

RESOLUTION 87-165

A RESOLUTION OF THE DELTA CITY COUNCIL INCREASING THE CERTIFIED TAX RATE FROM 100/17 to 202808 FOR THE PURPOSE OF LEVYING TAXES TO ENABLE DELTA CITY TO OBTAIN ADDITIONAL FINANCING FOR THE GENERAL FUND IN ORDER TO INCREASE THE INDIVIDUAL BUDGETS THEREOF SO AS TO MAINTAIN AND PROVIDE THOSE MUNICIPAL SERVICES HERETOFORE EXISTING AND DEEMED ESSENTIAL TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY AND ITS CITIZENS AND TO AVOID A FURTHER REDUCTION OF DELTA CITY PERSONNEL AND A DECREASE IN MUNICIPAL SERVICES.

WHEREAS, Delta City's current budget for fiscal year 1987-88 is deficient in as much as the current year expenditures will be greater than estimated revenue; and

WHEREAS, in an attempt to avoid raising property taxes, Delta City has eliminated certain employment positions within the City, the result of which is a reduction of Delta City personnel; and in addition thereto, has decreased municipal services in each municipal department, the result of which is a reduction in the quality and quantity of municipal services heretofore provided to the citizens of Delta City; and

WHEREAS, the Delta City Council recognizes the need to restore those municipal services lost as a result of insufficient funds in the current Delta City budget, fiscal year 1987-88; and

WHEREAS, in accordance with Section 59-2-919, Utah Code Annotated, (1953) as amended, Delta City advertised its intent to exceed the certified tax rate, by publishing notice thereof in a newspaper known as the Millard County Chronicle-Progress, a weekly newspaper, published in the County of Millard, State of Utah, for the time and in the manner provided by law; and

WHEREAS, pursuant to Title 52, Chapter 4 of the Utah Code Annotated, known as the "Open and Public Meetings Act," Delta City provided public notice of the agenda, time and place of this meeting, by posting written notice thereof at the principal office of the public body; namely, the Delta City Building located at 76 North 200 West and in at least one newspaper of general circulation, namely the Millard County Chronicle-Progress, and to a local media correspondent, namely, KNAK Radio Station, 73 South Center, Delta, Utah; and

WHEREAS, said meeting was open to the public and all interested parties desiring to be heard were given an opportunity to present oral testimony, and oral public comments regarding the proposed property tax increase were received by the Delta City

Council members and City Council members gave their explanations and reasons for the proposed tax increase; and

WHEREAS, the County Auditor of Millard County, Utah, notified, by mail, all owners of real estate, as that term is defined under subsection 59-2-102 subparagraph 12 Utah Code Annotated (1953), as amended, for the time and in the manner provided by law; and

WHEREAS, the City Council believes it to be in the best interest of the citizens of Delta City, to raise property taxes in order to maintain and provide those municipal services, heretofore existing and deemed essential to protect the health, safety and general welfare of the community and its citizens and to avoid a further reduction of Delta City personnel and a decrease in municipal services.

NOW, THEREFORE, be it resolved by the City Council of the City of Delta, Utah:

1. Increase of Certified Tax Rate. The total certified tax rate shall be increased from .0017 to .002808 for the purpose of levying taxes to enable Delta City to obtain additional financing for the general fund, in order to increase the individual budgets thereof so as to maintain and provide those municipal services heretofore existing and deemed essential for the protection of the health, safety and welfare of the community and its citizens and to avoid a further reduction of Delta City personnel and a decrease in municipal services.

2. Effective Date. This resolution shall become effective upon adoption.

3. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

4. Repeal of Conflicting Resolutions. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND APPROVED this 17th day of Aug., 1987.

Ruth Hansen
RUTH HANSEN, Mayor

Attest: Dorothy Jeffery
DOROTHY JEFFERY
City Recorder