 7:00 pm. In accordance with UCA Sec. 17B-1-211, the City Recorder in conjunction with the County Clerk and the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website in accordance:

WHEREAS, the statutorily mandated protest period began on September 15, 2015, and ended on November 16, 2015;

WHEREAS, Woods Cross City received 0 protests constituting 0% of the number of votes cast in the city for the office of President of the United States at the most recent presidential election prior to the date of the adoption of the resolution and 0% of the value of all of the private land area in the city. The City Council determines and finds the protest levels are

less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the City Council is authorized to proceed with the creation of the Service Area and having considered all written or verbal input provided the City Council during the public hearing and thereafter believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services with the boundaries as described.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Woods Cross City, Utah. as follows:

Section 1. Fire Service Area Approved. The City Council, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more shown on the map which is attached hereto as Attachment A. The City Council determines that it would be in the best interest of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Section 3. Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and Administrative Officer of the Service Area. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with

- UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.
- b. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the county if the county is an entity participating in the creation of the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an ex officio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the service area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.

Section 5. Fiscal Year. The fiscal year of the Service Area shall be from July 1 of each year through the following June 30th.

Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.

Section 7. Cooperation of City Staff. City staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The City Recorder shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of

the adoption of this Resolution.

Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency. Effective July 1, 2016, the interlocal agreement establishing the South Davis Metro Fire Agency dated October 1, 2004 and any amendment thereto shall be terminated and dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h), and any amendment thereto shall continue in full force and effect until satisfied. Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement. Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

Adopted by the Woods Cross City Council this 17th day of November, 2015.

Rick Earnshaw, Mayor

ATTEST:

Jessica Sims, City Recorder



Davis County Commission

Commissioner P. Bret Millburn

Commissioner John Petroff, Jr.

Commissioner IIm Smith

December 9, 2015

Lieutenant Governor Spencer J. Cox Utah State Capitol Complex, Suite 220 P.O. Box 142325 Salt Lake City, Utah 84114-2325

Re:

Notice of Impending Boundary Action:

Incorporation of the South Davis Metro Fire Service Area

Dear Lt. Governor Cox

The cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and Davis County, on behalf of a portion of its unincorporated territory, have completed all necessary steps precedent to the creation of the South Davis Metro Fire Service Area. A copy of Davis County Resolution #2015-563 approving the creation of the South Davis Metro Fire Service Area is attached to this Notice. In addition, a local entity plat approved by the Davis County Surveyor in accordance with UCA Sec. 17-23-20 is enclosed. Accordingly, a Certificate of Incorporation issued by your office for the South Davis Metro Fire Service Area is hereby requested.

The Service Area assumes all responsibilities, employees and functions of the existing interlocal entity, the South Davis Metro Fire Agency. In accordance with UCA Sec. 49-11-621 none of the existing employees are deemed terminated for retirement purposes. The Service Area and the employees continue to be subject to the provisions of the Utah State Retirement and Benefit Insurance Act in the same manner and to the same extent as the South Davis Metro Fire Agency.

Signed and verified this 9th day of December, 2015.

P. Bret Millburn, Chair

Board of Davis County Commission

Enclosures:

Resolution #2015-563

Local Entity Plat



DAVIS COUNTY RESOLUTION #2015 -563

A Resolution of the Davis County, a body corporate and politic and a political subdivision of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.

WHEREAS, on August 11, 2015, the Davis County Commission adopted a Resolution proposing the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area proposed by that Resolution, the creation of which is approved by this Resolution, included the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as described more fully on the map attached hereto as Attachment A. In the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval. The proposed Service Area shall be known as the South Davis Metro Fire Service Area:

WHEREAS, the proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area:

WHEREAS, a Public Hearing on the creation of the proposed Service Area was held the 15th day of September, 2015, at the Davis County Commission Chambers, 61 South Main Street, Farmington, UT at 6:00 pm. In accordance with UCA Sec. 17B-1-211, the County Clerk in conjunction with the City Recorders of the participating cities published notice of the Public Hearing in the Davis County Clipper, a newspaper of general circulation, and on the Utah Public Notice Website in accordance with UCA 52-4-202:

WHEREAS, the statutorily mandated protest period began on September 15, 2015, and ended on November 16, 2015;

WHEREAS, Davis County received <u>zero</u> protests constituting <u>zero</u> percent of the number of votes cast in the included portion of the unincorporated area of the county for the office of President of the United States at the most recent presidential election prior to the date of the adoption of the resolution and <u>zero</u>% of the value of all of the private land area in the included portion of the unincorporated area of the county. The County Commission determines

and finds the protest levels are less than the levels required by UCA Sec. 17B-1-213 for terminating the creation of the Service Area; and

WHEREAS, the County Commission is authorized to proceed with the creation of the Service Area and having considered all written or verbal input provided the County Commission during the public hearing and thereafter believes that it is in the public interest to approve the creation of the Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services with the boundaries as described.

NOW, THEREFORE, BE IT RESOLVED by the Davis County Commission as follows:

Section 1. Fire Service Area Approved. The Davis County Commission, in accordance with UCA Sec. 17B-1-213 and UCA Sec. 17B-2a-901 et seq., hereby approves the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services. The Service Area shall be known as the South Davis Metro Fire Service Area.

Section 2. Service Area Boundaries. The boundaries of the Service Area shall include the area within the corporate limits of the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and all property in the unincorporated area of Davis County located south of an east/west extension of the northern corporate limits of Centerville City, north of the Salt Lake County Line, west of U.S. Forest Service line, and east of the Great Salt Lake as more described more fully on the map attached hereto as Attachment A. The County Commission determines that it would to be in the best interests of its citizens to create the Service Area even if all proposed entities do not approve its creation and directs that, in the event that not all of the enumerated governmental entities approve the creation of the Service Area, the boundaries of the Service Area shall be reduced by the exclusion of the non-approving entity and the map shall be adjusted accordingly prior to its submission to the County Surveyor and Lieutenant Governor for approval.

Section 3. Service Area Funding. The proposed Service Area shall be funded through revenues that may include member assessments, a property tax levy, revenues generated by its operations and such other revenues that are authorized by law. Assessments will be made in accordance with the provisions of a new interlocal agreement entered into among the member entities and the Service Area. The initial Service Area tax levy will be used for payment of debt service on existing fire station bonds and will likely increase in future years to fund future needs.

Section 4. Service Area Governance.

a. The Service Area shall be governed by a Board of Trustees composed of one elected official appointed by each participating entity in accordance with UCA Sec. 17B-2a-905. The Fire Chief shall serve as the Chief Executive and Administrative Officer of the Service Area. Upon approval and issuance of a Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5, the legislative body of each participating entity shall appoint one elected official to serve as a Trustee of the Service Area.

- b. There shall be an Administrative Committee advisory to the Board of Trustees on matters relating to the budget of the Service Area, the compensation of the Service Area's officers and employees and such other matters as are assigned to it by the Board of Trustees. The Administrative Committee shall be composed of the city manager of each participating city, or in the event that any participating city does not employ a city manager, a representative appointed by the governing authority of the city, and a designee appointed by the County Commission of Davis County to represent the unincorporated area of the county included within the Service Area. The Fire Chief shall be responsible for the preparation of a proposed budget for submission to the Administrative Committee and the preparation of tentative and final budgets approved by the Committee and Board. The Chair of the Administrative Committee shall be elected by the members thereof and shall serve as Budget Officer for the Service Area with duties as assigned by the Board including filing and presenting the tentative operating and capital budget with the Board of Trustees. The Fire Chief shall be responsible to ensure that Service Area expenditures within each fund conform to the fund budget and any other budget guidelines approved by the Board. The Fire Chief shall serve as an exofficio, non-voting member of the Administrative Committee. Subject to approval of the Board of Trustees, the Administrative Committee shall adopt bylaws for its operation and governance.
- c. A majority of the Board members, with a quorum present, shall be required for all actions taken by the Board of Trustees except that actions taken to adopt or amend the bylaws of the Service Area or actions taken to change the assessment formulas by which member charges are determined shall require a two-thirds vote of the entire Board. Votes shall not be weighted unless a weighted vote is formally requested by a Board member. Weighting of votes shall be in accordance with each member's most recent annual assessment.

Section 5. Fiscal Year. The fiscal year of the Service Area shall be from July 1 of each year through June 30th of the following year.

Section 6. Effective Date of Incorporation and Commencement of Operations. The incorporation of the Service Area shall be the date of issuance of the Certificate of Incorporation by the Lieutenant Governor in accordance with UCA Sec. 67-1a-6.5. The Service Area shall commence operation of the enumerated and authorized services on July 1, 2016.

Section 7. Cooperation of County Staff. County staff are hereby directed to take and cooperate in all actions necessary to complete the incorporation of the Service Area. The County Clerk/Auditor shall cooperate in transmitting to the Lieutenant Governor a Notice of Impending Boundary Action and a copy of the approved local entity plat within ten (10) days of the date of the adoption of this Resolution.

Section 8. Termination of Interlocal Agreement Creating the South Davis Metro Fire Agency. Effective July 1, 2016, the interlocal agreement (#2004-344) establishing the South Davis Metro Fire Agency dated October 5, 2004 and any amendment thereto shall be terminated and dissolved and all functions, obligations, buildings and other assets of all types of the Agency shall be transferred to and assumed by the South Davis Metro Fire Service Area. Obligations of the Agency to any Member for existing debt of the Agency shall be assumed by the Service Area. Capital contribution requirements or limits contained in the existing interlocal agreement creating the South Davis Metro Fire Agency, including specifically paragraph 5.01(h). and any amendment thereto shall continue in full force and effect until satisfied. Specifically, in consideration of the transfer by Bountiful City of \$1,192,000.00 and the \$3,100,000.00 capital contribution credit due Bountiful City as set forth in paragraph 5.01(h) of the interlocal agreement, Bountiful City and its citizens shall not be obligated to pay any portion of the Ambulance Fee Revenue Bond Series 2006, or any refinancing of those bonds except as such revenues are derived from ambulance service payments for services provided to Bountiful City residents. Capital contributions for future capital improvements approved by the South Davis Metro Fire Service Area Board shall be paid proportionately by each member as determined by the Board.

Section 9. Effective Date. This Resolution shall take effect immediately.

This Resolution was duly Passed and/or Approved by the County Legislative Body of Davis County, Utah, on this 17th day of November, 2015, with Commissioners P. Bret Millburn Nay, John Petroff Jr. Aye, and Jim Smith Aye all voting as documented herein above.

DAVIS COUNTY

P. Brei Millburn, Chair Board of County

Commissioners of Davis County

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Curtis Koch

Davis County Clerk/Auditor

APPROVED AS TO FORM

Neal C. Geddes, Chief Civil Deputy

