

**HEBER CITY**  
**ORDINANCE NO. 2021-12**

**AN ORDINANCE CREATING THE HEBER CITY COMMUNITY REINVESTMENT AGENCY**

**WHEREAS** the City Council of Heber City, Utah, located in Wasatch County (respectively, the “**Council**” and the “**City**”) has determined that it is in the best interests of the City to undertake project area development in such areas of the City as may become necessary or desirable; and

**WHEREAS** the Council intends that community reinvestment projects undertaken within the City be carried out in accordance with the provisions of Title 17C of the Utah Code, the “Limited Purpose Local Government Entities - Community Reinvestment Agency Act” as amended and under any successor statutes (the “**Act**”); and

**WHEREAS** Section 17C-1-201.5 of the Act authorizes the legislative body of a municipality to create a community reinvestment agency for the purposes of undertaking or promoting economic development within the geographic boundaries of the agency, which shall be coterminous with the boundaries of the community creating the agency, or as otherwise provided by the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HEBER CITY, UTAH AS FOLLOWS:**

**Section 1.** Pursuant to the provisions of Section 17C-1-201.5 of the Act, the Council hereby creates a community reinvestment agency (the “**Agency**”), contingent upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Section 67-1a-6.5 of the Utah Code.

**Section 2.** The official name of the Agency is the “Heber City Community Reinvestment Agency.”

**Section 3.** The geographic boundaries of the Agency are and will be coterminous with the geographic boundaries of the City.

**Section 4.** Upon creation, the Agency will be vested with all the powers set forth in the Act, as may be amended from time to time, and as otherwise provided by law.

**Section 5.** The Council will have the power to adopt and amend governing documents for the Agency.

**Section 6.** The governing body of the Agency will be a Board consisting of the members of the Council as may serve from time to time on the Council (the “Agency Board”). Any change in the composition of the Council will automatically and without any further action required, constitute a commensurate change in the composition of the Agency Board.

**Section 7.** Within ten days of the adoption of this Ordinance, the City will cause to be prepared and filed with the Utah Lieutenant Governor a notice of impending boundary action (the “Notice”) as required by Section 17C-1-201.5(2)(a) of the Act. The Notice must comply with the requirements of Utah Code Ann. Section 67-1a-6.5(3). The appropriate officials of the City are authorized and directed to sign and seal the Notice upon its proper preparation.

**Section 8.** Upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Utah Code Ann. Section 67-1a-6.5, the Agency will be created and incorporated. Upon the lieutenant governor's issuance of a certificate of creation, the City Recorder will submit or cause to be submitted to the County Recorder the original Notice, the original certificate of creation, and a certified copy of this Ordinance.

**THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON PUBLICATION AND POSTING PURSUANT TO UTAH CODE ANN. § 10-3-712.**

APPROVED AND ADOPTED by the Heber City Council on the 2<sup>nd</sup> day of March, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Franco	<u>X</u>	_____	_____	_____
Wayne Hardman	<u>X</u>	_____	_____	_____
Rachel Kahler	<u>X</u>	_____	_____	_____
Michael Johnston	<u>X</u>	_____	_____	_____
Ryan Stack	<u>X</u>	_____	_____	_____

APPROVED:

Kelleen L. Potter  
 Mayor Kelleen L. Potter



ATTEST:

Jina Weidner  
 RECORDER

Date: 3/2/2021