

**NOTICE OF  
UTAH TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY (UTOPIA)  
BOARD MEETING**

Monday, January 13, 2003 - 10:00 A.M.  
*Nagano Room \*\*\* The E Center of West Valley City*  
3200 South Decker Lake Drive (1935 West)

**AGENDA**

1. Approval of December 9, 2002, Board Meeting Minutes  
~ *Paul Morris, Executive Director*
2. Consideration of Resolution No. 03-01: A resolution amending UTOPIA's By-laws to direct composition of Executive Committee  
~ Executive Director
3. Election of Officers on Executive Committee  
~ *Executive Director*
4. Consideration of Resolution No. 03-02 : A resolution authorizing UTOPIA to adopt a 457 Deferred Compensation Plan with ICMA  
~ Executive Director
5. Consideration of Resolution No. 03-03: A resolution authorizing UTOPIA to adopt a 457 Deferred Compensation Plan with ICMA that will permit loans  
~ Executive Director
6. Consideration of Resolution No. 03-04 : A resolution authorizing UTOPIA to enter into an agreement creating the Utah Local Governments Trust  
~ Executive Director
7. UTOPIA Status Report  
~ *Executive Director*
8. Financial Team Status Report  
~ *Laura Lewis, Principal, Lewis Young Robertson & Burningham, Inc.*  
~ *Scott J. Robertson, Principal, Lewis Young Robertson & Burningham, Inc.*  
~ *James R. Matsumori, Manager, George K. Baum & Company*
9. DynamicCity Status Report  
~ *D. Keith Wilson, CEO - DynamicCity*

10. Auditor's Report  
~ *Roger Black, COO - UTOPIA*
11. Motion for Adjournment

MINUTES OF UTOPIA REGULAR BOARD MEETING - DECEMBER 9, 2002

**D R A F T**

THE UTOPIA BOARD OF DIRECTORS HELD A REGULAR MEETING ON MONDAY, DECEMBER 9, 2002 AT 10 A.M. AT *THE NAGANO ROOM, E CENTER OF WEST VALLEY CITY, 3200 DECKER LAKE DRIVE*. THE MEETING WAS CALLED TO ORDER BY CHAIR DAN SNARR.

MEMBERS PRESENT: LouAnn Christensen, Brigham City  
Joe Melling, Cedar City  
David Gill, Centerville  
Alex Jensen, Layton  
Ott Dameron, Lindon  
Lee King - Midvale  
Dan Snarr - Murray  
John Park - Orem  
Todd Wilson, Payson  
Ed Skrobiszewski, Perry  
Mark Cram, Riverton  
Christopher Davis. Roy  
Matt Shipp, South Jordan  
Janice Auger, Taylorsville  
Richard Woodworth, Tremonton  
Wayne Pyle, West Valley City

MEMBERS ABSENT: Brad Sears, Cedar Hills

OFFICERS PRESENT: Paul Morris, Executive Director (West Valley City)  
David Shaw, Deputy Director (Murray)  
Roger Black, Member Relationship Director  
Dean Nickels, Treasurer (Orem)

1. Approval of November 4, 2002, Board Meeting Minutes. Executive Director Paul Morris presented draft minutes of the September 23, 2002 board meeting. Board Chair Dan Snarr motioned to approve the minutes as written. Board Member Wayne Pyle seconded the motion. A vote was taken; it was unanimous.
2. Consideration of Resolution No. 02-25: A resolution approving Cindy Johnson as the Secretary of UTOPIA and as the custodian of the UTOPIA seal, and authorization for Member Relationship Director to use the seal as directed in the event the Secretary is unavailable to do so. Board Member John Park said there was no discussion necessary on this resolution and he made a motion to approve Resolution 02-25 as written. Board Member Joe Melling seconded the motion. A vote was taken; it was unanimous.

3. Consideration of Resolution No. 02-23: A resolution approving a New Member Policy to govern new membership in UTOPIA. Member Relationship Director Roger Black presented the revised New Member Policy and suggested that it be approved as changed. It was discussed and determined that the feasibility studies will all be done by DynamicCity to preserve the quality of work and the continuity of the project. Board Member Lee King suggested that the phrase “as approved by the Board of Directors” be added to the paragraph on the feasibility study, page two paragraph four. Board Member LouAnn Christensen asked if a time frame of two years should be put into the language of the policy. After discussion, Paul Morris stated that now it is not necessary to add the time limit, but the policy could be amended to add it later on, if the need was felt. When UTOPIA builds out, there could be a separate policy. Board Member John Park made a motion to approve Resolution 02-23 with the addition of the paragraph “as approved by the Board of Directors” in paragraph four, page two. Board Member David Gill seconded the motion. A vote was taken; it was unanimous.
  
4. Consideration of Resolution 02-26: A resolution authorizing the Executive Director of UTOPIA to negotiate and enter into an agreement with Morris & Dredge, a CPA firm, for the use of office space, office furnishings and equipment on a temporary basis for \$300 per month. Executive Director Paul Morris stated the working environment at Morris and Dredge is ideal, that the CPA firm is treating UTOPIA well. They have allowed UTOPIA to move into a vacant room, provided three work stations, a color printer, telephone, copier, fax, access into their computer system, etc. UTOPIA is trying to be a good tenant, and is providing the copy paper. It costs only \$300 a month, which is well below the market rate. Board Members mentioned that this was all generally known and acceptable. Board Member Janice Auger motioned to approve Resolution 02-26. Board Member Wayne Pyle seconded the motion. A vote was taken; it was unanimous.
  
5. Consideration of Resolution 02-27: A resolution authorizing the Executive Director of UTOPIA or his designee to set up a payroll account at Zion’s bank for UTOPIA. Executive Director Paul Morris explained that the funds for this account will come from West Valley City as outlined by the interlocal agreement with them (Resolution 02-20) to buy office equipment and supplies, and to fund staff for UTOPIA until June 30, 2003. He said an unofficial poll of cities was taken to determine where most cities bank and how satisfied they are with the services offered. Most cities bank at Zions and are pleased with their dealings there. He stated that Member Relationship Director Roger Black has spoken with Zions Bank and has presented them with the opportunity to be good to UTOPIA, since UTOPIA has the potential to develop into a large account. Board Member Christopher Davis made a motion to approve Resolution 02-27. It was seconded by Board Member Mark Cram. A vote was taken; it was unanimous.

6. Consideration of Resolution 02-28: A resolution authorizing UTOPIA , as an employer, to apply for entrance into the Utah State Retirement System, an irrevocable decision. Executive Director Paul Morris stated that the Board has already given authorization for this application, but the State Retirement System needed their own resolution stating that this is an irrevocable decision. Hence this resolution with that notation. He said that once the decision is made, UTOPIA cannot go to another retirement system. Board Member Joe Melling made a motion to approve Resolution 02-28. Board Member John Park seconded the motion. A vote was taken; it was unanimous.
7. (#7 was omitted from the original agenda. Clerical error.)
8. UTOPIA Status Report: Executive Director Paul Morris explained that he had intended to put a change in the Bylaws on today's agenda, but he will work it out for presentation in January, since elections are due then as well. The proposed changes deal with fair and equal representation on the UTOPIA's executive committee, as he outlined in his email to the Board last week. He will present the changes so that every city has the possibility of filling two positions on the executive committee and the small, off the Wasatch Front cities will have the potential to hold three of the positions on the executive committee. Board Member Janice Auger wanted to know what kind of authority the executive committee has to proceed without the Board. Paul Morris stated none, that they possess only the authority as given them by the Board. Paul stated that it is his desire to delegate more administrative duties to the executive committee, thus freeing time for the Board of Directors to hear presentations, receive updates and training at the monthly board meetings. A discussion on weighted voting ensued. Paul stated that the thinking was to duplicate the concept of weighted voting as it is on the Board of Directors. It will be on January's agenda.

According to the UTOPIA Procurement Policy, the Executive Director is authorized to make purchases of up to \$50,000 with agreement from the Treasurer and the Member Relationship Director. UTOPIA is currently in need of two professional services, a financial audit and legal counsel. An auditing firm has offered to do the audit for this year for under \$1500. Legal counsel is needed to create the Murray agreement and the agreement with DynamicCity for implementation, etc. These agreements are very time-consuming and they need to be done quickly. The outside firm of Parsons, Bailey & Latimer is willing to invest in UTOPIA, specifically Val Antzek has expressed a willingness to do initial work at below-market rates. Specifically, UTOPIA will pay \$5,000 for all of the work on DynamicCity agreements. Other help would be from Jerry Oldroyd, of Ballard, Spahr, Andrews and Ingersoll, who has expertise in contracts for service providers. Funding for this work would be contingent on the issuance of bonds. UTOPIA will need a draft service provider contract by February or March.

There was a discussion about providing educational material on UTOPIA. It was decided that all information materials be uniform, so all cities receive and hand out the same

information. Paul agreed and referred them to the home page as a starting place. A white paper draft on wireless is forthcoming as well.

After an introduction on the RDA “haircut” law, Paul mentioned that Sandy City intends to run a bill to re-open the window for telecommunication projects. This might benefit UTOPIA cities. Jim Matsumori added that it could have a good effect on the interest rates for financing.

Dean & Company is the firm doing the feasibility verification study. They have been here twice on fact-finding trips and most recently last week. DynamicCity and UTOPIA met with them for five hours. Paul is impressed with them and their work. It is Dean’s opinion that UTOPIA has all the elements of a potentially successful project. The consultants raised two critical questions: How do incumbents and service providers in general look at UTOPIA? How do they look at UTOPIA’s pricing?

**LUNCH BREAK** Paul announced that he will give his Power Point presentation after the other status reports, at meeting’s end.

9. **Financial Team Status Report:** Scott Robertson reported that the finance team has stepped up their efforts. They are putting together the financial structure for presentation in January to the Executive Committee. The structure resembles that of other telecommunication companies. They will provide an outline of what the financing looks like in each category such as network, service providers, security, management, etc. They will also do a cash flow analysis. He cautioned that this type of structure will go through many revisions. Their goal is to begin talk with potential investors in January.
10. **DynamicCity Status Report:** D. Keith Wilson mentioned there is a difference between feasibility and finance-ability issues. There is an increased interest across the country in the wholesale model. He introduced Bernadette Hill whose job it is to locate service providers. It is DynamicCity’s goals to have contracts in place before the final financing comes through. Dynamic City needs the unit counts and reminder letters are going out soon. Project implementation is ramping up as it must occur simultaneously with the financing progress.
8. **UTOPIA Status Report - continued:** Paul Morris shared his Power Point presentation.
11. The meeting was adjourned after Board Member Lee King made a motion to dismiss the meeting and Board Member Joe Melling seconded it.

**UTOPIA ISSUE PAPER**

**ITEM:** Resolution No. 03-01

**FISCAL IMPACT:** None

**ISSUE:**

An amendment to UTOPIA’s By-laws to equalize representation and voting on the Executive Committee

**SYNOPSIS:**

The amendment gives the large city representative on the Executive Committee two votes and requires a representative from a large city, a mid-size city, a small city and a city off the Wasatch Front and one at-large position as well.

**BACKGROUND:**

<b>Founding Member City</b>	<b>Eligibility</b>	<b>Population</b>	<b>Size Designation</b>
West Valley City	2	108,896	Large
Orem	2	84,324	Large
Layton	2	58,474	Large
Taylorsville	2	57,439	Large
Murray	2	34,024	Mid-size
Roy	2	32,885	Mid-size
South Jordan	2	29,437	Mid-size
Midvale	2	27,029	Mid-size
Riverton	2	25,011	Mid-size
Cedar City	3	20,527	Mid-size
Brigham City	3	17,411	Small
Centerville	2	14,585	Small
Payson	2	12,716	Small
Lindon	2	8,363	Small
Tremonton	3	5,592	Small

Cedar Hills	3	3,094	Small
Perry	3	2,383	Small

**THE UTOPIA TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY**

**RESOLUTION NO. 03-01**

**A RESOLUTION AMENDING UTOPIA'S BY-LAWS TO  
EQUALIZE REPRESENTATION AND VOTING ON THE  
EXECUTIVE COMMITTEE**

**WHEREAS**, the UTOPIA Board of Directors desires to amend the eligibility requirements for the Chair and Vice-Chair positions and implement weighted voting by the Executive Committee in order to equalize representation and voting;

**WHEREAS**, the proposed By-laws direct the composition of the Executive Committee so the large city representative has two votes and all others one vote; and that there always be representation by a large, mid-size and small city and a city off the Wasatch Front.

**NOW, THEREFORE, BE IT RESOLVED** by the UTOPIA Board of Directors that the attached amendments to the By-laws were hereby approved.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

BOARD OF DIRECTORS

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

## ARTICLE 2

### **BOARD OF DIRECTORS**

Section 1.     Composition of the Board of Directors and the Executive Committee.

- a.     The Board of Directors shall be composed of a representative from each Member.
  
- b.     At the first regularly scheduled meeting of the Board of Directors each January of each year, or as soon thereafter as is reasonably practical, The Board of Directors shall elect from among the board members a person to serve in each of the following positions: Chair, First Vice-Chair, Second Vice-Chair, Third Vice-Chair, and Fourth Vice-Chair. Consideration shall be given to rotate these positions through members of the Board of Directors while maintaining continuity in the Executive Committee. The designation shall be effective for the calendar year and until a successor is selected and approved by the Board of Directors The positions shall be filled by five different people as follows:
  - i.     One representing a member city not located within Salt Lake County, Utah County, Davis County or Weber County.
  - ii.    One representing a member city with a population of less than 20,000.
  - iii.   One representing a member city with a population from 20,000 to 50,000.
  - iv.    One representing a member city with a population greater than 50,000.
  - v.     An at-large position filled by any Board member not filling one of the other four positions.
  
- c.     There is created an Executive Committee of the Board of Directors comprised of the Chair, the First Vice-Chair, the Second Vice-Chair, the Third Vice-Chair and the Fourth Vice-Chair. The Executive Committee shall have such responsibilities as are delegated to them by the Board of Directors. Each member of the executive committee shall have one vote, except that the representative of a city with a population greater than 50,000 shall have two votes.

Section 8.     Powers and Duties of the Chair of the Board.

~~At the first regularly scheduled meeting of the Board of Directors each January of each year or as soon thereafter as is reasonably practical, the Board of Directors shall elect one of its members~~

~~to serve as Chair of the Board.~~ The term of the Chairperson is limited to two successive terms. The Chair will preside at all meetings of the Board of Directors and the Executive Committee and shall be an ex-officio member of all the standing committees and shall have the general powers and duties as may be prescribed by the Board of Directors, the Interlocal Agreement creating UTOPIA and/or the Bylaws. In addition, the Chair of the Board of Directors shall:

- a. Have a vote in all Board of Directors proceedings.
- b. Execute, on behalf of the Board of Directors, all resolutions of the Board of Directors, and, where required, contracts and other written obligations of UTOPIA.
- c. Attend and, if appropriate, preside at ceremonial activities (including, but not limited to, ribbon-cuttings, open houses, receptions) in which ceremonial representation is needed or sought.
- d. Where designated by the Board of Directors, represent UTOPIA in all its external relationships with the State, the County, other political subdivisions, and such civic, social and fraternal organizations, including the serving on appointed boards, committees, councils, and commissions as provided by law or to which an official, non-technical representative from UTOPIA is sought or needed, unless the Board of Directors directs otherwise.
- e. Be a spokesperson for the Board of Directors, unless the Board of Directors directs otherwise. When the Chair acts as spokesperson for the Board of Directors, he or she should speak for the majority of the Board of Directors, when the Chair is speaking in his capacity as an individual member of the Board of Directors, he or she should clearly identify that limited capacity.
- f. Represent the will of the Board of Directors.
- g. The Chair shall have no administrative or executive duties. The Chair shall not attempt to advise or direct the Executive Director or any of the subordinates of the Executive Director in the performance of the assigned duties of the Executive Director or the subordinate.

Section 9. First Vice-Chair of the Board of Directors. ~~At the first regularly scheduled meeting of the Board of Directors each January of each year or as soon thereafter as is reasonably practical, the Board of Directors shall elect one of its members to act as the~~ The First Vice-Chair of the Board of Directors; ~~to~~ shall act during the period of the Chair's absence, or inability or refusal to act. ~~Consideration shall be given to rotate this designation through members of the Board of Directors.~~ The designation shall be effective for the calendar year and until a successor First Vice-Chair is selected and approved by the Board of Directors. The duties of the First Vice-Chair shall be limited to presiding over the meetings of the Board of Directors and to signing official documents

and other writings acted upon within that meeting over which he or she presided or such writings as are presented to him or her for signature during the period he or she is so acting. The First Vice-Chair shall act only in cases of the inability or refusal to act or in the absence of the Chair. The determination as to the inability or refusal to act shall be made by vote of the Board of Directors. The Chair may request any member of the Board of Directors to represent UTOPIA outside of meetings of the Board of Directors. When no designee is appointed by the Chair, the First Vice-Chair shall represent UTOPIA. If no member of the Board of Directors is able to represent the Chair (other than in official, Board of Directors meetings) the Executive Director or his designated staff member shall do so.

Section 10. Second Vice-Chair of the Board of Directors. ~~At the first regularly scheduled meeting of the Board of Directors each January of each year or as soon thereafter as is reasonably practical, the~~ **The** Board of Directors shall elect one of its members to act as the Second Vice-Chair of the Board of Directors, to act during the period of the **Chair's or First Vice-Chair's absence, or inability or refusal to act and shall have the same authority as the First Vice-Chair.** ~~Consideration shall be given to rotate this designation through members of the Board of Directors. The designation shall be effective for the calendar year and until a successor Second Vice-Chair is elected and approved by the Board of Directors. The duties of the Second Vice-Chair shall be limited to presiding over the meetings of the Board of Directors and to signing official documents and other writings acted upon within that meeting over which he or she presided or such writings as are presented to him or her for signature during the period he or she is so acting. The Second Vice-Chair shall act only in cases of the inability or refusal to act or in the absence of the Chair and the First Vice-Chair. The determination as to the inability or refusal to act shall be made by vote of the Board of Directors. The Chair may request any member of the Board of Directors to represent UTOPIA outside of meetings of the Board of Directors. When no designee is appointed by the Chair, and in the event of inability or refusal the First Vice-Chair, the Second Vice-Chair shall represent UTOPIA. If no member of the Board of Directors is able to represent the Chair (other than in official, Board of Directors meetings) the Executive Director or his designated staff member shall do so.~~

Section 11. Third Vice-Chair of the Board of Directors. ~~At the first regularly scheduled meeting of the Board of Directors each January of each year or as soon thereafter as is reasonably practical, the~~ **The** Board of Directors shall elect one of its members, ~~representing a member city not located within Salt Lake County, Utah County, Davis County or Weber County,~~ to act as the Third Vice-Chair of the Board of Directors, to act during the period of the Chair's, First Vice-Chair's, or Second Vice-Chair's **absence, or inability or refusal to act and shall have the same authority as the First Vice-Chair.** ~~The Third Vice-Chair shall be responsible for representing the interests of member cities not located within Salt Lake County, Utah County, Davis County or Weber County.~~

Section 12. Fourth Vice-Chair of the Board of Directors. ~~At the first regularly scheduled meeting of the Board of Directors each January of each year or as soon thereafter as is reasonably practical, the~~ **The** Board of Directors shall elect one of its members, ~~representing a member city with population less than 20,000, to act as the Fourth Vice-Chair of the Board of Directors, to act during the period of the Chair's, First Vice-Chair's, Second Vice-Chair's or Third Vice-Chair's~~ **absence,**

or inability or refusal to act and shall have the same authority as the First Vice-Chair. ~~The Fourth Vice-Chair shall be responsible for representing the interests of member cities with population less than 20,000.~~

**UTOPIA ISSUE PAPER**

**ITEM:** Resolution No. 03-02  
**FISCAL IMPACT:**

**ISSUE:**

UTOPIA, an employer, desires to adopt a 457 deferred compensation plan that will be administered by the ICMA Retirement Corporation.

**SYNOPSIS:**

UTOPIA is now an employer and has an obligation/responsibility to set up reasonable retirement security benefits for its employees. The ICMA Retirement Corporation offers such a plan.

**BACKGROUND:**

In the effort to duplicate employment benefits offered by West Valley City, the Executive Director of UTOPIA has the desire for UTOPIA to join the ICMA Retirement Corporation. ICMA will administer the plan, invest the funds and make a trust for public employee funds held under their retirement and deferred compensation funds for the exclusive benefit of the Plan participants and their beneficiaries. The Plan will also permit loans. The UTOPIA Treasurer will be the coordinator for this program.

**THE UTAH TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY**

**RESOLUTION NO. 03-02**

**A RESOLUTION AUTHORIZING UTOPIA TO ADOPT A 457 DEFERRED COMPENSATION PLAN THAT WILL BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION.**

**WHEREAS**, UTOPIA has employee(s) rendering valuable services; and

**WHEREAS**, the establishment of a deferred compensation plan for such employee(s) serves in the interests of UTOPIA by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

**WHEREAS**, UTOPIA has determined that the establishment of a deferred compensation plan to be administered by the ICMA Retirement Corporation serves the above objectives; and

**WHEREAS**, UTOPIA desires that its deferred compensation plan be administered by the ICMA Retirement Corporation, and that some of all of the funds held under such plan be invested in the Vantage Trust Company, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans;

**NOW, THEREFORE, BE IT RESOLVED** that UTOPIA hereby adopts the deferred compensation plan (the "Plan") in the form of the ICMA Retirement Corporation Deferred Compensation Plan and Trust, referred to as Appendix A on file.

**BE IT FURTHER RESOLVED** that UTOPIA hereby executes the Declaration of Trust of the Vantage Trust Company, on file as Appendix B, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by UTOPIA, if the assets of the plan are to be invested in the Vantage Trust Company.

**BE IT FURTHER RESOLVED** that the assets of the Plan shall be held in trust, with UTOPIA serving as trustee, for the exclusive benefit of the Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

**BE IT FURTHER RESOLVED** that the Plan will permit loans.

**BE IT FURTHER RESOLVED** that UTOPIA hereby agrees to serve as trustee under the Plan.

**BE IT FURTHER RESOLVED** that the Treasurer shall be the coordinator for this program; shall receive necessary reports, notices, etc. for the ICMA Retirement Corporation or the Vantage Trust Company; shall cast, on behalf of UTOPIA, any required votes under the VantageTrust Company; Administrative duties to carry out the plan may be assigned to the appropriate departments, and is authorized to execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

BOARD OF DIRECTORS

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

**UTOPIA ISSUE PAPER**

**ITEM:** Resolution No. 03-03  
**FISCAL IMPACT:**

**ISSUE:**

UTOPIA, an employer, desires to adopt a 457 deferred compensation plan that will be administered by the ICMA Retirement Corporation and will permit loans.

**SYNOPSIS:**

UTOPIA has set up reasonable retirement security benefits for its employees. The ICMA Retirement Corporation offers a deferred compensation plan that will offer flexibility, specifically the option to permit loans.

**BACKGROUND:**

In the effort to duplicate retirement security benefits offered by West Valley City, UTOPIA has joined the ICMA Retirement Corporation in a deferred compensation plan. To provide increased flexibility in its personnel management system and assist in the attraction and retention of competent personnel, UTOPIA has determined that permitting participants to take loans from the Plan will serve its objectives of flexibility and security.

**THE UTOPIA TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY**

**RESOLUTION NO. 03-03**

**A RESOLUTION AUTHORIZING UTOPIA TO ADOPT A DEFERRED COMPENSATION PLAN THAT WILL PERMIT LOANS AND IT WILL BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION**

**WHEREAS**, UTOPIA has employees rendering valuable services; and

**WHEREAS**, UTOPIA has established a deferred compensation plan for such employees which serves the interest of UTOPIA by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

**WHEREAS**, UTOPIA has determined that permitting participants in the deferred compensation plan to take loans from the Plan will serve these objectives;

**NOW, THEREFORE, BE IT RESOLVED** by the UTOPIA Board of Directors that the adopted deferred compensation plan will permit loans.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

BOARD OF DIRECTORS

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

**UTOPIA ISSUE PAPER**

**ITEM:** Resolution No. 03-04  
**FISCAL IMPACT:**

**ISSUE:**

UTOPIA, an employer, desires to enter into an amended and restated agreement creating the Utah Local Governments Trust.

**SYNOPSIS:**

UTOPIA desires to create an entity to provide assistance, advice, counsel, and casualty, property and liability insurance and benefits related to the purposes of the Utah Local Governments Trust.

**BACKGROUND:**

In the effort to provide attractive benefits to UTOPIA employees, UTOPIA has joined the Utah Local Government Trust which will enable and assist in the attraction and retention of competent personnel by permitting participants to register for PEHP insurance, property and liability insurance

**THE UTAH TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY**

**RESOLUTION NO. 03-04**

**A RESOLUTION AUTHORIZING UTOPIA TO APPROVE  
AND ENTER INTO AN AMENDED AND RESTATED  
AGREEMENT CREATING THE UTAH LOCAL  
GOVERNMENTS TRUST**

**WHEREAS**, other Utah cities, towns, counties, and other governmental entities created and established a political subdivisions and entity known as the Utah Local Governments Trust; and

**WHEREAS**, UTOPIA desires to participate in creating and establishing an entity to provide assistance, advice, counsel, and casualty, property and liability insurance, and benefits related to the purposes of the Utah Local Governments Trust; and

**WHEREAS**, UTOPIA has appointed David Shaw, Murray City Assistant City Attorney, as its attorney to review and approve the form of the amended and restated agreement.

**NOW, THEREFORE BE IT RESOLVED** by the UTOPIA Board of Directors that the attached Interlocal Agreement Amending and Restating the Interlocal Agreement creating Utah Local Governments Trust is hereby, approved.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2003 .

BOARD OF DIRECTORS

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

