

COTTONWOOD HEIGHTS

RESOLUTION No. 2023-57

A RESOLUTION APPROVING AN AGREEMENT FOR LAND USE APPEALS HEARING OFFICER SERVICES

WHEREAS, Chapter 19.92 of the Cottonwood Heights Code of Ordinances (“*Chapter 19.92*”) provides one or more appeals hearing officers (“*Hearing Officers*”) will serve as the appeal authority of the city of Cottonwood Heights (the “*City*”) as authorized by the Municipal Land Use, Development, and Management Act codified as UTAH CODE ANN. 10-9a-101 *et seq.*; and

WHEREAS, pursuant to Chapter 19.92, each Hearing Officer shall be a qualified individual appointed by the city manager (the “*Manager*”) with advice and consent of the city council (the “*Council*”); and

WHEREAS, the Manager has appointed attorney Frank M. Nakamura (“*Provider*”) to serve as a Hearing Officer for the City; and

WHEREAS, the Council met in regular session on 7 November 2023 to consider, among other things, approving an independent contractor agreement (the “*Agreement*”) with Provider whereunder Provider would serve as one of the City’s Hearing Officers on a part-time, as needed, basis as provided in the Agreement; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City’s entry into the Agreement as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the attached Agreement is hereby ratified and approved, and that the City’s mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2023-57, shall take effect immediately upon passage.

PASSED AND APPROVED this 7th day of November 2023.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: 
Paula Melgar, Recorder



By: 
Scott Bracken, Mayor Pro Tempore

VOTING:

Michael T. Weichers
Matt Holton
J. Scott Bracken
Shawn E. Newell
Ellen Birrell

Yea ~~_____~~ Nay ~~_____~~
Yea ~~_____~~ Nay ~~_____~~
Yea ~~_____~~ Nay ~~_____~~
Yea ~~_____~~ Nay ~~_____~~
Yea ~~_____~~ Nay ~~_____~~

DEPOSITED in the office of the City Recorder this 7th day of November 2023.

RECORDED this 8 day of November 2023.