Logan, Utah

March 15, 2016

The Municipal Council (the "Council") of Logan City, Utah (the "Issuer"), met in regular public session at the regular meeting place of the Council in Logan, Utah, on Tuesday, March 15, 2016, at the hour of 5:30 p.m., with the following members of the Council being present:

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|---|---|
| H. Craig Petersen | Mayor |
| Herm Olsen | Chair/Councilmember |
| Holly Daines | Councilmember |
| S. Eugene Needham | Councilmember |
| Jeannie F. Simmonds | Councilmember |
| Tom Jensen | Councilmember |

Also present:

| | |
|---|---|
| Teresa Harris | City Recorder |

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this March 15, 2016, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember Simmonds and seconded by Councilmember Daines, was adopted by the following vote:

AYE: Unanimous

NAY: None

The resolution is as follows:

RESOLUTION NO. 16-13

A RESOLUTION OF THE MUNICIPAL COUNCIL OF LOGAN CITY, UTAH (THE "ISSUER"), AUTHORIZING THE ISSUANCE AND SALE OF ITS SEWER TREATMENT REVENUE BONDS, SERIES 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $70,000,000; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE POWER TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SEWER TREATMENT REVENUE BONDS, SERIES 2016 WITHIN CERTAIN PARAMETERS PREVIOUSLY ADOPTED BY A RESOLUTION OF THE ISSUER; PROVIDING FOR THE PLEDGING OF CERTAIN REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING THE EXECUTION BY THE ISSUER OF A GENERAL INDENTURE OF TRUST AND A SUPPLEMENTAL INDENTURE OF TRUST, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), the Municipal Council (the "Council") of Logan City, Utah (the "Issuer") has authority to issue bonds payable from the net revenues of its sewer treatment system for the purposes set forth in the Act; and

WHEREAS, by resolution adopted February 16, 2016 (the "Parameters Resolution"), the Issuer approved the issuance of not more than $110,000,000 of Sewer Treatment Revenue Bonds (the "Authorized Bonds"), established parameters therefore and directed the publication of a "Notice of Public Hearing and Bonds to be Issued"; and

WHEREAS, the Issuer desires to acquire and construct improvements and additions to the Issuer's existing sewage treatment system, including, but not limited to, a new sewer treatment facility to serve the Issuer and other cities pursuant to an Interlocal Agreement, and all related improvements (collectively, the "Project") by issuing a portion of the Authorized Bonds, which shall be designated "Logan City, Utah Sewer Treatment Revenue Bonds, Series 2016" in the amount of not to exceed $70,000,000 (the "Series 2016 Bonds"); and

WHEREAS, to accomplish the purposes set forth in the preceding recital, and subject to the limitations set forth herein, the Issuer desires to issue its Sewer Treatment Revenue Bonds, Series 2016, pursuant to (a) the Act, (b) this Resolution, and (c) a General Indenture of Trust and a First Supplemental Indenture of Trust (collectively, the "Indenture"), in substantially the forms presented to the meeting at which this Resolution was adopted and which are attached hereto as Exhibit B; and

WHEREAS, the State of Utah acting through the Department of Environmental Quality, Water Quality Board (the "Water Quality Board") has agreed to purchase the Series 2016 Bonds upon the terms and conditions herein set forth; and

WHEREAS, in order to allow the Issuer (in consultation with the Issuer's Municipal Advisor, George K. Baum & Company (the "Municipal Advisor")) flexibility in setting the pricing date of the Series 2016 Bonds to optimize debt service savings to the Issuer, the Council desires to grant to any one of the Mayor or the Mayor Pro Tem or the Finance Director (collectively, the "Designated Officers") of the Issuer the authority to approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2016 Bonds shall be sold, and to set forth the final terms of the Series 2016 Bonds, and any changes with respect thereto from those terms which were before the Council at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the "Parameters").

NOW, THEREFORE, it is hereby resolved by the Municipal Council of Logan City, Utah, as follows:

Section 1. For the purpose of (a) financing the Project, and (b) paying costs of issuance of the Series 2016 Bonds, the Issuer hereby authorizes the issuance of the Series 2016 Bonds which shall be designated "Logan City, Utah Sewer Treatment Revenue Bonds, Series 2016" in an amount not to exceed of $70,000,000, which bonds are to mature in not more than thirty (30) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed five percent (5.00%) per annum. The Series 2016 Bonds shall bear interest, shall be dated, shall be issued as fully registered Bonds, and shall mature as provided in the Indenture.

Section 2. The Series 2016 Bonds shall be sold to the Water Quality Board.

Section 3. The Indenture in substantially the forms presented to this meeting and attached hereto as Exhibit B, is hereby authorized, approved, and confirmed. The Mayor and the City Recorder are hereby authorized to execute and deliver the Indenture in substantially the forms and with substantially the content as the forms presented at this meeting for and on behalf of the Issuer, with final terms established within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 4 hereof.

Section 4. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Series 2016 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2016 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 5. The form, terms, and provisions of the Series 2016 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Mayor and the City Recorder are hereby authorized and directed to execute and seal the Series 2016 Bonds and to deliver said Series 2016 Bonds to the Water Quality Board. The signatures of the Mayor and the City Recorder may be by facsimile or manual execution.

Section 6. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Water Quality Board the Series 2016 Bonds in accordance with the provisions of the Indenture.

Section 7. Upon their issuance, the Series 2016 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2016 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Series 2016 Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 8. The appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers (including but not limited to tax/disclosure compliance policies and an escrow deposit agreement as permitted under the Indenture) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 9. After the Series 2016 Bonds are delivered to the Water Quality Board and upon receipt of payment therefor, this Resolution shall be and remain irrepealable until the principal of, premium, if any, and interest on the Series 2016 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 10. It is hereby declared that all parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

Section 11. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

APPROVED AND ADOPTED this March 15, 2016.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

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

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

STATE OF UTAH )
: ss.
COUNTY OF CACHE )

I, Teresa Harris, the duly appointed and qualified City Recorder of Logan City, Utah (the "City"), do hereby certify according to the records of the Municipal Council of the City (the "Municipal Council") in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the Municipal Council held on March 15, 2016, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said City, this March 15, 2016.

(SEAL)

By: Teresa Harris
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Teresa Harris, the undersigned City Recorder of Logan City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the March 15, 2016, public meeting held by the Municipal Council of the City (the "Municipal Council") as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City on March 11, 2016, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Logan Herald Journal on March 11, 2016, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (http://pmn.utah.gov) at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this March 15, 2016.

(SEAL)

By: Teresa Harris
City Recorder

SCHEDULE 1

NOTICE OF MEETING

LOGAN
CITY UNITED IN SERVICE

# LOGAN MUNICIPAL COUNCIL AGENDA
## March 15, 2016

**4:45 P.M.** ***CLOSED SESSION: The Logan Municipal Council will meet at 4:45 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, to consider administration's request for a Closed Session to discuss possible property acquisition.***

*Notice is hereby given that the Logan Municipal Council will hold its regular meeting beginning at* ***5:30 p.m. on Tuesday, March 15, 2016****, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah.*

**5:30 p.m.** **REGULAR MEETING AGENDA**

1. **Call to Order – Chairman Herm Olsen**
2. **Opening Ceremony – TBA**
3. **Acceptance of Minutes; Approval of Agenda**
4. **2016 regular meeting schedule, 1st & 3rd Tuesdays, 5:30 p.m.: Next meeting: April 5, 2016**
5. **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL: Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.**

**ESTIMATED time of consideration**

6. **MAYOR/STAFF REPORTS:**
   - **A.** Updates on Projects/Issues – **Mayor Petersen**
   - **B.** SR-30 Corridor Study I-15 to 1000 West – **Vince Izzo and Mike Pepper, HDR Inc. (15 min)**

7. **COUNCIL BUSINESS:**
   - **A.** Short Range Transit Plan – **Councilmember Jeannie Simmonds**
   - **B.** Consideration of a proposed resolution for a Pilot Program to Convert Multi-Family to Single-Family Residences – **Resolution 16-10 – Councilmember Gene Needham**
   - **C.** May Budget Workshop Schedule – **Chairman Olsen**

6:15

8. **ACTION ITEMS:**
   - **A. PUBLIC HEARING -** Consideration of the issuance and sale of not more than $110,000,000 aggregate principal amount of Sewer Treatment Revenue Bonds, Series 2016 and to allow public input regarding any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the bonds may have on the private sector; and related matters
   - **B.** Consideration for adoption of a resolution of the Municipal Council of Logan City, Utah, authorizing the issuance and sale of its Sewer Treatment Revenue Bonds, Series 2016 in the aggregate principal amount of not to exceed $70,000,000; and related matters – **Resolution 16-13**
   - **C.** Consideration of a proposed resolution approving the Annual Municipal Wastewater Self-Assessment Report – **Resolution 16-09**
   - **D. PUBLIC HEARING -** Consideration of a proposed Code Amendment. Logan City requests to amend the Land Development Code Chapters 17.12, 17.15 & 17.62 to modify how density is calculated in the Campus Residential (CR) Zone. The change would provide an alternative process, enabling projects to utilize a density calculation based on an occupant per acre standard in addition to the traditional unit per acre standard – **Ordinance 16-09**

**AGENDA CONTINUED ON OPPOSITE SIDE**

# Entity: Logan

## Body: Municipal Council

| | |
|---|---|
| **Subject:** | Other |
| **Notice Title:** | Logan Municipal Council - Regular Meeting |
| **Meeting Location:** | 290 N 100 W<br>Logan 84321 |
| **Event Date & Time:** | March 15, 2016<br>5:30 PM |
| **Description/Agenda:** | |

1. Call to Order - Chairman Herm Olsen
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   A. Updates on Projects/Issues - Mayor Petersen
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7. COUNCIL BUSINESS:
A. Short Range Transit Plan - Councilmember Jeannie Simmonds
B. Consideration of a proposed resolution for a Pilot Program to Convert Multi-Family to Single-Family Residences - Resolution 16-10 - Councilmember Gene Needham
C. May Budget Workshop Schedule - Chairman Olsen

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B. Consideration for adoption of a resolution of the Municipal Council of Logan City, Utah, authorizing the issuance and sale of its Sewer Treatment Revenue Bonds, Series 2016 in the aggregate principal amount of not to exceed $70,000,000; and related matters - Resolution 16-13
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AGENDA CONTINUED ON OPPOSITE SIDE

9. WORKSHOP ITEMS:
A. (Continued from March 1, 2015) - Consideration of a proposed resolution to approve the Hillcrest Neighborhood Plan - Resolution 16-12 - Aaron Smith
B. (Continued from March 1, 2015) - Consideration of a proposed ordinance to amend the Future Land Use

Plan Map (FLUP) for those areas identified in the Hillcrest Neighborhood Plan as suitable for map amendment - Ordinance 16-08- Aaron Smith

C. (Continued from March 1, 2015) - Consideration of a proposed rezone of areas identified in the Hillcrest Neighborhood Plan as suitable for rezone - Ordinance - 16-10 - Aaron Smith

D. Consideration of a proposed zone change. Roofers Supply McHogh/Forgotten Trails Land & Livestock- Raymond & Shelly Olsen TRS, authorized agent/owner(s) request a zone change from Commercial (COM) to Commercial Services (CS), to remove the existing structure and build a new 10,000 SF contractor supply store with outdoor storage at 270 North 1000 West in the Commercial (COM) zone: TIN 05-094-0009; 05-062-0019 - Ordinance 16-11 - Amber Reeder, Planner

10. OTHER CONSIDERATIONS:

11. ADJOURN

| | |
|---|---|
| **Notice of Special Accommodations:** | Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request. |
| **Notice of Electronic or telephone participation:** | A council member may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A council member participating electronically will be connected to the meeting by telephone. |
| **Other information:** | |
| **Contact Information:** | Teresa Harris, City Recorder<br>(435)716-9002<br>teresa.harris@loganutah.org |
| **Posted on:** | March 11, 2016 03:46 PM |
| **Last edited on:** | March 11, 2016 03:46 PM |

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EXHIBIT B

GENERAL INDENTURE AND SUPPLEMENTAL INDENTURE

(See Transcript Document Nos. 5 and 6)