

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF NAME CHANGE

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of name change from HELPER CITY REDEVELOPMENT AGENCY to HELPER CITY COMMUNITY REINVESTMENT AGENCY, dated November 22, 2019, complying with Section 17C-1-201.5, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of name change, referred to above, on file with the Office of the Lieutenant Governor pertaining to HELPER CITY COMMUNITY REINVESTMENT AGENCY located in Carbon County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 11th day of December, 2019 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor

**UTAH LIEUTENANT GOVERNOR SPENCER J. COX
NOTICE OF IMPENDING BOUNDARY ACTION
AND
IMPENDING NAME CHANGE
OF THE HELPER CITY REDEVELOPMENT AGENCY**

The undersigned as Mayor of a community legislative body in which a community reinvestment agency is exists pursuant to Utah Code Title 17C, hereby submits to the Lieutenant Governor this Notice of Impending Boundary Action and Impending Name Change for the Helper City Redevelopment Agency.

SECTION ONE

The name of the local entity shall be changed from the Helper City Redevelopment Agency to the Helper City Community Reinvestment Agency ("Agency").

SECTION TWO

The boundary action for which an applicable certificate is sought is the ratification of the creation and existence of Agency which is a community reinvestment agency created pursuant to Title 17C of the Utah Code.

SECTION THREE

The boundaries of the Agency are, and shall always be, coterminous with the boundaries of Helper City the entity that created the Agency and lies entirely within Carbon County.

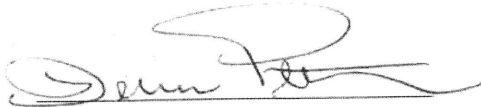
SECTION FOUR

Pursuant to Utah Code Ann. § 67-la-6.5(3)(d) attached is the required letter from the Utah State Retirement Office.

SECTION FIVE

Pursuant to Utah Code Ann. § 67-la-6.5 (3)(e), the Mayor hereby certifies all requirements applicable to the boundary action and name change have been met.

Signed and dated this 7th day of November, 2019.



Lenise Peterman
Mayor

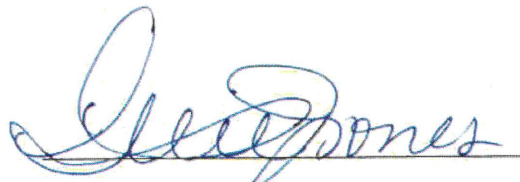
State of Utah

County of Carbon SS.

City of Helper

On this 7th day of Nov A.D. 2019 personally appeared before me Lenise Peterman who being duly sworn, executed the same, and for the consideration and purposes therein set forth. In Witness Whereof. I have hereunto set my hand and seal this

7th day of Nov A.D. 2019



Notary Public, Residing at Helper, Utah



ORDINANCE NO. 2019- 3

AN ORDINANCE RATIFYING THE CREATION AND EXISTENCE THE HELPER CITY
COMMUNITY REINVESTMENT AGENCY.

WHEREAS, the Helper City Council (the "Council" and the "City" respectively) created the Helper City Redevelopment Agency (the "Agency") by Ordinance 5-84 on September 27, 1984; and;

WHEREAS, the Agency exists to carry out community development, economic development and/or urban renewal activities within Helper City in accordance with the provisions of Title 17C of the Utah Code (formerly 11-19, 17A-2, and 17B-4), the "Limited Purpose Local Government Entities — Community Reinvestment Agency Act" as amended (the "Act"); and

WHEREAS, the Council now desires to, by ordinance, ratify the creation and existence of the Agency; and

WHEREAS, the Council now desires to rename the Agency to update its name to current terminology.

NOW THEREFORE, IT IS HEREBY ORDAINED by the City Council of Helper City as follows:

Section 1. Pursuant to the provisions of Section 17C-1-201.5 of the Act, the Helper City Redevelopment Agency, is a redevelopment agency or community development and renewal agency under previous law as defined in the Act, that should continue to exist and continue to operate within the City boundaries.

Section 2. The official name of the Agency is now changed to the "Helper City Community Reinvestment Agency."

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

Section 4. The Agency is vested with all the powers set forth in the Act and as otherwise provided by law.

Section 5. The governing body of the Agency is a Board consisting of the members of the Council as may serve from time to time on the Commission (the "Agency Board").

Section 6. Any change in the composition of the Council will automatically and without any further action required constitute a similar change in the composition of the Agency Board.

Section 7. Chapter 2.65 of the Helper City Code shall be repealed and Sections 1 through 6 of this ordinance shall be enacted as Chapter 2.66 as follows:

2.66.010 Redevelopment agency renamed – Council to be governing body.

Pursuant to the provisions of Section 17C-2-101 et seq., Utah Code, the Helper City Redevelopment Agency is hereby renamed the Helper City Community Reinvestment Agency. The legislative body of Helper City, Utah, consisting of the mayor and city council is hereby designated as the governing body of the Helper City Community Reinvestment Agency. Any change in the composition of the Council will automatically and without any further action required constitute a similar change in the composition of the Agency Board.

2.66.020 Duties and powers.


The Agency is vested with all the powers set forth in Title 17C of the Utah Code the “Limited Purpose Local Government Entities — Community Reinvestment Agency Act” as amended the Act and as otherwise provided by law.

2.66.030 Boundaries.

The geographic boundaries of the Agency are and will be coterminous with the geographic boundaries of Helper City.

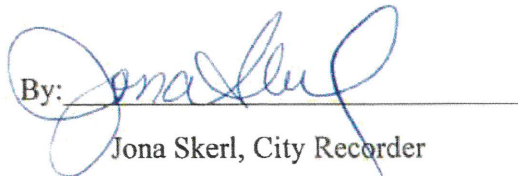
PASSED AND ADOPTED by the City Council of Helper City, State of Utah, and approved by the Mayor on this 7th day of November, 2019.

HELPER CITY, a Utah Municipal Corporation

By: 

Lenise Peterman, Mayor

ATTEST:

By: 
Jona Skerl, City Recorder

Roll Call Vote:

Archuleta: Yes No Absent Abstain

Cloward: Yes No Absent Abstain

Dornan: Yes No Absent Abstain

Matsuda: Yes No Absent Abstain

Wheeler: Yes No Absent Abstain



Utah Retirement Systems

Retirement Office

560 East 200 South | Salt Lake City, UT 84102-2021
801-366-7700 | 800-365-8772 | Fax: 801-366-7734
www.urs.org

Daniel D. Andersen
Executive Director

PEHP Health & Benefits

560 East 200 South | Salt Lake City, UT 84102-2004
801-366-7500 | 800-365-8772 | Fax: 801-366-7596
www.pehp.org

R. Chet Loftis
Managing Director

November 18, 2019

Helper City Community Reinvestment Agency
c/o Jona Skerl
P.O. Box 221
58 South Main Street
Helper, UT 84526

Re: Eligibility for Participation of a Newly Created Entity in the Utah State Retirement Systems

Dear Helper City Community Reinvestment Agency:

When a governmental entity is being incorporated or created, Utah law requires the Utah State Retirement Office ("Office") to provide a letter to that entity identifying the potential provisions under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act ("Retirement Act"), with which it shall comply. See Utah Code Ann. § 67-1a-6.5(3)(d). This letter serves as the official notice for the Helper City Community Reinvestment Agency, a newly created Utah Community Reinvestment Agency.

Based upon the information provided, the Office has determined that Helper City Community Reinvestment Agency is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a limited purpose local government entity under Utah Code Title 17C. Accordingly, the Helper City Community Reinvestment Agency must comply with the participation requirements of the Retirement Act.

This does not mean that the Helper City Community Reinvestment Agency must provide retirement benefits to its employees. However, at the present time and throughout the future, **the Helper City Community Reinvestment Agency is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.**

The Helper City Community Reinvestment Agency may not currently have employees or may have not yet elected to provide a retirement benefit to its employees. Please be aware, it is not the obligation of the Office to monitor the activities of the Helper City Community Reinvestment Agency. **By law, it is the Helper City Community Reinvestment Agency's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.**

Once the Helper City Community Reinvestment Agency begins participation with URS, its public employees will be covered under either the Tier I or Tier II public employee retirement systems, as described in the Retirement Act. If the Helper City Community Reinvestment Agency employs public safety or firefighter service employees, those employees will be covered under the separate Tier I or Tier II systems for public safety and/or firefighter service employees described in the Retirement Act.

In addition, participating employers of URS are required by Utah Code Ann. § 49-11-606 to "cover all employees eligible for service credit under this title." As such, once admitted as a participating employer, the Helper City Community Reinvestment Agency will be required to cover all eligible employees, pursuant to the eligibility rules found in the Retirement Act.

Please note that the above-referenced laws are those used to determine eligibility for participation and are not the only laws with which a participating employer must comply. Participating employers are required to "inform themselves of their rights and obligations" under Title 49 and should become familiar with all provisions of the Retirement Act. Once the Helper City Community Reinvestment Agency is admitted into the System, URS provides education about the requirements with which the Helper City Community Reinvestment Agency must comply as a participating employer.

Additionally, please be aware that should the Helper City Community Reinvestment Agency fail to participate with URS while offering another retirement benefit to its employees, Helper City Community Reinvestment Agency's employees may have a claim against it for service credit under the Retirement Act, which the Office is required to enforce. Under the Retirement Act, such a claim would include all past employer contributions, interest, and in some cases, penalties. See Utah Code Ann. § 49-11-601(3).

Please do not hesitate to contact me if you have any questions.

Sincerely,



Daniel D. Andersen
Executive Director
Utah State Retirement Office