



# SARATOGA SPRINGS

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1. 2022-6-23 Cc Agenda Special Meeting

Documents:

[2022-6-23 CC AGENDA SPECIAL MEETING.PDF](#)

2. 2022-6-23 Cc Packet

Documents:

[2022-6-23 CC AGENDA PACKET.PDF](#)

3. 2022-6-23 Cc Approved Minutes

Documents:

[2022-6-23 CITY COUNCIL MINUTES APPROVED.PDF](#)



## **AGENDA – City Council Special Meeting**

Mayor Jim Miller  
Mayor Pro Tempore Stephen Willden  
Council Member Christopher Carn  
Council Member Michael McOmber  
Council Member Ryan Poduska  
Council Member Chris Porter

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### **CITY OF SARATOGA SPRINGS**

**Thursday, June 23, 2022, 4:30 pm**

City of Saratoga Springs Council Chambers

1307 North Commerce Drive, Suite 200, Saratoga Springs, UT 84045

### **SPECIAL MEETING**

1. Call to Order.
2. Roll Call.

#### **BUSINESS ITEM:**

1. Letter to Utah County Commission Giving Notice of Intent to Meet Regarding Submitting an Opinion Question to the Residents of the City of Saratoga Springs on a Recreation, Arts, and Parks Tax and Request for Required Written Response; Resolution 22-42 (6-23-22) A Resolution To Notify the Utah County Commission of the Intent of the City of Saratoga Springs To Consider Submitting An Opinion Question To Residents Regarding Whether the City Should Impose a Citywide Sales and Use Tax To Fund Cultural, Recreational, and Zoological Facilities, and Botanical, Cultural, and Zoological Organizations In the City.

#### **ADJOURNMENT**

Date Posted: June 22, 2022

Cindy LoPiccolo, MMC, City Recorder  
City of Saratoga Springs, State of Utah

One or more council members may participate by electronic telecommunication means such as phone, internet, etc. so that they may participate in and be counted as present for all meeting purposes, including the determination that a quorum is present.

Meetings are streamed live at <https://www.youtube.com/c/CityofSaratogaSprings>  
Questions and comments to staff and/or Council may be submitted to  
[comments@saratogaspringscity.com](mailto:comments@saratogaspringscity.com)

Supporting materials are available for inspection on the Saratoga Springs City website at [www.saratogaspringscity.com](http://www.saratogaspringscity.com).

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801.766.9793 at least two days prior to the meeting.



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SARATOGA  
SPRINGS

*Life's just better here*

June 23, 2022

Utah County Commission  
100 East Center Street  
Provo, UT 84606

Subject: Notice of Intent to Meet Regarding Submitting an Opinion Question to the Residents of the City of Saratoga Springs on a Recreation, Arts, and Parks Tax and Request for Required Written Response

Dear Utah County Commission:

Pursuant to Utah Code § 59-12-1402(6)(a)(i), this letter serves as the written notice that the Saratoga Springs City Council intends to meet and vote on whether to submit an opinion question to the residents of Saratoga Springs in November 2022 on the imposition of a sales and use tax of .1% on the transactions described in Utah Code § 59-12-103(1) to fund cultural facilities, recreational facilities, zoological facilities and botanical organizations, cultural organizations, and zoological organizations pursuant to Utah Code § 59-12-701 et seq. (“Recreation, Arts, and Parks Tax” or “RAP tax”).

Pursuant to Utah Code § 59-12-1402(6)(a)(ii) and Utah Code §59-12-1402(b), the City requests one of the following:

- (1) a resolution from the Utah County Commission that Utah County does not have plans to submit an opinion question to the residents of Utah County in November 2022 on a RAP tax, or
- (2) a statement that the results of a county opinion question submitted to the voters of the county permits the city to submit the opinion on a RAP tax to the residents of the city, or
- (3) written notice that the county legislative body will submit an opinion to the residents of the county for the county to impose a RAP tax.

Utah law allows a city to vote to approve submitting an opinion question requesting a RAP tax to the voters in the city unless the County has already imposed a RAP tax or intends to submit an opinion on a RAP tax to the residents of the County. See Utah Code § 59-12-1402(1)(c)(i).

The City requests the County respond to this request as soon as possible since voting on and adding the opinion question to the City’s November ballot will require significant time, energy, and resources.

Sincerely,

Jim Miller  
Mayor

**RESOLUTION NO. R22-42 (6-23-22)**

**A RESOLUTION TO NOTIFY THE UTAH COUNTY COMMISSION OF THE INTENT OF THE CITY OF SARATOGA SPRINGS TO CONSIDER SUBMITTING AN OPINION QUESTION TO RESIDENTS REGARDING WHETHER THE CITY SHOULD IMPOSE A CITYWIDE SALES AND USE TAX TO FUND CULTURAL, RECREATIONAL, AND ZOOLOGICAL FACILITIES, AND BOTANICAL, CULTURAL, AND ZOOLOGICAL ORGANIZATIONS IN THE CITY**

**WHEREAS**, Utah Code § 59-12-1401 *et. seq.* authorizes a city to submit an opinion question to its voters as to whether or not the city should impose a local sales and use tax of 0.1 percent to fund recreational, cultural, and zoological facilities and botanical, cultural, and zoological organizations in the city (commonly referred to as a “RAP tax”); and

**WHEREAS**, a city may not impose a RAP tax if the county in which the city is located has either enacted a countywide RAP tax or has declared its intent to submit an opinion question to county voters as to whether the county should impose a countywide RAP tax; and

**WHEREAS**, Utah Code § 59-12-1402(6)(a)(i) states that before a city submits an opinion question to its voters regarding the RAP tax, that it must first submit to the county legislative body in which the city or town is located a written notice of the intent to submit the opinion question to the residents of the city or town; and

**WHEREAS**, Utah Code § 59-12-1402(6)(b)(i) states that the county has sixty days from receipt of the city’s notice to provide the city with either (1) a resolution stating that the county does not seek to impose a countywide RAP tax, or (2) a written notice that the county will submit an opinion question to the county voters as to whether the county should impose a countywide RAP tax; and

**WHEREAS**, the city may proceed with meeting to choose to submit the RAP tax election question if the county indicates that it does not seek to impose a countywide RAP tax; and

**WHEREAS**, the City Council intends to proceed with a meeting to consider submitting a RAP tax ballot question and to provide Utah County with notice of its intent as required by law.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:**

1. The City of Saratoga Springs hereby declares its intent to meet to consider submitting an opinion question to Saratoga Springs residents as to whether the

City of Saratoga Springs should impose a local sales and use tax of 0.1 percent to fund recreation, cultural, and zoological facilities, and botanical, cultural, and zoological organizations in Saratoga Springs.

2. This Resolution does not submit this opinion question to Saratoga Springs residents but is rather the first step before the City Council meets in a regular meeting to consider the final step of moving forward with submitting the question to residents.
3. The City of Saratoga Springs hereby gives the Utah County Commission notice of its intent to move forward with a meeting to consider submitting the opinion question to City residents and respectfully requests Utah County respond to this notice as required by law.
4. This resolution shall take effect immediately upon passage.

**PASSED AND APPROVED** this 23<sup>rd</sup> day of June, 2022.

City of Saratoga Springs

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Mayor Jim Miller

Attest:

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Cindy LoPiccolo, City Recorder



## MINUTES – CITY COUNCIL SPECIAL MEETING

Thursday, June 23, 2022

City of Saratoga Springs

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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### City Council Special Meeting

**Call to Order:** Council Member Carn called the meeting to order at 4:32 p.m.

### **Roll Call:**

**Pursuant to the COVID-19 Federal Guidelines, this Meeting will be conducted with some members participating electronically.**

**Present** Council Members Christopher Carn, Michael McOmber and Chris Porter.  
Council Members Stephen Willden and Ryan Poduska were excused.

**Staff Present** Deputy City Attorney Fredric Donaldson, City Recorder Cindy LoPiccolo, Deputy City Recorder Kayla Moss

### **BUSINESS ITEM:**

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Assistant City Attorney Fredric Donaldson advised the Council that this letter needs to be sent to the County. This is to let them know that our Council will be meeting to discuss if they want to include a question to the residents on a Recreation Arts and Park tax on the next ballot.

Motion by Council Member McOmber to approve Letter to Utah County Commission Giving Notice of Intent to Meet Regarding Submitting an Opinion Question to the Residents of the City of Saratoga Springs on a Recreation, Arts, and Parks Tax and Request for Required Written Response; Resolution 22-42 (6-23-22) was seconded by Council Member Porter.

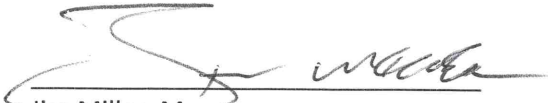
### Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Absent</u>
<u>Council Member Stephen Willden</u>	<u>Absent</u>
<u>Council Member Michael McOmber</u>	<u>Yes</u>

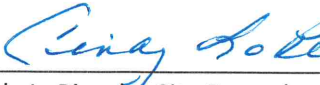
Motion carried 3-0.

### **ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 4:35 p.m.

  
Jim Miller, Mayor

Attest:

  
Cindy LoPiccolo, City Recorder  
Approved: 7-19-22

