



THE CITY OF WEST JORDAN CITY COUNCIL MEETING September 25, 2024

8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

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CITY COUNCIL MEETING 6:00 PM

1. PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

Please address comments to the Council Chair without expecting debate or response. It is our desire that each person attending a meeting feel safe, respected, and comfortable participating in their government. We hope commenters will have the same goal striving to keep comments respectful, professional, and free from profanity, personal attacks, and indecency. Please provide your full name and limit your remarks to three (3) minutes. Alternatively written comments may also be submitted.

3. REPORTS TO COUNCIL

- City Council Reports
- Council Office Report
- Mayor's Report
- City Administrator's Report
- Informational Presentation on the Salt Lake County (SLCo) Public Safety Bond – SLCo Sheriff Chief Deputy Matthew Dumont and SLCo Human Services Director Kelly Colopy

4. PUBLIC HEARINGS

- Ordinance No. 24-33 amending West Jordan City Code regarding procedures for

the Senior Housing Overlay District and other Overlay Zoning Districts in Sections 13-6H-12, 13-7D-4, 13-7D-6, and 13-7I-5

- b. Ordinance No. 24-43 amending West Jordan City Code section 1-4-1 and 1-4-2 regarding Elected Officials Compensation

5. BUSINESS ITEMS

- a. Ordinance No. 24-41 Amending Certain Sections of Title 1, Chapter 15 (Elections), including qualifications for office, campaign finance disclosures, and use of city logos. (City Code Sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9)

6. CONSENT ITEMS

Items not requiring public discussion or which have previously been discussed may be adopted by one single motion. Council Members may request to pull an item for further discussion and consideration.

- a. Approve Meeting Minutes
 - September 11, 2024 – Regular City Council Meeting

7. ADJOURN

UPCOMING CITY COUNCIL MEETINGS

- Wednesday, October 9, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, October 16, 2024 – Committee of the Whole Meeting – 6:00p
- Wednesday, October 23, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, November 6, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, November 13, 2024 – Committee of the Whole Meeting – 6:00p
- Wednesday, November 20, 2024 – Regular City Council Meeting – 6:00p

Interested parties may contact the Council PRIOR to the meeting in one of the following ways: *(your comment will not be part of the meeting but will be provided to all members of the entire City Council)*

- *Call the 24-hour Public Comment Line PRIOR to the meeting and leave a message: (801) 569-5052. Please include your name and phone number.*
- *Send an email to councilcomments@westjordan.utah.gov. Please include your name and phone number.*

You can follow the City Council on Facebook @WestJordanCityCouncil

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One or more council members may participate electronically in this meeting using online video conferencing technology per Utah Code (§52-4-207) and West Jordan City Code 1-13-1-E. Participation will be broadcast and amplified so all present in the meeting will be able to hear or see the communication.

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CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmn/>, on West Jordan City's website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Please note: agenda items are subject to change and may be reordered or tabled in order to accommodate the needs of the City Council, staff, and the public.

Posted and dated September 19, 2024 Cindy M. Quick, MMC, Council Office Clerk

Public Safety Bond



Salt Lake County is moving a bond question to the public to finance significant countywide criminal justice system needs and improvements.

What Will the Public Safety Bond Cover?

Consolidating and Improving the County Jail:

- Consolidating the two county jails to improve efficiencies and reduce operational costs.
- Increasing mental health beds and providing expanded mental health treatment.
- Expanding for future population growth. Since 2001, not a single jail bed has been added. Yet, Salt Lake County's population has increased by nearly 300,000 people over the last 20+ years.
- Building a Community Re-entry Step Down Unit to help people leaving jail prepare to rejoin society. This will provide a dedicated space where inmates preparing to exit jail will be connected with case workers and providers who will identify risks, needs, and the resources needed for them to rejoin society on a path toward self-reliance.

Building a Justice and Accountability Center:

- Primarily for low-level offenders who are repeatedly involved in the criminal justice system because of underlying issues, such as unstable housing, and mental health and substance use disorders that have not been addressed.
- The Justice and Accountability Center will provide intervention in the form of a structured environment with resources to stop the cycle of criminal behavior, including dedicated case workers, job training and employment services, mental health and substance use disorder treatment, and connection to housing opportunities.
- Holds people responsible for their actions while simultaneously helping them reenter our community on a path toward self-reliance.

Why is the Public Safety Bond on the Ballot?

- The Public Safety Bond for the Justice and Accountability Center and Jail expansion is a key part of Salt Lake County's comprehensive **Human Services, Homelessness, and Criminal Justice Action Plan**. More info: slco.to/plan
- **America's drug crisis has led to increased substance use and criminal activity** on our streets. In addition to the County's expanded Drug Enforcement Agency (DEA) Task Force, law enforcement and community resources like the Justice and Accountability Center and Jail Re-entry Step Down Unit will help break the cycle of repeat offenses.

Facility Needs	Bond Costs
Maintenance and Improvements: Jail (Adult Detention Center)/Sheriff's Office Building	\$90,000,000
Jail Expansion and Improvements	\$427,000,000
Justice and Accountability Center	\$100,000,000
Oxbow Demolition	\$10,000,000
TOTAL:	\$627,000,000
Source	Cost Offsets
Oxbow Sale	-\$20,000,000
County Set Aside	-\$100,000,000
Bond Total:	\$507,000,000

Taxpayer Cost:

- Average household: **\$58.94/year, under \$5/month**
- Average business: **\$107.16/year, under \$9/month**

More info: slco.to/bond



Salt Lake County Human Services, Homelessness, and Criminal Justice Reform Action Plan

We have arrived at a unique time

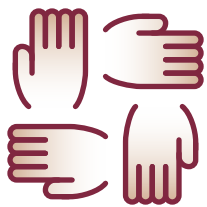
in which Governor Cox, key legislators, the business community, Salt Lake County, Salt Lake City and other cities in Salt Lake County are investing more directly in solutions to help homelessness, which is different than in previous years. Within this momentum, we're collectively moving forward with **PURPOSE + PARTNERSHIP + URGENCY**.

To achieve the shared vision

that homelessness is brief, rare, and non-recurring, it is essential that the systems connected with homelessness intersect and are functional. These complex systems include: **CRIMINAL JUSTICE, HOUSING AND TEMPORARY SHELTER, AND BEHAVIORAL HEALTH TREATMENT AND WORKFORCE**. A weakness in any one element of the system as a whole, leads to a loss of efficiency and effectiveness.

Salt Lake County has

MAPPED THE GAPS IN THE SYSTEM, IDENTIFIED BARRIERS, AND ANALYZED THE COST of necessary additional investment. These are in alignment with the state's homelessness strategic plan and the Coordinated Homeless Services Plan signed by Governor Cox, Mayor Mendenhall, and Mayor Wilson in the Fall of 2023.



Our Goals

Bolster System Access

Create an efficient system to access housing, behavioral health, employment, and other needed services to reduce the number of people living on our streets, and develop clear, successful pathways to housing and additional opportunities for people experiencing homelessness.

Increase Collaboration/Efficiency = Reduce Costs

Increase collaboration and systemic efficiency to realize cost savings and improved client outcomes.

Require Criminal Accountability

Hold people accountable for criminal acts and prevent people from further penetrating the criminal justice system.

Decriminalize Homelessness

Ensure accountability in our communities while not criminalizing acts related to homelessness.



Supportive Housing Need

Salt Lake County estimates that 1,000 people are living unsheltered within the county.

300 people require intensive mental health treatment and housing support such as residential or ACT team levels of care.

300 people require permanent supportive housing with case management and a focus on mental health support.

400 people need various levels of housing which could be permanent supportive housing or rental subsidies with less intensive behavioral health supports.



Criminal Justice and Law Enforcement Challenges

- Systems are not aligned nor coordinated.
- America's drug crisis has led to increased drugs on our streets.
- Law enforcement response for people who are homeless or in mental health crisis is not standardized.
- Inconsistent Crisis Intervention Trained (CIT) officers.

Due to a lack of affordable housing and sufficient mental health treatment and other social services, jail has become the defacto system to serve people experiencing homelessness who have mental illness and substance use disorders.

Length of stay in jail is 3.5x longer for those in emergency shelters vs those in more permanent housing.

Over 50 unhoused people in jail at anytime, have a severe mental illness.

1,200 people who are in pretrial and probation, are unstably housed.



Systemic Gaps

Workforce:

Insufficient behavioral health workforce for mental health treatment and supportive housing needs.

Health and Wellness Care:

Insufficient coordinated health and wellness care system to meet the needs of people experiencing homelessness.

Mental Health Services:

Insufficient mental health capacity to serve those with severe mental illness in the community and in the jail.

Integrated Data System:

Need for integrated data system to better serve clients and evaluate system outcomes.



Solution: Expand Housing Units in Salt Lake County

Bring an additional 1,000 units online over the next 5 years.

Current Housing		Additional Housing Needed
92 Units operating in the group home facilities	+	300 New Group Home Units
115 Permanent Supportive Housing Units focused on mental health	+	300 New Permanent Supportive Housing Units focused on mental health
765 Transitional and Permanent Housing Units	+	400 New Permanent Supportive Housing Units for people experiencing homelessness

Progress:

- Opened Valley Oaks Group Home with 29 beds in November, 2023
- Opened Canyon Rim Group Home for 40 women in Millcreek on April 15, 2024
- Potential renovation and expansion (12 beds to 40) of existing group home – Salt Lake City
- Two sites purchased by non-profit partner for development of permanent supportive housing for those with serious mental illness (approximately 90 units)
- Studying capital and construction costs for a mix of housing to meet the 400 general PSH.



Solution: Enforcement and Criminal Justice Reform

Engage in system policy change and reform, to bring about cost savings and efficiencies for better outcomes.

Provide:

Regional SLCO-wide Crisis Intervention Training for local law enforcement.

Progress: Criminal Justice Advisory Council (CJAC) Work Group has been established and is working on a plan to implement/fund. Applying for Federal funding to support for training and coordination.

Work:

With State to design and implement an effective HOME Court program.

Progress: SLCO Human Services is working with the state DHHS and court system on an implementation plan - \$2M funded for 5-year pilot.

Support:

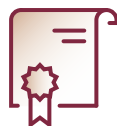
Regional Law Enforcement education and training for use of the new Receiving Center alternative to jail for those in substance use disorder (SUD) and mental health crisis.

Progress: CJAC Work Group has been established and is working with state and LE partners on guiding criteria and educational campaign for Spring 2025 opening.

Reinforce:

SLC Justice Court Familiar Faces program.

Progress: This program is operational at the SLC Justice Courts. SLCO Criminal Justice Services is partnering with the court to support this initiative. The program continues to grow.



Solution: Drug Enforcement Agency (DEA) Task Force

By further investing we can continue to get drugs off the street and hold criminals accountable.

The federal government provides hard cost support for the local DEA operations but the salaries of the enforcement officers is a local responsibility.

DEA operations have not been as extensive as possible due to the decentralized law enforcement system in Salt Lake County.

Many local jurisdictions cannot afford officers.

Estimated Annual Amount =

\$1,600,000 for 10 additional officers

Progress:

- DEA Task Force Leadership presented to the SLCO Council on April 9, 2024
- DEA Task Force Leadership presented to the Criminal Justice Advisory Council on April 10, 2024
- DEA Task Force Expansion Working Group has been added to the Systemic Reform Committee structure to be led by Sheriff Rosie Rivera to review and determine the timing/cadence of adding 10 new DEA Task Force officers, the funding (County & Federal) and evaluate systemic impacts of the expansion to determine if other gaps are created and/or need to be addressed



Solution: Build An Accountability and Justice Center

- 1. Add 100 bed community correctional step down model as part of the jail expansion to provide behavioral health treatment, workforce training, and other supports in an environment of accountability as people prepare to leave jail.**
- 2. Build 250-300 housing units focused on housing stability, mental health services, training and other support services for those with criminal involvement and experiencing homelessness or housing instability.**

Progress:

- System Mapping and Personas Research Completed
- Held 2/4/24 Mapping and Personas Workshop for review and feedback with stakeholders
- Held 2 half day retreats with County Elected Officials, Staff and Legislators 3/11/24 & 3/14/24 to discuss and determine jail expansion and justice accountability center model
- Final decisions, programs and cost estimates in process
- On track to finalize and submit to County Council a ballot initiative in August for placement on the November 2024 ballot for voter approval



Solution: Address Systemic Gaps

Workforce:

Implement workforce training programs and a peer support specialist program to help meet service needs and provide employment opportunities.

Progress: Convening local peer support coalition to support their needs and receive feedback for program expansion. Program expansion ready for implementation once funding source is determined. Federal appropriation submitted through Congressman Curtis's office for pilot program. Additional applications for federal funding are being drafted. Also, SLCO supported legislation passed this session to assist with workforce needs.

Health and Wellness Care:

Expand medical and street services for those who are unsheltered.

Progress: Program is developed and ready for expansion through 4th Street Clinic and VOA once funding source is determined.

Mental Health Services:

Expand mental health supports in the jail and in expanded SMI housing.

Progress: Need currently being evaluated and finalized within the Jail Expansion/JAC design model.

Integrated Data System:

Develop data sharing agreements and design and implement an integrated data system to support better client outcomes.

Progress: Work group has been established and data integration mapping both internal and external to SLCO is underway.



Public Safety Bond

slco.to/bond

Public Safety Bond

A product of extensive countywide collaboration, bipartisan input, and a critical element of the County's Systemic Reform Plan.

- **Balances** public safety and human services needs.
- **Realigns** and sets the Salt Lake County Jail and Human Services systems for success.
- **Creates** structured and secure environments to reduce repeat offenses and put people on a path towards self-reliance.
- **Funds** a critical missing element of the broader system.
- **Replaces** outdated infrastructure and treatment programs.

Quick Overview: Human Services, Homelessness, and Criminal Justice Action Plan

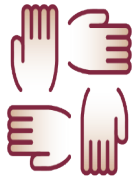
Bi-partisan partnerships between Governor Cox, key legislators, the business community, municipal leaders, and others in Salt Lake County are at an **all time high**.

We are collectively moving forward with **PURPOSE + PARTNERSHIP + URGENCY**

To achieve a shared vision:

That homelessness is brief, rare, and non-recurring.

Systems were mapped, service gaps and barriers identified, other successes evaluated, and costs analyzed.



System Gaps & Barriers



Supportive Housing Needs

An estimated 1,000 people are living unsheltered in Salt Lake County at any given time, requiring varying levels of intervention and a stable living environment to put them on the path towards self-reliance.

300 Intensive | **300** Moderate | **400** Light



Criminal Justice and Law Enforcement Challenges

America's drug crisis has led to increased substance use and criminal activity on our streets.

Jail is the largest mental health and substance use treatment facility in the County— at great expense to taxpayers. 50+ inmates are unhoused and have a severe mental illness. Jail stays are 3.5x longer for people experiencing homelessness.

\$136 daily cost per inmate

25% inmates unhoused

1,200 unstably housed on probation & pre-trial



Systemic Gaps

Workforce | Insufficient behavioral healthcare workforce.

Health and Wellness Care | Insufficient coordinated healthcare system for unsheltered population.

Mental Health Services | Insufficient mental health capacity for unsheltered in the community and in the jail.

Integrated Data System | To better serve clients and evaluate system outcomes.

Salt Lake County Action Plan

Solutions:



**Expand Housing
Unit Availability**



**Build Justice &
Accountability Center**



**Enforcement and
Criminal Justice
Reform**



**Expand and Improve
County Jail Mental
Health Access**



**Address Systemic
Gaps**



**Support Drug
Enforcement (DEA)
Task Force**

Public Safety Bond

Addresses Vital Parts of the Action Plan



Address Systemic Gaps



Expand Housing Units



Build Justice & Accountability Center



Enforcement and Criminal Justice Reform



Improve & Expand Jail + Mental Health Unit



Support Drug Enforcement (DEA) Task Force



Public Safety Bond is a catalyst for essential parts of the systemic

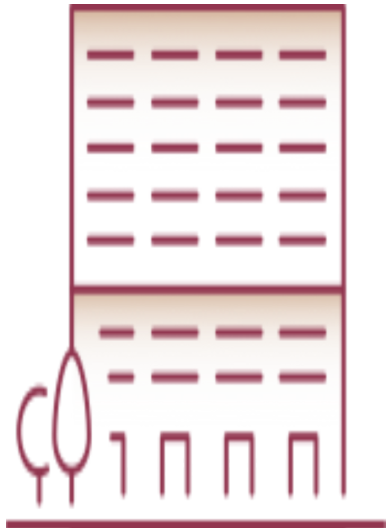
plan;

Justice and Accountability Center; including structured space for:

- Mental Health and Substance Use Services
- Job Training & Employment Resources
- Connection to Housing Opportunities
- Combine Two County Jails; including:
 - Updated and Increased Mental Health Units

Justice & Accountability Center

Supervised and secure alternative for low-level offenders with resources to reduce repeat offenses and support people's path to self-reliance.



Wrap-Around Stabilization Units

- Dedicated Case Workers
- Job Training and Employment Services
- Mental Health and Substance Use Disorder Treatment
- Connection to Housing Options

Behavioral Health Stabilization Units

Intensive mental health/substance use treatment unit to prepare people to transition to the Wrap-Around space.

Approximately \$75/day (per occupant)

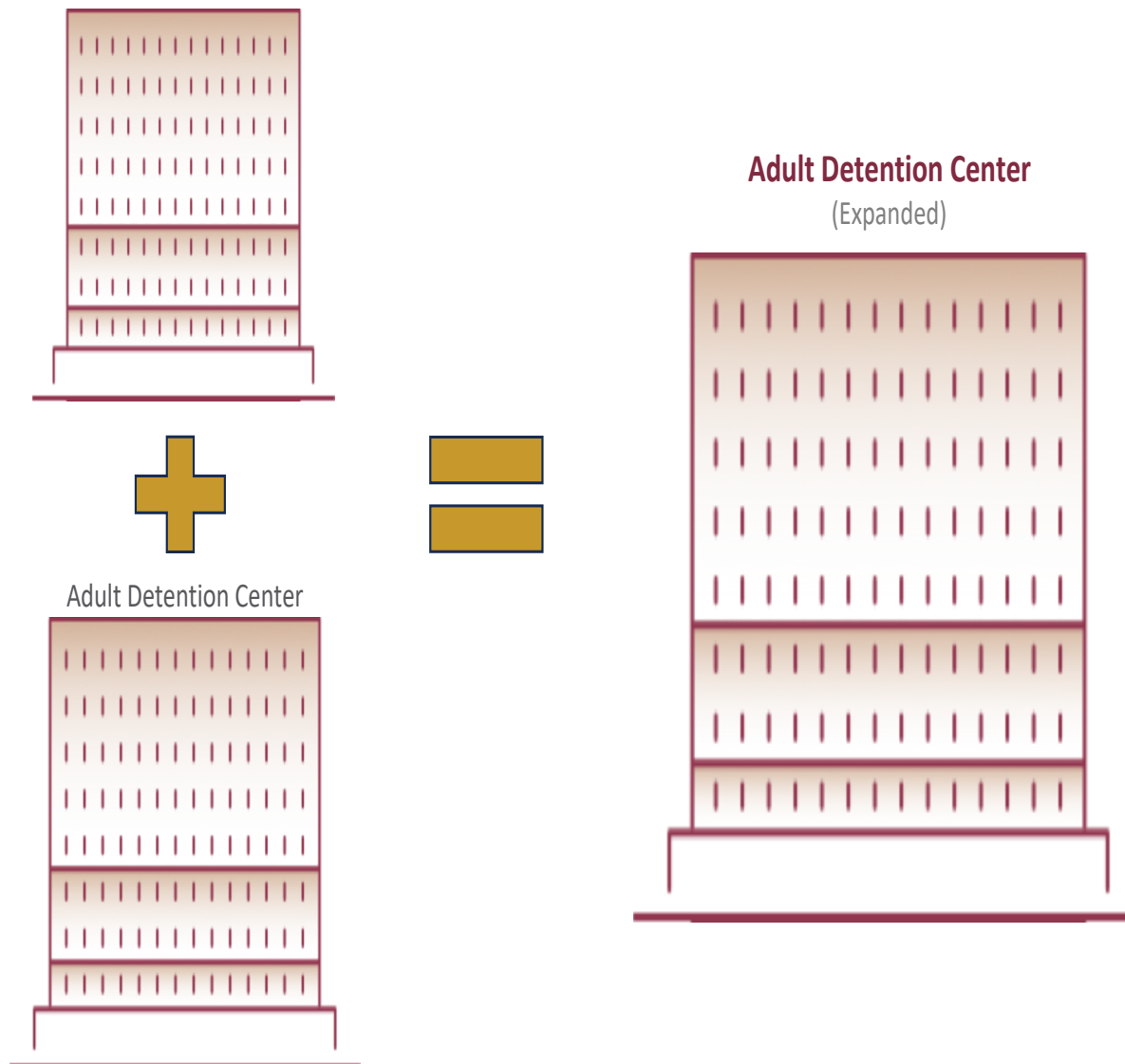
\$60/day less than jail

\$22,500/yr less than jail

\$6.8M less per year than jail at full capacity

County Jail System Revamp

Combine the two county jails; increase capacity, expand mental health unit, and build stepdown unit



General Population (Includes SUD Treatment Unit)

Increased general population; built for future growth as well as improved substance use disorder treatment unit.

Mental Health Unit

Expanded and modernized behavioral health unit to better serve population.

Community Reentry Stepdown Unit

Transitional unit to help prepare inmates to rejoin society on a path towards self-reliance.

Total Newly Constructed Beds = 812

Rebuild Oxbow Capacity (552 beds)
Renovate and enhance mental health pod (160 beds)
Build Reentry Stepdown Unit (100 beds)

Public Safety Bond

Quick FAQs

Justice & Accountability Center

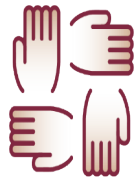
Cost-reducing diversionary and stabilization space for low-level offenders and those exiting the jail in need of a structured environment with resources to put them on a path towards self-reliance

- Connected to the Criminal Justice System
- 25% exiting jail lack stable environment
- 1,200 on probation or pretrial lack stable environment
- Supervised and secure treatment facility
- Drug-free environment
- Resources to reduce repeat offenses
- Approximately \$75/day (per occupant)
 - \$60/day less than jail
 - \$22,500/yr less than jail
 - \$6.8M less per year than jail at full capacity

County Jail System Revamp

Combine two county jails to improve efficiencies and reduce operational costs. Build additional capacity, including expanded mental health space and a transition to prepare those exiting jail to reenter the community

- Oxbow near end of lifespan (half-century old)
- \$90M+ would only extend life a maximum of 10 – 15 years
- No additional capacity constructed since 2001, while population has grown by more than 300,000
- Population growth requires additional space
- Jail system stricken with logistical and operational challenges
- Construction of Community Reentry Stepdown Unit
- Transition back to community on a path towards self-reliance
- Additional Law Enforcement and Public Safety Capital Investments
- Adult Detention Center maintenance and improvements
- Sheriff's Office Bureau maintenance and improvements



Total Capital Cost

General Obligation Bond

FACILITY	COST
Maintenance & Improvements ADC/SOB	90,000,000
Jail Expansion + Improvements	427,000,000
Justice & Accountability Center	100,000,000
Sale of Oxbow Property	(20,000,000)
Oxbow Demolition	10,000,000
County Set Aside	(100,000,000)
TOTAL BOND	507,000,000

IMPACT	MONTHLY	ANNUAL
Residence	\$4.91	\$58.94
Business	\$8.93	\$107.16
Based on Avg. Property Value of \$602,000		

BOND LANGUAGE

Shall Salt Lake County, Utah, be authorized to issue general obligation bonds in an amount not to exceed \$507,000,000 and to mature in no more than twenty-one (21) years from the date or dates of issuance of such bonds for the purpose of financing:

- 1) **Acquiring and constructing a Justice and Accountability Center** primarily for people who have had multiple encounters with law enforcement and who need a supervised and structured environment with resources to reduce repeat offenses, including for mental health and substance abuse treatment, job related services, and connection to housing opportunities;
- 2) **Combining the two county jails into one and increasing capacity, including an expanded mental health unit and a transitional unit to prepare those exiting the jail to reenter the community;**
- 3) **Completing necessary capital maintenance on existing correctional facilities;** and
- 4) **Acquiring, constructing, expanding, equipping, renovating and remodeling related County public safety facilities and ancillary buildings** under the charge of Salt Lake County, Utah; and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the County authorized hereunder or heretofore issued and now outstanding?



Questions?

More info: slco.to/bond

Additional info/follow up:

Brad Townley

385.202.6067

btownley@saltlakecounty.gov



Thank you!



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 09/25/2024

Presenter: Larry Gardner

Deadline of item : 09/11/2024

Applicant: West Jordan City

Department Sponsor: Community Development

Agenda Type: PUBLIC HEARINGS

Presentation Time: 5 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-33 amending West Jordan City Code regarding procedures for the Senior Housing Overlay District and other Overlay Zoning Districts in Sections 13-6H-12, 13-7D-4, 13-7D-6, and 13-7I-5

2. EXECUTIVE SUMMARY

The City Council has requested that additional requirements be added to West Jordan City Code that establishes best practices for when an applicant requests that a property be considered for an overlay district, or if an existing property that is already zoned with an overlay district requests that the overlay be removed. The proposal also contains requirements when changing the development plan.

3. TIME SENSITIVITY / URGENCY

Not urgent.

4. FISCAL NOTE

No fiscal impact.

5. PLANNING COMMISSION RECOMMENDATION

Jay Thomas moved, based on the information and findings of the required criteria set forth in the staff report and upon the evidence and explanations received today, to forward a recommendation of approval to the City Council for the Text Amendment regarding Overlay Zoning Districts finding that an affirmative determination has been made for the criteria found in 13-7D-6B; 1 through 4. The motion was seconded by John Roberts and passed 5-0 in favor. George Winn and Emily Gonzalez were absent.

6. STAFF ANALYSIS

The proposed amendments to the ordinance are:

C. If an applicant has submitted an application for a zone change to a specific underlying zoning district concurrently with an application for a zone change to the SHO district, each application shall be considered and voted upon by the city council as a separate agenda item, with the specific underlying zoning district application being considered and voted upon first, followed by the SHO district application. (Ord. 11-03, 2-9-2011; amd. Ord. 17-24,

5-24-2017)

This amendment requires that if the overlay is requested with a base district zone that the base district and the overlay be reviewed, voted on, and approved as separate ordinances and agenda items.

If the zoning administrator determined that the application for an amendment to change the zoning does not conform to and is not consistent with the purposes, goals, objectives and policies of the adopted general plan and/or future land use map, or if the application requires a zoning text amendment or a waiver or exception, or if the application, pursuant to subsection 13-7I-5(B)(4), proposes changing or removing any existing overlay zoning district designation or part of such existing district designation, then the application, together with all concurrent applications, shall be placed on a city council work session ("committee of the whole") agenda and a planning commission quarterly map meeting agenda as follows:

This requires that if an applicant requests a change or removal of an overlay that the item be placed on a City Council work session.

6. An amendment to the zoning map regarding changing or removing any existing overlay zoning district designation, or part of such existing district designation, may be recommended for approval by the planning commission to the city council only if affirmative determinations are made regarding each of the following additional criteria:

- a. The changing or removing of the existing overlay zoning district will not create or exacerbate one or more nonconforming (or noncomplying) uses or structures;
- b. Properties and structures within the existing overlay zoning district will not be significantly negatively affected by a restriction or change of use or uses;
- c. Properties and structures within the existing overlay zoning district will not be significantly negatively affected by lessened or changed design standards; and
- d. The design and layout of the properties and structures within the existing overlay zoning district will maintain the same or higher level of (i) functionality and (ii) compliance with applicable land use regulations.

This amendment adds additional criteria for the Planning Commission to determine including that the application will not create or exacerbate a non-conforming condition; the change will not be negative on the existing properties; that the design and layout will be the same or better.

The proposed amendments to the ordinance concerning development plans are:

D. Zoning Map Amendment Application to Change or Remove an existing SHO Zoning District Designation: Consistent with subsections 13-7D-4(C)(2) and 13-7I-5(B)(4):

1. If one or more platted lots in a development with an existing SHO overlay zoning district designation have been sold to an owner, who is not a developer, professional builder, or bank or financial institution, an applicant may not submit, and the city shall not accept, an application to change or remove the existing SHO overlay zoning district designation for said development or for any part of said development; and

2. An application seeking city approval to change or remove the existing SHO overlay zoning district designation, or part of such existing district designation, shall be placed on a city council work session agenda and is a major variation that requires an amended development plan (with a planning commission recommendation and approval by the city council). (Ord. 11-03, 2-9-2011; amd. Ord. 22-13, 5-11-2022)

This requirement prohibits an application to change the zoning if a lot has been sold to a private party. The requirement also requires that a change to the development plan be placed on a City Council work session.

7. MOTION RECOMMENDED

Move to approve Ordinance No. 24-33 amendments to West Jordan City Code Title 13 regarding Overlay Districts and Development Plans.

West Jordan City Council Meeting

Council Staff Review



Item Name: Ordinance 24-33, Senior Housing Overlay & Overlay Districts
Department: Community Development
Action Needed: Approve/Not Approve Ordinance

ITEM SUMMARY

The council is being asked to review proposed amendments to applicable sections within Chapter 13, which would establish best practices for applicants requesting that a property be considered for an overlay district, or, that an overlay be removed.

The amendments are at the request of Council, and also include requirements for changing a development.

POSSIBLE COUNCIL ACTIONS

Council may choose to take one of the following actions:

1. Approve the ordinance as written and as proposed OR with stated amendments;
2. Not Approve the ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

BACKGROUND & TIMELINE

Senior Housing Overlays and Title 13 were discussed in the [February 21, 2024 Committee of the Whole meeting](#).

COUNCIL OFFICE ANALYSIS

As a result of recent developments requesting overlays to be removed (which was contrary to initial plans/agreements approved by Council), the Council requested that staff consider applicable amendments to code to serve as guidelines for potential, similar circumstances in the future.

Applicable developments indirectly related to the proposed amendments, where plans were initially approved with SHO designation, but later removed:

- The Cottages at Parker Place – [Rezone approved \(SHO removed\) in the December 20, 2023 City Council Meeting](#)
- Highlands Landing – [Rezone approved \(SHO removed\) in the August 24, 2022 City Council Meeting](#)

West Jordan City Council Meeting

Council Staff Review



The proposed amendments to the ordinance are summarized accordingly:

1. If an applicant applies for a zone change to a specific underlying zoning district along with an application for a zone change to the Senior Housing Overlay (SHO) district, each application must be considered and voted on separately by the city council.
2. If the application for a zoning change does not align with the general plan or future land use map, or if it involves changing or removing an existing overlay zoning district designation, then the application must be discussed in a city council work session and a planning commission quarterly map meeting.
3. The planning commission may recommend approval to the city council for changing or removing an existing overlay zoning district designation only if certain criteria are met, such as ensuring no negative impact on existing properties or structures.
4. Regarding development plans, if platted lots in a development with an existing SHO overlay have been sold to a private owner, the city cannot accept an application to change or remove the SHO designation. Any application for such a change requires a city council work session and an amended development plan.

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This Council Staff Review (CSR) has been created to complement the existing Request for Council Action (RCA) form submitted for the respective item.

While appropriate details may be repeated or referenced within a CSR, please refer to the RCA for department staff analysis and reporting, Planning Commission and/or Mayoral recommendations, fiscal impact, and other helpful information, as appropriate.

1 **THE CITY OF WEST JORDAN, UTAH**
2 **ORDINANCE NO. 24-33**

3 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE**
4 **(AMENDMENT PROCEDURES FOR THE SENIOR HOUSING OVERLAY DISTRICT**
5 **AND OTHER ZONING OVERLAY DISTRICTS);**
6 **AMENDING SECTIONS 13-6H-12, 13-7D-4, 13-7D-6, AND 13-7I-5)**

7 WHEREAS, the City of West Jordan (“**City**”) adopted West Jordan City Code (“**City Code**”) in 2009; and the City Council of the City (“**Council**” or “**City Council**”) desires to amend Sections 13-6H-12, 13-7D-4, 13-7D-6, and 13-7I-5 (“**proposed City Code amendments**”); and

10 WHEREAS, the Planning Commission of the City (“**Planning Commission**”) held a public hearing and provided a recommendation on August 20, 2024, regarding the proposed City Code amendments, which are all land use regulations in the land use titles; and determined the following, pursuant to City Code Section 13-7D-6B:

14 1. The proposed City Code amendments conform to the General Plan and are consistent with the adopted goals, objectives and policies described therein;

16 2. The proposed City Code amendments are appropriate given the context of the request and there is sufficient justification for a modification to the land use titles;

18 3. The proposed City Code amendments will not create a conflict with any other section or part of the land use titles or the General Plan; and

20 4. The proposed City Code amendments do not relieve a particular hardship, nor do they confer any special privileges to a single property owner or cause, and they are only necessary to make a modification to the land use titles in light of corrections or changes in public policy; and

23 WHEREAS, the City Council held work sessions (committee of the whole meetings) on March 27, 2024 and July 17, 2024 and a public hearing on September 25, 2024, regarding the proposed City Code amendments, and finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

27 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

29 **Section 1. Amendment of City Code Provisions.** City Code Sections 13-6H-12, 13-7D-4, 13-7D-6, and 13-7I-5 are amended as shown in Attachment 1 (legislative version and clean version) to this Ordinance.

32 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

34 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
DAY OF 2024.

CITY OF WEST JORDAN

By: _____
Zach Jacob
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

"YES"

"NO"

Council Chair Zach Jacob

☐☐

Council Vice-Chair Chad Lamb

☐☐

Council Member Kelvin Green

☐☐

Council Member Pamela Bloom

☐☐

Council Member Kent Shelton

☐☐

Council Member Kayleen Whitelock

☐☐

Council Member Bob Bedore

☐☐

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton Date

ATTEST:

Tangee Sloan, CMC
City Recorder

86
87 **STATEMENT OF APPROVAL/PASSAGE** (check one)
88

89 _____ The Mayor approved and signed Ordinance No. 24-33.
90

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92 _____ The Mayor vetoed Ordinance No. 24-33 on _____ and the
93 City Council timely overrode the veto of the Mayor by a vote of _____ to _____.
94

95
96 _____ Ordinance No. 24-33 became effective by operation of law without the
97 Mayor's approval or disapproval.
98
99

100 _____
101 Tangee Sloan, CMC
102 City Recorder
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106 **CERTIFICATE OF PUBLICATION**

107 I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that
108 a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the
109 _____ day of _____ 2024. The fully executed copy of the ordinance is
110 retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.
111

112
113 _____
114 Tangee Sloan, CMC
115 City Recorder
116
117

118 *(Attachment on the following pages)*
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Attachment 1 to
ORDINANCE NO. 24-33
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(AMENDMENT PROCEDURES FOR THE SENIOR HOUSING OVERLAY DISTRICT
AND OTHER ZONING OVERLAY DISTRICTS);
AMENDING SECTIONS 13-6H-12, 13-7D-4, 13-7D-6, AND 13-7I-5)
(See the following pages for the legislative version and the clean version)

Proposed City Code Text Amendment Regarding Changing or Removing the SHO Zoning District Designation or any other Overlay Zoning District Designation

[SHO Zone Provisions in the City Code]

13-6H-3: SENIOR HOUSING OVERLAY BOUNDARIES; AND CONCURRENT ZONING APPLICATIONS:

A. Properties located within the following zoning districts shall be eligible for the SHO ~~District~~ district zoning subject to the permitted and conditional use tables associated with the specific underlying zoning district:

1. R-2 (Two-Family Residential), R-3 (Multi-Family Residential) and R-M (Mobile Home Residential) Zones;

2. The PC (Planned Community) and PRD (Planned Residential Development) Zones;

3. The LSFR (Low Density Single-Family Residential), MFR (Medium Density Multi-Family Residential) and the HFR (High Density Multi-Family Residential) Zones within the west side planning area; and

4. The P-O Professional Office Zone.

B. The SHO ~~District~~ district shall not be applied to any specific property until a rezone application has been approved by the ~~City Council~~ city council which affixes the overlay district ~~suffix~~ onto the ~~properties~~ property's underlying zoning designation.

C. If an applicant has submitted an application for a zone change to a specific underlying zoning district concurrently with an application for a zone change to the SHO district, each application shall be considered and voted upon by the city council as a separate agenda item, with the specific underlying zoning district application being considered and voted upon first, followed by the SHO district application. (Ord. 11-03, 2-9-2011; amd. Ord. 17-24, 5-24-2017)

13-6H-12: DEVELOPMENT PLAN REQUIREMENTS; AND CHANGING EXISTING SHO DESIGNATION:

A. Development Plan: A development plan is to be prepared for each proposed development (or phase) within the ~~senior housing overlay~~ SHO zone. The development plan shall provide pertinent information relative to public improvements, density, universal design concepts being utilized in the development, development standards and compliance therein, and design criteria.

B. Development Plan Review: The steps outlined in section 15-3-8 of this code shall be followed in connection with applications for approval of a development plan, along with the required fees and other specific processes required by this code to complete a specific project.

C. Development Plan Submittal Requirements: A developer seeking city approval of a development plan shall follow the submittal requirements as outlined in title 13, chapter 7, article I.

D. Zoning Map Amendment Application to Change or Remove an existing SHO Zoning District Designation: Consistent with subsections 13-7D-4(C)(2) and 13-7I-5(B)(4):

1. If one or more platted lots in a development with an existing SHO overlay zoning district designation have been sold to an owner, who is not a developer, professional builder, or bank or financial institution, an applicant may not submit, and the city shall not accept, an application to change or remove the existing SHO overlay zoning district designation for said development or for any part of said development; and

2. An application seeking city approval to change or remove the existing SHO overlay zoning district designation, or part of such existing district designation, shall be placed on a city council work session agenda and is a major variation that requires an amended development plan (with a planning commission recommendation and approval by the city council). (Ord. 11-03, 2-9-2011; amd. Ord. 22-13, 5-11-2022)

[Development Procedures (Zoning Amendments) Provisions in the City Code]

13-7D-4: AUTHORIZED APPLICANT; COUNCIL WORK SESSION AND QUARTERLY MAP MEETING:

A. Zoning Map Amendment: An applicant for an amendment to change the zoning on any property shall be one of the following:

1. The owner of the property;
2. One or more joint owners of property who own individually or as a group, a majority interest in the property;
3. Both of the property owners where property is held in joint tenancy;
4. Seventy five percent (75%) or more of the owners of property in the area covered by the application when the application covers more than one property; or
5. The community development department, the planning commission or the city council on its own motion.

B. Zoning Text Amendment: The applicant for an amendment to change the text of this title, or the text of any other title adopted as a set of land use regulations (titles 5, 8 through 15 inclusive, and 17), shall be the community development department, the planning commission or the city council on its own motion. If an applicant for such an amendment, in the applicant's discretion, submits an application primarily because of the request of an "outside party", then said outside party shall pay a filing fee (but shall not submit an application) according to the consolidated fee schedule, as if said outside party was an applicant.

C. Signature, Work Session, And Quarterly Map Meeting Required: When the application is initiated by someone other than the community development department, the planning commission or city council, then:

1. The application shall be signed by the authorized applicant or an agent of any authorized applicant. The authority of the agent must be in writing, notarized, and filed with the application. The signature of such agent shall have the same force and effect as if the application were signed by the principal; and
2. If the zoning administrator determined that the application for an amendment to change the zoning does not conform to and is not consistent with the purposes, goals, objectives and policies of the adopted general plan and/or future land use map, or if the application requires a zoning text amendment or a waiver or exception, or if the application, pursuant to subsection 13-7I-5(B)(4), proposes changing or removing

79 any existing overlay zoning district designation or part of such existing district designation, then the
80 application, together with all concurrent applications, shall be placed on a city council work session
81 ("committee of the whole") agenda and a planning commission quarterly map meeting agenda as follows:

Date Of Filing Of Complete Application	Date Of City Council Work Session	Date Of Planning Commission Public Hearing/Meeting
January 1 to March 31	On or before the last meeting of April	Soonest available meeting
April 1 to June 30	On or before the last meeting of July	Soonest available meeting
July 1 to September 30	On or before the last meeting of October	Soonest available meeting
October 1 to December 31	On or before the last meeting of January	Soonest available meeting

82 (2009 Code; amd. Ord. 17-41, 7-12-2017; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6,
83 2020; Ord. 20-40, 10-28-2020; Ord. 23-05, 2-8-2023)

84
85 13-7D-6: CRITERIA TO RECOMMEND APPROVAL:

86 A. Zoning Map Amendment: An aAmendment to the zoning map may be recommended for approval by
87 the planning commission to the city council only if affirmative determinations are made regarding each of
88 the following criteria:

- 89 1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the
90 adopted general plan and future land use map;
- 91 2. The proposed amendment will result in compatible land use relationships and does not adversely
92 affect adjacent properties;
- 93 3. The proposed amendment protects the public health, safety and general welfare of the citizens of the
94 city;
- 95 4. The proposed amendment will not unduly impact the adequacy of public services and facilities
96 intended to serve the subject zoning area and property than would otherwise be needed without the
97 proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways; and
- 98 5. The proposed amendment is consistent with the provisions of any applicable overlay zoning
99 districts which may impose additional standards.

100 6. An amendment to the zoning map regarding changing or removing any existing overlay zoning
101 district designation, or part of such existing district designation, may be recommended for approval by the
102 planning commission to the city council only if affirmative determinations are made regarding each of the
103 following additional criteria:

- 104 a. The changing or removing of the existing overlay zoning district will not create or exacerbate
105 one or more nonconforming (or noncomplying) uses or structures;
- 106 b. Properties and structures within the existing overlay zoning district will not be significantly
107 negatively affected by a restriction or change of use or uses;

- c. Properties and structures within the existing overlay zoning district will not be significantly negatively affected by lessened or changed design standards; and
- d. The design and layout of the properties and structures within the existing overlay zoning district will maintain the same or higher level of (i) functionality and (ii) compliance with applicable land use regulations.

B. Zoning Text Amendment: Amendment to the text of this title or of any other land use regulation title in this code shall be recommended for approval by the planning commission to the city council only if affirmative determinations are made regarding each of the following criteria:

1. The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

2. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

3. The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and

4. The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy. (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013; Ord. 17-41, 7-12-2017; Ord. 23-05, 2-8-2023)

[Development Plan Process (including Amendments and Major Variations) in the City Code]

13-7I-5: VARIATIONS FROM APPROVED PLANS AND DEVELOPMENT STANDARDS:

A. Qualified Variations: Variations or modifications to an approved development plan ("variation") are classified as either major or minor. Any variation of or change to an approved development plan, whether major or minor, may only occur as set forth in this section.

B. Major Variation:

1. A variation to an approved development plan is considered "major" if the variation requested would change, alter, or eliminate an issue or condition addressed in the approved development plan which:

a. Is unique to the approved development plan;

b. Was recommended and/or adopted as a condition of approval of the development plan by the Planning Commission;

c. Was adopted as a condition of approval of the development plan by the city council; or

d. Was suggested or offered by an applicant as part of the initial application or following submission of the initial application suggested or offered to be included in the development plan by the applicant.

2. A major variation to an approved development plan may only occur by an amendment to the approved development plan. The amendment may only be made by either the planning commission or the city council, whichever approved the original development plan.

- 144 3. A request for an amendment to an approved development plan shall require an application, the
145 payment of the applicable fee, and submission of all information required by this chapter.
- 146 4. Regarding an application to change or remove an overlay zoning district designation, and consistent
147 with subsection 13-7D-4(C)(2):
- 148 a. If one or more platted lots in a development with an existing overlay zoning district designation
149 have been sold to an owner, who is not a developer, professional builder, or bank or financial
150 institution, an applicant may not submit, and the city shall not accept, an application to change or
151 remove the existing overlay zoning district designation for said development or for any part of said
152 development; and
- 153 b. An application seeking city approval to change or remove the existing overlay zoning district
154 designation, or part of such existing district designation, shall be placed on a city council work session
155 agenda and is a major variation that requires an amended development plan (with a planning
156 commission recommendation and approval by the city council).
- 157 C. Minor Variation:
- 158 1. A variation is considered "minor" only if the Zoning Administrator determines in writing that (i) the
159 following conditions of the approved development will exist if the variation is approved, and (ii) that the
160 following characteristics of the development will exist following the implementation of the variance in the
161 development:
- 162 a. No additional uses are added to the approved development plan or the development (residential,
163 commercial, office space, medical, or otherwise);
- 164 b. All footprints, setbacks, and other requirements of city ordinances, standards, and regulations are
165 met;
- 166 c. The heights of the buildings are the same or lower than in the approved development plan and in
167 the development;
- 168 d. The density of the housing units, if any, is the same or lower than in the approved development
169 plan and in the development;
- 170 e. The amount of office space, commercial space, or other similar required space, if any, is the same
171 or more than in the approved development plan and in the development;
- 172 f. The amount or number of improvements and amenities, if any, is the same or more than in the
173 approved development plan and in the development; and
- 174 g. All other similar measurable criteria are the same or more or "better" on the approved
175 development plan and in the development, as determined by the Zoning Administrator. For example:
176 owner-occupied residential units are deemed to be better than leased or rented residential units; or vinyl
177 fencing is not the same or better than pre-cast concrete decorative fence.
- 178 2. The request for a minor variation shall be submitted in writing to the Zoning Administrator and
179 shall include the following:
- 180 a. A detailed description and/or depiction of the nature of the variation or modification request; and
- 181 b. A detailed explanation of how the variation will not affect the overall intent and purpose of the
182 approved development plan.

183 3. The Zoning Administrator may reject any minor variation request that fails to include any required
184 information.

185 4. The Zoning Administrator is authorized to grant a minor variation in his or her sole discretion only
186 upon a written determination and explanation by the Zoning Administrator, including specific facts related
187 to the development ("written determination"), as follows:

188 a. How and why the variation is consistent with the intent of this article;

189 b. That the variation does not increase the overall allowable maximum density granted to the
190 development;

191 c. Why the variation does not affect an approved preliminary or final site plan;

192 d. Why the variation does not affect an approved preliminary or final subdivision or condominium
193 plat;

194 e. Specific facts as to why the variation does not constitute a major variation and therefore may be
195 granted by the Zoning Administrator; and

196 f. The written determination shall be provided to the council office. (Ord. 22-13, 5-11-2022)

Proposed City Code Text Amendment Regarding Changing or Removing the SHO Zoning District Designation or any other Overlay Zoning District Designation

[SHO Zone Provisions in the City Code]

13-6H-3: SENIOR HOUSING OVERLAY BOUNDARIES; AND CONCURRENT ZONING APPLICATIONS:

A. Properties located within the following zoning districts shall be eligible for the SHO district zoning subject to the permitted and conditional use tables associated with the specific underlying zoning district:

1. R-2 (Two-Family Residential), R-3 (Multi-Family Residential) and R-M (Mobile Home Residential) Zones;

2. The PC (Planned Community) and PRD (Planned Residential Development) Zones;

3. The LSFR (Low Density Single-Family Residential), MFR (Medium Density Multi-Family Residential) and the HFR (High Density Multi-Family Residential) Zones within the west side planning area; and

4. The P-O Professional Office Zone.

B. The SHO district shall not be applied to any specific property until a rezone application has been approved by the city council which affixes the overlay district onto the property's underlying zoning designation.

C. If an applicant has submitted an application for a zone change to a specific underlying zoning district concurrently with an application for a zone change to the SHO district, each application shall be considered and voted upon by the city council as a separate agenda item, with the specific underlying zoning district application being considered and voted upon first, followed by the SHO district application. (Ord. 11-03, 2-9-2011; amd. Ord. 17-24, 5-24-2017)

13-6H-12: DEVELOPMENT PLAN REQUIREMENTS; AND CHANGING EXISTING SHO DESIGNATION:

A. Development Plan: A development plan is to be prepared for each proposed development (or phase) within the SHO zone. The development plan shall provide pertinent information relative to public improvements, density, universal design concepts being utilized in the development, development standards and compliance therein, and design criteria.

B. Development Plan Review: The steps outlined in section 15-3-8 of this code shall be followed in connection with applications for approval of a development plan, along with the required fees and other specific processes required by this code to complete a specific project.

C. Development Plan Submittal Requirements: A developer seeking city approval of a development plan shall follow the submittal requirements as outlined in title 13, chapter 7, article I.

D. Zoning Map Amendment Application to Change or Remove an existing SHO Zoning District Designation: Consistent with subsections 13-7D-4(C)(2) and 13-7I-5(B)(4):

1. If one or more platted lots in a development with an existing SHO overlay zoning district designation have been sold to an owner, who is not a developer, professional builder, or bank or financial institution, an applicant may not submit, and the city shall not accept, an application to change or remove the existing SHO overlay zoning district designation for said development or for any part of said development; and

2. An application seeking city approval to change or remove the existing SHO overlay zoning district designation, or part of such existing district designation, shall be placed on a city council work session agenda and is a major variation that requires an amended development plan (with a planning commission recommendation and approval by the city council). (Ord. 11-03, 2-9-2011; amd. Ord. 22-13, 5-11-2022)

[Development Procedures (Zoning Amendments) Provisions in the City Code]

13-7D-4: AUTHORIZED APPLICANT; COUNCIL WORK SESSION AND QUARTERLY MAP MEETING:

A. Zoning Map Amendment: An applicant for an amendment to change the zoning on any property shall be one of the following:

1. The owner of the property;

2. One or more joint owners of property who own individually or as a group, a majority interest in the property;

3. Both of the property owners where property is held in joint tenancy;

4. Seventy five percent (75%) or more of the owners of property in the area covered by the application when the application covers more than one property; or

5. The community development department, the planning commission or the city council on its own motion.

B. Zoning Text Amendment: The applicant for an amendment to change the text of this title, or the text of any other title adopted as a set of land use regulations (titles 5, 8 through 15 inclusive, and 17), shall be the community development department, the planning commission or the city council on its own motion. If an applicant for such an amendment, in the applicant's discretion, submits an application primarily because of the request of an "outside party", then said outside party shall pay a filing fee (but shall not submit an application) according to the consolidated fee schedule, as if said outside party was an applicant.

C. Signature, Work Session, And Quarterly Map Meeting Required: When the application is initiated by someone other than the community development department, the planning commission or city council, then:

1. The application shall be signed by the authorized applicant or an agent of any authorized applicant. The authority of the agent must be in writing, notarized, and filed with the application. The signature of such agent shall have the same force and effect as if the application were signed by the principal; and

2. If the zoning administrator determined that the application for an amendment to change the zoning does not conform to and is not consistent with the purposes, goals, objectives and policies of the adopted general plan and/or future land use map, or if the application requires a zoning text amendment or a waiver or exception, or if the application, pursuant to subsection 13-7I-5(B)(4), proposes changing or removing

78 any existing overlay zoning district designation or part of such existing district designation, then the
 79 application, together with all concurrent applications, shall be placed on a city council work session
 80 ("committee of the whole") agenda and a planning commission quarterly map meeting agenda as follows:

Date Of Filing Of Complete Application	Date Of City Council Work Session	Date Of Planning Commission Public Hearing/Meeting
January 1 to March 31	On or before the last meeting of April	Soonest available meeting
April 1 to June 30	On or before the last meeting of July	Soonest available meeting
July 1 to September 30	On or before the last meeting of October	Soonest available meeting
October 1 to December 31	On or before the last meeting of January	Soonest available meeting

81 (2009 Code; amd. Ord. 17-41, 7-12-2017; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6,
 82 2020; Ord. 20-40, 10-28-2020; Ord. 23-05, 2-8-2023)

83
 84 13-7D-6: CRITERIA TO RECOMMEND APPROVAL:

85 A. Zoning Map Amendment: An amendment to the zoning map may be recommended for approval by
 86 the planning commission to the city council only if affirmative determinations are made regarding each of
 87 the following criteria:

- 88 1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the
 89 adopted general plan and future land use map;
- 90 2. The proposed amendment will result in compatible land use relationships and does not adversely
 91 affect adjacent properties;
- 92 3. The proposed amendment protects the public health, safety and general welfare of the citizens of the
 93 city;
- 94 4. The proposed amendment will not unduly impact the adequacy of public services and facilities
 95 intended to serve the subject zoning area and property than would otherwise be needed without the
 96 proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways; and
- 97 5. The proposed amendment is consistent with the provisions of any applicable overlay zoning
 98 districts which may impose additional standards.
- 99 6. An amendment to the zoning map regarding changing or removing any existing overlay zoning
 100 district designation, or part of such existing district designation, may be recommended for approval by the
 101 planning commission to the city council only if affirmative determinations are made regarding each of the
 102 following additional criteria:
 - 103 a. The changing or removing of the existing overlay zoning district will not create or exacerbate
 104 one or more nonconforming (or noncomplying) uses or structures;
 - 105 b. Properties and structures within the existing overlay zoning district will not be significantly
 106 negatively affected by a restriction or change of use or uses;

- c. Properties and structures within the existing overlay zoning district will not be significantly negatively affected by lessened or changed design standards; and
- d. The design and layout of the properties and structures within the existing overlay zoning district will maintain the same or higher level of (i) functionality and (ii) compliance with applicable land use regulations.

B. Zoning Text Amendment: Amendment to the text of this title or of any other land use regulation title in this code shall be recommended for approval by the planning commission to the city council only if affirmative determinations are made regarding each of the following criteria:

1. The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;

2. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

3. The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and

4. The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy. (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013; Ord. 17-41, 7-12-2017; Ord. 23-05, 2-8-2023)

[Development Plan Process (including Amendments and Major Variations) in the City Code]

13-7I-5: VARIATIONS FROM APPROVED PLANS AND DEVELOPMENT STANDARDS:

A. Qualified Variations: Variations or modifications to an approved development plan ("variation") are classified as either major or minor. Any variation of or change to an approved development plan, whether major or minor, may only occur as set forth in this section.

B. Major Variation:

1. A variation to an approved development plan is considered "major" if the variation requested would change, alter, or eliminate an issue or condition addressed in the approved development plan which:

a. Is unique to the approved development plan;

b. Was recommended and/or adopted as a condition of approval of the development plan by the Planning Commission;

c. Was adopted as a condition of approval of the development plan by the city council; or

d. Was suggested or offered by an applicant as part of the initial application or following submission of the initial application suggested or offered to be included in the development plan by the applicant.

2. A major variation to an approved development plan may only occur by an amendment to the approved development plan. The amendment may only be made by either the planning commission or the city council, whichever approved the original development plan.

- 143 3. A request for an amendment to an approved development plan shall require an application, the
144 payment of the applicable fee, and submission of all information required by this chapter.
- 145 4. Regarding an application to change or remove an overlay zoning district designation, and consistent
146 with subsection 13-7D-4(C)(2):
- 147 a. If one or more platted lots in a development with an existing overlay zoning district designation
148 have been sold to an owner, who is not a developer, professional builder, or bank or financial
149 institution, an applicant may not submit, and the city shall not accept, an application to change or
150 remove the existing overlay zoning district designation for said development or for any part of said
151 development; and
- 152 b. An application seeking city approval to change or remove the existing overlay zoning district
153 designation, or part of such existing district designation, shall be placed on a city council work session
154 agenda and is a major variation that requires an amended development plan (with a planning
155 commission recommendation and approval by the city council).
- 156 C. Minor Variation:
- 157 1. A variation is considered "minor" only if the Zoning Administrator determines in writing that (i) the
158 following conditions of the approved development will exist if the variation is approved, and (ii) that the
159 following characteristics of the development will exist following the implementation of the variance in the
160 development:
- 161 a. No additional uses are added to the approved development plan or the development (residential,
162 commercial, office space, medical, or otherwise);
- 163 b. All footprints, setbacks, and other requirements of city ordinances, standards, and regulations are
164 met;
- 165 c. The heights of the buildings are the same or lower than in the approved development plan and in
166 the development;
- 167 d. The density of the housing units, if any, is the same or lower than in the approved development
168 plan and in the development;
- 169 e. The amount of office space, commercial space, or other similar required space, if any, is the same
170 or more than in the approved development plan and in the development;
- 171 f. The amount or number of improvements and amenities, if any, is the same or more than in the
172 approved development plan and in the development; and
- 173 g. All other similar measurable criteria are the same or more or "better" on the approved
174 development plan and in the development, as determined by the Zoning Administrator. For example:
175 owner-occupied residential units are deemed to be better than leased or rented residential units; or vinyl
176 fencing is not the same or better than pre-cast concrete decorative fence.
- 177 2. The request for a minor variation shall be submitted in writing to the Zoning Administrator and
178 shall include the following:
- 179 a. A detailed description and/or depiction of the nature of the variation or modification request; and
- 180 b. A detailed explanation of how the variation will not affect the overall intent and purpose of the
181 approved development plan.

182 3. The Zoning Administrator may reject any minor variation request that fails to include any required
183 information.

184 4. The Zoning Administrator is authorized to grant a minor variation in his or her sole discretion only
185 upon a written determination and explanation by the Zoning Administrator, including specific facts related
186 to the development ("written determination"), as follows:

187 a. How and why the variation is consistent with the intent of this article;

188 b. That the variation does not increase the overall allowable maximum density granted to the
189 development;

190 c. Why the variation does not affect an approved preliminary or final site plan;

191 d. Why the variation does not affect an approved preliminary or final subdivision or condominium
192 plat;

193 e. Specific facts as to why the variation does not constitute a major variation and therefore may be
194 granted by the Zoning Administrator; and

195 f. The written determination shall be provided to the council office. (Ord. 22-13, 5-11-2022)

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD AUGUST 20, 2024 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Ammon Allen, Tom Hollingsworth, John Roberts, Trish Hatch, and Jay Thomas. George Winn and Emily Gonzalez were excused.

STAFF: Scott Langford, Larry Gardner, Ray McCandless, Duncan Murray, Julie Davis, Paul Brockbank

- 1. Text Amendment – Overlay Zoning Districts; Amend the 2009 West Jordan Municipal Code regarding Changing or Removing the Senior Housing Overlay District (SHO) Designation or any other Overlay Zoning District Designation; Amending Development Plan Requirements Sections 13-6H-12A and adding 13-6H-12D; Amending Authorized applicant Council Work Session and Quarterly Map Meeting Section 13-7D-4C2 and adding 13-7D-4C3; Amending Criteria to Recommend Approval adding Section 13-7D-6A6; Variations from Approved Plans and Development Standards adding Section 13-7I-5B4; City-wide applicability; City of West Jordan (applicant)**

Scott Langford said the proposed text amendment is a result of several meetings the City Council held after the Senior Housing Overlay was removed from a development. This is an effort to help the process for similar requests to be less awkward in the future.

Larry Gardner explained that one change is that the review and vote to rezone a property to the base zone would come first and separate from consideration of the overlay.

Duncan Murray said the next change would require an applicant to come to a council work session prior to starting the process to remove an overlay district. The council will then decide if the applicant should move forward through the public hearing process. Another provision states that if even one lot is sold to someone who is not a financial institution, builder, developer, etc. then removal of the overlay is not allowed.

Larry Gardner explained that the work session is a less formal way for the applicant to describe their request prior to the public hearing process. Additional criteria for the planning commission were added, including a determination that the change will not create or exacerbate a nonconforming situation. The other criterion addresses design and that the change cannot significantly negatively affect the properties or structures within the existing overlay zoning district. Any changes to the development plan would also have to be approved by the city council.

Based on the analysis and findings contained in the staff report and upon evidence received at the public hearing, staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the Text Amendment regarding Overlay Zoning Districts.

Ammon Allen supported the change, but he also understood that in certain market conditions it could be a hardship to own a property with a senior housing overlay. He asked if it could be removed if all property owners wanted the change.

Larry Gardner said that would be a legislative decision for the city council.

Trish Hatch thought that the SHO imposes restrictions that do not benefit the city long-term, because it is too confining, and it does not serve the future. She had hoped that the SHO would be removed from the code.

Larry Gardner stated that the amendment does not prohibit the city from eliminating the senior housing overlay, but it applies to those that exist. The market was in a different situation 5 to 10 years ago when an older home could be sold with enough equity to purchase a new one. Other communities are also dealing with this situation.

Jay Thomas felt much the same as Commissioner Hatch and asked if the commission could propose to the city council elimination of the senior overlay.

Ammon Allen understood the proposed code to say that even if the developer were to buy back the lots that had been sold, removal of the overlay still would not be allowed.

Duncan Murray said that is how a strict interpretation would read, but that point could be argued.

Ammon Allen opened the public hearing.

Further public comment was closed at this point for this item.

Additional discussion was held concerning a recommendation to the city council to eliminate the SHO. That discussion would be placed on a future agenda and any action or recommendation would take place in a public hearing. At the time of discussion, staff should provide a listing of where current SHO zoning exists and if removal of the overlay would create a non-conforming use situation.

Commissioner Roberts said that the proposed amendment helps to resolve the negatives of the SHO, because any benefit that the developer gets that makes it nonconforming also binds them to it. Otherwise, the developer will have to build something conforming from the beginning if they want a chance to have the overlay removed later.

Duncan Murray said that it would be more realistic to lock the SHO from additional locations in a similar way to how the WSPA area is defined, but the zoning and regulations for it still exist.

Larry Gardner said he will place this discussion on the next meeting and staff will provide the current SHO locations and if there are any current applications.

MOTION: Jay Thomas moved, based on the information and findings of the required criteria set forth in the staff report and upon the evidence and explanations received today, to forward a recommendation of approval to the City Council for the Text Amendment regarding Overlay Zoning Districts finding that an affirmative determination has been made for the criteria found in 13-7D-6B; 1 through 4. The motion was seconded by John Roberts and passed 5-0 in favor. George Winn and Emily Gonzalez were absent.



Office of the City Council

8000 South Redwood Road

West Jordan, Utah 84088

(801) 569-5017

CITY OF WEST JORDAN NOTICE OF PUBLIC HEARING

A public hearing will be held before the West Jordan City Council on **Wednesday, September 25, 2024 at 6:00 pm** (or as soon thereafter as possible) at **West Jordan City Hall, 8000 S. Redwood Rd, 3rd Floor, West Jordan, UT 84088.**

The purpose of the hearing is to receive public comments regarding the following:

- **Ordinance No. 24-33** amending West Jordan City Code regarding Changing or Removing the Senior Housing Overlay District (SHO) Designation or any other Overlay Zoning District Designation; Amending Development Plan Requirements Sections 13-6H-12A and adding 13-6H-12D; Amending Authorized applicant Council Work Session and Quarterly Map Meeting Section 13-7D-4C2 and adding 13-7D-4C3; Amending Criteria to Recommend Approval adding Section 13-7D-6A6; Variations from Approved Plans and Development Standards adding Section 13-7I-5B4the West Jordan City Transportation Master Plan
- **Ordinance No. 24-43** amending West Jordan City Code Section 1-4-1 and 1-4-2 regarding Elected Officials Compensation

In accordance with the Americans with Disabilities Act, the City of West Jordan will make reasonable accommodations for participation in the meeting. Requests for assistance can be made by contacting the Council Office at (801) 569-5017 at least three working days' advance notice of the meeting.

If you are interested in participating in the public hearing, please visit the City of West Jordan website at <https://westjordan.primegov/public/portal> approximately four (4) days prior to the meeting for packet materials and Zoom login information.

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Posted September 12, 2024

/s/ Cindy M. Quick, MMC

Council Office Clerk

Mr. Lee reported that proposed amendments to Title 1 Chapter 8 were intended to bring the chapter up to date with current organization and operations. He commented that West Jordan Code was more detailed regarding organization of City departments than Salt Lake City Code. Mr. Lee said staff would review Chapter 8 with the intention of simplifying and shortening the language if directed by the Council.

Mr. Lee presented proposed amendments to Chapter 8 regarding administration and received feedback from the Council. The Council asked staff to make the changes discussed and bring Chapter 8 back for review in a future work session.

d. *Discussion of amendments to Title 13 Chapter 6H Senior Housing Overlay (SHO) Zone*

Council Member Bloom referred to a recent request considered by the Council, and said she anticipated more developers would approach the City Council about removing the Senior Housing Overlay (SHO) Zone. She suggested the Council establish a clear procedure. Council Member Whitelock suggested the zoning should revert back to the previous zone if an SHO were removed. Council Member Green responded that her suggestion would involve complications. Council Member Lamb said the situation had happened before, and a procedure was already in place. Council Member Bloom said she did not want the City to be taken advantage of.

Community Development Director Scott Langford advised the Council not to be too focused on the SHO, and pointed out that discretion for development plans was still with the Council. Council Member Whitelock said she wanted to establish more guidelines, so developers knew what to expect. The Council discussed possible development scenarios, as well as development situations with which they had experience. Council Member Whitelock said she believed the current process was a problem, and suggested discussion of possible zoning changes should be brought to the Council as a whole for discussion. Council Members Bedore and Bloom expressed agreement. Council Member Whitelock suggested more collaboration at the front end.

Mr. Langford said staff were working on language that would require Land Use Map amendments to come to the Committee of the Whole before going through the rest of the process. He asked if the Council would like major zoning variation requests to follow the same process. Council Members expressed support. Council Member Green said developers should come up with a completed application and a rough draft of what they would be willing to give up in exchange for the requested zoning change.

Council Member Green suggested that denial of a major zoning change could be done “with prejudice” or “without prejudice”. A denial with prejudice would require a specified waiting period before reapplication (perhaps 12 months); denial without prejudice would allow reapplication within a shorter time period. Council Members Bedore, Bloom, and Jacob expressed support. Chair Jacob pointed out the Council had already done something similar. City Attorney Josh Chandler advised the Council to make sure policy was applied consistently.

The Council discussed the new room for work sessions in City Hall.

3. ADJOURN



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 09/25/2024

Presenter: Alan Anderson

Deadline of item : 05/01/2025

Applicant:

Department Sponsor: Council Office

Agenda Type: PUBLIC HEARINGS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-43 amending West Jordan City Code section 1-4-1 and 1-4-2 regarding Elected Officials Compensation

2. EXECUTIVE SUMMARY

In the August 21, 2024 Committee of the Whole Meeting, council discussed modifying compensation for elected officials, which would tie the council's compensation to the mayor's salary. The majority of the body supported the tentative proposal, which is presented for action via Ordinance No. 24-43.

Revised within the ordinance is the specification that the mayor's salary will automatically receive the same cost of living increases afforded to city employees. This amendment consequentially adjusts council member's salaries on an annual basis, as well.

The compensation schedule/salary table (including the cost of living increase) will be effective July 1, 2025.

State law and city code requires several items related to elected officials compensation in municipalities:

- Adopted by Ordinance. This policy would require an Ordinance adopted by council. The adoption would be required each year due to the now included COLA adjustments. (UCA [10-3-818\(1\)](#)) & WJCC [1-4-1\(C\)](#)
- Hold a public hearing (UCA [10-3-818\(1\)](#)) & WJCC [1-4-1\(C\)](#)

3. TIME SENSITIVITY / URGENCY

Based on prior direction of the body, these section of code would need to be amended prior to May 1, 2025 to be reflected in the FY26 budget

4. FISCAL NOTE

A positive action on this amendment would increase Council Office Salaries Part-Time by \$47,600 annually beginning in FY26 budget. In addition, the cost-of-living-adjustment (COLA) would be added to this amount effective July 1, 2025. This would be the same amount given to all qualifying city employees and is generally based on the CPI for the Mountain West region. This is an unknown number at this time until the CPI is analyzed during the budget preparation process. In FY2025, the COLA was 2.0% which would add an additional \$2,480 to the Salaries Full-Time budget in the Office of the Mayor and \$3,444 to Salaries Part-Time in the Council Office budget.

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. STAFF ANALYSIS

As established by the FY2025 annual budget, the mayor's established salary is \$124,000. A council member's salary is \$18,000, or 14.5% of the mayor's salary. Using the aforementioned data, 20% of the mayor's salary would establish a compensation of \$24,800 per council member, a 38% increase from the previous amount of \$18,000.

Neighboring/Comparable Cities (by population, +/- ~20k people), with most recent information for each:

City	Council Salary	Source
Ogden	\$24,106	Ogden FY24 Budget
Orem	\$16,135	Orem FY25 Budget
Provo	\$21,000	Provo Elected Officials Comp Commission, 2021
Sandy	\$24,333*	Statewide review of Council Member Salaries
S. Jordan	\$16,514	Statewide review of Council Member Salaries
Taylorsville	\$12,650	Taylorsville code (as of 2008)
West Valley	\$21,580	Statewide review of Council Member Salaries

*Sandy's FY2025 Budget specifies "The Mayor and City Council members' compensation shall be adjusted annually on July 1 by an amount equivalent to the average pay increase to city employees."

As established by West Jordan City Code 1-4-1, any increase in council compensation would need to be adopted via ordinance, after a public hearing.

Council compensation was previously discussed on the following dates (click hyperlink for recordings, minutes are located within this packet):

- [August 21, 2024 \(COTW Meeting\) – Discussion Item](#)
- [August 11, 2021 \(CC Meeting\) - Ordinance No. 21-36](#)
- [December 15, 2021 \(COTW Meeting\) - Discussion Item](#)
- [August 10, 2022 \(CC Meeting\) - Ordinance No. 22-42](#)

There is no additional CSR report, as this item is initiated by the City Council and the RCA written by the Council Office.

7. MOTION RECOMMENDED

Move to approve/deny Ordinance No. 24-43 amending West Jordan City Code section 1-4-1 and 1-4-2 regarding Elected Officials Compensation

8. PACKET ATTACHMENT(S)

Ordinance 24-43

Legislative (Redline) Version

Clean Version
Public Hearing Notices
Past Meeting Minutes

ORDINANCE NO. 24-43

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE RELATED
TO ELECTED OFFICIALS COMPENSATION**

WHEREAS, the City of West Jordan adopted West Jordan City Code (“**City Code**”) in 2009; and

WHEREAS, the City Council of the City of West Jordan desires to amend a certain section of the City Code, regarding and related to elected officials compensation; and

WHEREAS, the City Council held a public meeting on September 25, 2024 regarding the proposed City Code amendments; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

Section 1. Amendment of Code Provisions. City Code Section 1-4-1 and 1-4-2 are amended to read as shown on Attachment 1 to this Ordinance.

Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 25th DAY OF SEPTEMBER 2024.

CITY OF WEST JORDAN

By: _____

Zach Jacob
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

(continued on the next page)

47	Voting by the City Council	"YES"	"NO"
48	Council Chair Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
49	Council Vice-Chair Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
50	Council Member Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>
51	Council Member Pamela Bloom	<input type="checkbox"/>	<input type="checkbox"/>
52	Council Member Kelvin Green	<input type="checkbox"/>	<input type="checkbox"/>
53	Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>
54	Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
55			

56
57 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.**

58
59 Mayor's Action: _____ Approve _____ Veto

60
61
62 By: _____
63 Mayor Dirk Burton Date

64
65 ATTEST:
66
67 _____
68 Tangee Sloan, CMC
69 City Recorder

70
71
72
73 **STATEMENT OF APPROVAL/PASSAGE (check one)**

74
75 _____ The Mayor approved and signed Ordinance No. 24-__.

76
77
78 _____ The Mayor vetoed Ordinance No. 24-__ on _____ and the City Council timely
79 overrode the veto of the Mayor by a vote of ____ to ____.

80
81
82 _____ Ordinance No. 24-__ became effective by operation of law without the Mayor's approval
83 or disapproval.

84
85
86 _____
87 Tangee Sloan, CMC
88 City Recorder

89
90
91
92 *(continued on the next page)*

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

1-4-1: CITY COUNCIL COMPENSATION:

A. Each member of the city council shall be paid through the city's regular payroll system at a minimum of once a month, in an amount equal to 20% of the mayor's salary as set forth in the compensation schedule or salary table adopted with the annual budget and pursuant to Utah Code 10-3-818 or successor provisions, effective July 1, 2025.

B. Each member of the city council may opt into any benefit provided to full-time employees as adopted in the annual budget.

C. Increase In Council Compensation: Any increase in council compensation shall be approved in a compensation schedule or salary table adopted by the city council by ordinance, after a public hearing, in a manner consistent with all other relevant requirements of this code and Utah Code 10-3-818 or successor provisions. (Ord. 22-42, 8-10-2022; amd. Ord. 24-11, 3-13-2024)

1-4-2: MAYOR'S COMPENSATION:

The annual salary for the position of mayor shall be determined prior to each mayoral election and will be established through the following procedure:

A. During the fourth year of each four (4) year mayoral term and prior to the deadline for filing a declaration of candidacy for the upcoming mayoral term, the city council may express the desired value of the mayoral salary for the upcoming mayoral term by resolution. This desired successor salary within the resolution shall be included in the fiscal year budget that includes the end of the current mayoral term and the beginning of the upcoming mayoral term. The budget, like any other fiscal budget, shall be approved by ordinance.

B. Should the city council neither:

1. Provide the desired value of the successor mayoral salary prior to the filing deadline; nor

2. Include the successor salary in the appropriate fiscal year budget as provided in this subsection, the successor salary shall be the same as that salary provided to the incumbent mayor in the year four (4) budget.

C. The successor salary shall take effect on the first Monday of January following the mayoral election per Utah Code 10-3-201 or successor provisions.

D. Should any person elected to complete a full mayoral term not complete such term, the individual appointed to complete the remainder of the mayoral term shall receive the same salary provided to the prior mayor at the time the prior mayor left office.

36 E. Mayor Consent Required To Reduce Compensation: The sitting mayor may voluntarily
37 reduce mayoral compensation for any given budget year, with the amount of the reduction
38 to be placed in the general fund. The mayoral compensation may not be reduced during the
39 mayor's term of office without the mayor's consent.

40 F. Mayor Salary Accrual; Timesheets; Benefits; Salary Increases: The mayor's
41 compensation will be distributed to the mayor through the city's regular payroll system a
42 minimum of once a month. The mayor is not required to submit time sheets. The mayor
43 shall also receive the standard benefits provided by the city to appointed officers of the
44 city; provided however that the mayor will neither:

45 1. Be allocated executive or compensatory leave; nor

46 2. Be entitled to merit increases; and performance increases; ~~and cost of living~~
47 ~~increases~~ afforded city employees, without specific approval of the city council as noted in
48 subsection G of this section, effective July 1, 2025.

49 G. Increase In The Sitting Mayor's Compensation: The mayor's salary shall automatically
50 receive the same cost of living increases afforded to city employees effective July 1, 2025.
51 An Any increase in the sitting mayor's compensation shall be approved in a compensation
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Posted September 12, 2024

/s/ Cindy M. Quick, MMC

Council Office Clerk

Chair Jacob proposed moving the regular Council meetings to Tuesdays instead of Wednesdays. Council Members Bedore and Bloom were fine with Council meetings on Tuesdays. Chair Jacob could see the value of COTW meetings, and suggested starting the COTW at 4:30 or 5:00 pm, with Council meetings following at 7:00 or 8:00 pm. Council Member Whitelock felt 8:00 pm was too late for meetings to start for the sake of citizens. Chair Jacob suggested moving Citizen Comments to COTW meetings.

Chair Jacob noted his preference would be to schedule three Tuesday evening meetings per month. All Council Members indicated they were able to meet on Tuesdays instead of Wednesdays. Council Member Green would prefer two meetings per month with an earlier start time. He believed employee morale was suffering with late Council meetings. Mayor Burton said staff would adjust to whatever worked for the Council.

Council Member Bloom spoke in favor of scheduling two evenings per month, starting at 4:00 pm, with additional meetings on 5th Tuesdays and the ability to schedule more meetings as necessary. Council Member Green agreed and suggested scheduling work sessions from 4:00 – 6:30 pm, with regular meetings starting at 7:00 pm. Vice Chair Lamb emphasized that Council Members had full-time jobs, and meeting before 4:00 pm would not be possible for many people. Chair Jacob said he would not want to make it harder for residents to be able to serve on the City Council. A majority of the Council indicated support for scheduling two Tuesday meetings per month with a work session at 4:00 pm followed by Council meetings at 7:00 pm, and a 6:00 pm work session on the 5th Tuesday in months that have five Tuesdays (except for December).

Council Member Green suggested the Council schedule a meeting on Tuesday, May 6, 2025 at 7:00 pm for the sole purpose of receiving the budget a week earlier than currently proposed. A majority of the Council expressed support for the suggestion.

Mr. Anderson said staff would prepare the 2025 Annual Meeting Schedule as outlined and bring it back to a future meeting for adoption.

f. Discussion of Adjustments to Council Compensation

Vice Chair Lamb reported that it had been nine years since an adjustment was made to City Council compensation. Vice Chair Lamb proposed putting together a policy that would adjust Council compensation whenever the Mayor's compensation was adjusted. He proposed 20% of the Mayor's annual salary. Council Member Bedore agreed with tying Council compensation to Mayoral compensation. Council Member Green suggested 25% of the Mayor's salary, with health insurance benefits eliminated. Council Member Bloom disagreed; she did not view service on the City Council as a part-time job.

Chair Jacob noted that the Taylorsville Council approved tying Council compensation to the annual cost-of-living adjustment (COLA) approved for staff. Council Member Whitelock felt time on the City Council was a service, and she believed 20% of the Mayor's salary was high.

The Council discussed health insurance benefits available to the Council. Council Member Whitelock said she would favor a citizen compensation committee deciding Council compensation.

A majority of the Council indicated support for putting a policy in place to address Council compensation and expressed support for 20% of the Mayor's salary, with an annual COLA. A majority of the Council indicated support for an effective date of July 1, 2025.

Mr. Anderson said staff would draft language and bring the amendment to a future Council meeting for action.

3. ADMINISTRATIVE ITEMS

None

4. ADJOURN

Council Member Whitelock moved to adjourn. Chair Jacob seconded the motion, which passed by unanimous vote (7-0).

The meeting adjourned at 9:11 pm.

I certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on August 21, 2024. This document constitutes the official minutes for the West Jordan Committee of the Whole meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 11th day of September 2024

Yes: Chris McConnehey, Zach Jacob, Melissa Worthen, David Pack, Pamela Bloom, Kayleen Whitelock
No: Kelvin Green
Absent:
The motion passed 6-1.

b. Ordinance No. 22-38 adopting the City's Annual Budget for Fiscal Year 2023.

Administrative Services Director Danyce Steck presented the FY 2023 Final Budget.

Vice Chair Green said there were things in the budget he believed could be improved, but at the end of the day the budget was close to where it needed to be. He said he believed the Council needed to establish specific metrics and standards over the next year to provide better perspective. He expressed confidence in the West Jordan Police and Fire Departments. Vice Chair Green said he would vote in favor of the FY 2023 Final Budget. Council Member Jacob said he believed the budget represented a good compromise, and he would vote in favor.

Council Member McConnehey expressed the opinion that the proposed Final Budget was better than the budget presented to the Council several months earlier and said he would vote in favor. He thanked everyone involved in the budget process. Council Member McConnehey and Chair Whitelock thanked the residents in attendance for staying through the meeting.

Council Member Worthen left the dais at 9:16 pm, and returned at 9:17 pm

MOTION: Council Member McConnehey moved to APPROVE Ordinance No. 22-38 adopting the City's Annual Budget for Fiscal Year 2023. Council Member Whitelock seconded the motion.

The vote was recorded as follows:

Yes: Chris McConnehey, Zach Jacob, Melissa Worthen, David Pack, Kelvin Green, Pamela Bloom, Kayleen Whitelock
No:
Absent:
The motion passed 7-0.

c. Ordinance No. 22-42 amending West Jordan Municipal Code by creating Title 1-4 - Elected Official Compensation and deleting Title 1-6-4 and 1-7-2 and consolidating in new section.

Council Office Director Alan R. Anderson oriented the Council with proposed Title 1-4 regarding "Elected Official Compensation" and explained proposed consolidation of

language. Mr. Anderson reviewed proposed elected official in-kind benefits, consistent with State law, with the Council, and answered questions.

Council Member Pack said he had found the allowance to be a lot of work to use. Mr. Anderson responded that each Council Member could choose whether or not to use the allowance. Any monetary value assigned to in-kind benefits would be considered taxable income.

Responding to a question from Council Member McConnehey, Vice Chair Green explained that the IRS did not tax meals provided prior to council meetings. Ms. Steck added that meals prior to council meetings were deemed de minimis. Meals in conjunction with ticketed events were considered part of the in-kind benefit and were considered taxable income.

Council Member McConnehey commented there were many volunteers involved in the Western Stampede and said he had hoped to see something in the language supporting use of non-revenue seats for the many volunteers. Vice Chair Green responded that the proposed ordinance was only directed at elected officials. All committee members and volunteers fell under mayoral policy. Council Member McConnehey said he would support mayoral policy that would recognize the effort of volunteers. Chair Whitelock expressed agreement.

Council Member McConnehey asked if it would be more efficient to call out the \$750 per Council Member in the budget with Council Compensation. Vice Chair Green suggested striking the sentence: "The annual budgeted amount adopted for each Elected Official cannot exceed \$750.00."

MOTION: Vice Chair Green moved to APPROVE Ordinance No. 22-42 amending West Jordan Municipal Code by creating Title 1-4 -Elected Official Compensation and deleting Title 1-6-4 and 1-7-2 and consolidating in a new section, striking words in lines 71 and 72: "The annual budgeted amount adopted for each Elected Official cannot exceed seven-hundred fifty dollars (\$750.00)". Council Member McConnehey seconded the motion.

The vote was recorded as follows:

Yes: Chris McConnehey, Zach Jacob, Melissa Worthen, David Pack, Kelvin Green, Pamela Bloom, Kayleen Whitelock

No:

Absent:

The motion passed 7-0.

Mr. Anderson stated a budget amendment would be presented to the Council at a future meeting.



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL WORK SESSION**

Wednesday, December 15, 2021 - 5:30 pm
Approved January 12, 2022

West Jordan City Council Chambers • 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Zach Jacob, Vice-Chair Kelvin Green, Chad Lamb, Christopher McConnehey, David Pack, Kayleen Whitelock, and Melissa Worthen

STAFF: Council Office Director Alan R. Anderson, Public Services Director Isaac Astill, Mayor Dirk Burton, Public Works Director Brian Clegg, City Planner/Zoning Administrator Larry Gardner, Policy Analyst & Public Liaison Cassidy Hansen, Community Development Director Scott Langford, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Senior Planner Ray McCandless, Assistant City Attorney Duncan Murray, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Volunteer Events Service Coordinator Lynze Twede, Administrative Services Director Danyce Steck, and City Attorney Robert Wall

CALL TO ORDER

Chair Jacob called the work session to order at 5:30 pm

A. Council Compensation

Council Member Pack said City Council compensation was last adjusted in 2015. Since then, the City changed its form of government and defined a process to review the Mayoral compensation every four years. Council Member Pack spoke of a desire to take politics out of public service as much as possible and spoke in favor of regular incremental increases over occasional bigger increases. He said he did not suggest an increase in Council compensation at that time but did suggest putting a policy in place to ensure a regular review of Council compensation.

Council Office Director Alan R. Anderson reviewed State Code and West Jordan City Code regarding compensation for elected officials with the Council. A change in Council compensation would require a public hearing and adoption by ordinance. Policy Analyst/Public Liaison Cassidy Hansen listed the following options for the Council:

- Do nothing
- Adopt a schedule for Council compensation review
- Create a way in which compensation is reviewed (i.e., by the Council or a citizen-appointed commission)
- Establish when the implementation of compensation increases take effect
- Revise City Code to better reflect requirements of Utah Code (i.e., directly mention the requisite public hearing and that an ordinance must be used to adopt any compensation changes)

Ms. Hansen mentioned that Provo City had a citizen commission that reviewed elected-official compensation. She said an increase in Council compensation could be adopted by ordinance with adoption of the annual budget but suggested a separate public hearing and ordinance would be

more transparent to the public. Ms. Hansen commented the Council received benefits outside of monetary compensation.

Mr. Anderson shared a comparison of Council compensation in other northern Utah cities, including population and median household income data. Mr. Hansen said the approximate total cost to the City for Council compensation was calculated by multiplying the current or proposed annual salary by 1.22301 (taxes + retirement), added to \$23,000 (max health benefit).

Chair Jacob asked the Council to think of the discussion as a policy discussion. Council Member Worthen said she did not believe monetary compensation was the only draw for potential Council Members. Vice Chair Green said Salt Lake City had a policy that the Council received 25% of the Mayor's salary and commented that the Salt Lake City Council had meetings during the day. Council Member Worthen said she was not aware Council Members received compensation when she decided to run for office. Council Member Whitelock said she did not want citizens running for office because of the compensation. She said she was fine with the State Code.

Vice Chair Green said he liked the policy adopted by Draper City, with no health insurance, no retirement, and a fixed compensation rate. Council Member Whitelock suggested a review could be calendared and discussed every other year, in the off-election year. Vice Chair Green pointed out that ordinance required a review of the Mayor's salary every four years.

Chair Jacob said he understood Council Member Pack suggested the Council establish a policy so that Council compensation was not a controversial topic. Council Member Lamb said he had never thought about getting a raise while serving on the Council and had never thought that an increase in compensation needed to be discussed. He spoke of the number of meetings Council Members attended. Council Member Lamb said he was not concerned about what future Council Members would be paid, and suggested future Councils discuss the issue when it needed to be discussed.

Council Member McConnehey said he would be in favor of doing nothing or agreeing to a flat figure as suggested by Vice Chair Green. He said he believed the role of the City Council was different from the role of the Mayor. Council Member McConnehey said he thought the Council was compensated fine for what they were asked to do and said he would not want to schedule regular discussions of Council compensation. He said he would not want someone running in an election to represent the community for a paycheck and suggested a cost-of-living adjustment would not apply to the Council. Vice Chair Green and Council Member Worthen said they agreed.

Chair Jacob stated a majority of the Council appeared in favor of the status quo. Council Member Pack repeated it was his opinion that a long-term policy would be beneficial.

B. General Plan Update

Council Office Director Alan R. Anderson provided an update on the General Plan Committee. He said a rough draft of the General Plan update should be ready for Planning Commission review in the first half of 2022, with a draft for Council review by early summer. Vice Chair Green suggested scheduling a couple of townhall meetings for citizen input prior to Council review.

Council Member Whitelock said she was surprised by the General Plan Committee's desire for Redwood Road to be walkable. Mr. Anderson said the General Plan Committee had also talked about Redwood Road being a main view of the City and discussed dressing Redwood Road up a bit.

used for active recreation. He said he believed the City needed to lead the way in showing how to deal with localscapes. Council Member Whitelock said she approved of the local scape method but wanted to avoid too many rock beds with few plants in them. Council Member Worthen said she agreed with localscaping, and suggested turf could be removed from areas of Teton Estates Park. Council Chair Jacob emphasized that local scaping could look good without using native grasses.

Mr. Lee said staff were working with the Jordan Valley Water Conservancy District to take advantage of available grants. He commented that localscaping would require more staff time than turf.

7. BUSINESS ITEMS

a. Amending City Code Section 1-6-4 City Council Compensation

On February 24, 2021, the City Council repealed the City Ethics Ordinance 1-11A-18 in order to implement the State Ethics Act. Council Office Director Alan Anderson explained that Section 1-6-4 currently referred to the repealed section. He recommended the Council adopt Ordinance No. 21-36 to remove reference to repealed code.

Vice Chair Green said he would prefer to have council compensation tied to a percentage of the mayor's salary. He said he believed the Council needed to remove reference to 1-11A-18 but should schedule further discussion of council compensation on a future agenda. Council Member Pack said he agreed with Vice Chair Green's suggestion to tie council compensation to the mayor's salary. He expressed the opinion the issue should be addressed sooner rather than later, with a council compensation increase not effective until after a future election.

Mr. Anderson clarified the proposed ordinance would clean up City Code, not change Council Member compensation. Council Chair Jacob expressed support for a council compensation increase not taking effect until after an election.

MOTION: Council Member Worthen moved to approve Ordinance No. 21-36 amending the 2009 West Jordan City Code Section 1-6-4 Compensation of Members of the City Council.

Vice Chair Green seconded the motion.

The vote was recorded as follows:

Council Chair Jacob	Yes
Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0

8. CONSENT ITEMS

a. Approve Meeting Minutes

- ***July 28, 2021 – Work Session and Regular City Council Meeting***

**MOTION: Vice Chair Green moved to approve Consent item 8a as listed.
Council Member Whitelock seconded the motion.**

The vote was recorded as follows:

Council Chair Jacob	Yes
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REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 09/25/2024

Presenter: Tangee Sloan

Deadline of item : 09/25/2024

Applicant:

Department Sponsor: Recorder - Elections

Agenda Type: BUSINESS ITEMS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-41 Amending Certain Sections of Title 1, Chapter 15 (Elections), including qualifications for office, campaign finance disclosures, and use of city logos. (City Code Sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9)

2. EXECUTIVE SUMMARY

On August 21, 2024, during the Committee of the Whole meeting, Council was asked to consider changes to City Code sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9. The following amendments and adjustments were discussed:

- Qualifications for office (including forms and processes).
- Disclosure campaign contributions and expenditures.
- Prohibition of the use of the city logo in municipal elections.
- Compliance with Utah election laws.
- Uniform fee for both City Council and Mayoral candidates.
- Consequences of failure to file campaign finance reports.
- The deletion of redundant numbering and other stylistic changes within the code itself.

Since the Committee of the Whole Meeting, staff has made the changes recommended by the Council. These changes include Options 1 and 2 (in two places in the text amendment) regarding submitting campaign finance reports.

- **Option 1** allows for a candidate to file a late or previously un-filed campaign finance report up until 30 days before the next municipal candidate filing period.
- **Option 2** prohibits a candidate from filing a declaration of candidacy at the next Municipal Election if any late or un-filed campaign finance report was more than 30 days late. The Council may select either option.

The other changes recommended by the Council, regarding City Logo Section 1-15-8, were also made by city staff. These changes are reflected in subsections B and C and set forth the exception to the prohibition of using the City Logo, as well as the enforcement mechanisms available to the City.

3. TIME SENSITIVITY / URGENCY

Recommend changes be adopted prior to January 2025 so they are effective well in advance of the next municipal election.

4. FISCAL NOTE

N/A

5. STAFF ANALYSIS

Elections officer supports the changes as presented.

Council staff has reviewed this item and has no additional input. Link to the August 21, 2024 COTW Meeting [can be found here](#), minutes for which have also been uploaded within the PrimeGov packet.

6. MOTION RECOMMENDED

Move to approve/deny Ordinance No. 24-41 amending City Code Sections 1-15-2; 1-15-4; 1-15-8; 1-15-9 using language in Option 1.

-OR-

Move to approve/deny Ordinance No. 24-41 amending City Code Sections 1-15-2; 1-15-4; 1-15-8; 1-15-9 using language in Option 2.

7. PACKET ATTACHMENT(S)

Ordinance No 24-41

Attachments illustrating the amendments

Minutes from August COTW meeting

1 THE CITY OF WEST JORDAN, UTAH
2 ORDINANCE NO. 24-41

3 AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
4 (AMENDING MUNICIPAL ELECTION PROCEDURES);
5 AMENDING CERTAIN SECTIONS IN TITLE 1, CHAPTER 15 (ELECTIONS),
6 INCLUDING QUALIFICATIONS FOR OFFICE, CAMPAIGN FINANCE DISCLOSURES,
7 AND USE OF CITY LOGOS

8 WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) on
9 in 2009; and the City Council of the City (“Council” or “City Council”) desires to amend certain
10 Sections in Title 1, Chapter 15 (Elections) (“proposed City Code amendments”); and

11 WHEREAS, the City Council held a work session (committee of the whole meeting) on
12 August 21, 2024 and a public meeting on September 25, 2024, regarding the proposed City Code
13 amendments, and finds it to be in the best interest of the public health, safety, and welfare of the
14 residents of the City to adopt the following proposed City Code amendments.

15 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
16 WEST JORDAN, UTAH AS FOLLOWS:

17 **Section 1. Amendment and Enactment of City Code Provisions.** Certain City Code Sections
18 in Title 1, Chapter 15 (Elections) are amended (Sections 1-15-2 and 1-15-4) and enacted (Sections 1-
19 15-8 and 1-15-9) as shown in Attachment 1 (legislative version and clean version) to this Ordinance.

20 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court
21 of competent jurisdiction, the remainder shall not be affected thereby.

22 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting
23 or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council
24 duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto
25 the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

26
27 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
28 _____ DAY OF _____ 2024.

29
30 CITY OF WEST JORDAN

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32 By: _____
33 Zach Jacob
34 Council Chair

35 ATTEST:

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37 _____
38 Cindy M. Quick, MMC
39 Council Office Clerk
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Voting by the City Council

"YES"

"NO"

Council Chair Zach Jacob

☐☐

Council Vice-Chair Chad Lamb

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Council Member Kelvin Green

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Council Member Pamela Bloom

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Council Member Kent Shelton

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Council Member Kayleen Whitelock

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Council Member Bob Bedore

☐☐

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton Date

ATTEST:

Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL/PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 24-41.

_____ The Mayor vetoed Ordinance No. 24-41 on _____ and the
City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 24-41 became effective by operation of law without the
Mayor's approval or disapproval.

Tangee Sloan, CMC
City Recorder

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CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

(Attachment on the following pages)

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Attachment 1 to
ORDINANCE NO. 24-41
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(AMENDING MUNICIPAL ELECTION PROCEDURES);
AMENDING CERTAIN SECTIONS IN TITLE 1, CHAPTER 15 (ELECTIONS),
INCLUDING QUALIFICATIONS FOR OFFICE, CAMPAIGN FINANCE DISCLOSURES,
AND USE OF CITY LOGOS

(See the following pages for the legislative version and the clean version)

Attachment 1 – Legislative

**City Code Text Amendment (Sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9) regarding
Declarations of Candidacy, Campaign Finance Reports, and Prohibiting Use of the City Logo**

1-15-2: QUALIFICATIONS FOR OFFICE:

A. Qualifications For All Candidates and Declarations of Candidacy:

1. A candidate must be a registered voter who has resided within the city for a period of ~~twelve~~ (12) consecutive months immediately preceding the date of the general election and must file a complete and timely declaration of candidacy with the city recorder, as set forth in subsection 3. A candidate may not file a declaration of candidacy if disqualified by any of the provisions of Utah Code section 20A-9-203 or its successor provisions.

a. In case of an annexation, any person who has resided within the territory annexed for the prescribed ~~twelve~~ (12) month period is deemed to meet the residence requirement for candidacy.

2. Candidates to be voted for at all municipal elections in the city shall be elected in ~~an~~ a nonpartisan election administered consistent with Utah Code ~~Ann.~~ title 20A, chapter 5, with amendments and modifications as are appropriate for a municipal election.

3. A complete and timely declaration of candidacy must be filed in person with the city recorder as follows:

a. Complete all required fields, information, signatures, and initials on the form provided by the city recorder;

b. Pay the full filing fee identified in the consolidated fee schedule (approved by the city council);

[Option 1 for subsection c]

c. Complete all the requirements of subsection 1-15-4G, regarding any late or unfiled campaign finance report or reports, at least thirty calendar days before filing a declaration of candidacy;

[Option 2 for subsection c]

c. Accurately declare that all the requirements of subsection 1-15-4G have been complied with, regarding any late or unfiled campaign finance report or reports, including that no campaign finance report or reports have been more than thirty days late since the filing period for the last municipal election;

d. File in person with the city recorder by 5:00:00 p.m. on the last day of the posted filing period; and

e. The city recorder may not accept any declaration of candidacy filed after the end of the filing period (at 5:00:01 p.m. or after on the last day of the posted filing period) or that otherwise does not meet all the requirements of subsections a through d above.

f. Being present in person by 5:00:00 p.m. with a complete and timely declaration of candidacy complies with the “File with the city recorder by 5:00:00 p.m.” requirement of subsection d above. In other words, if a candidate is present in person with a complete and timely declaration of candidacy, as defined in subsections (a) through (d) above, but the city recorder has not yet processed the declaration of candidacy, then the delay in processing the declaration of candidacy does not cause it to be untimely.

g. For purposes of this section, the term “city recorder” includes any deputy recorder or other person deputized by the city recorder to assist in fulfilling the duties established by this section.

B. Qualifications For Mayor: There are no additional qualifications for mayor other than those ~~the requirements~~ listed in subsection A.

C. Qualifications For City Council:

1. Election To Council Seats:

a. At-large Seats. Three ~~(3)~~ city council members shall be elected in a city wide at-large election. All registered voters residing in the city may vote for at-large city council candidates. The at-large council members must be qualified electors residing in the city. The three ~~(3)~~ at-large council member seats shall be filled by the three ~~(3)~~ candidates receiving the highest, second highest, and third highest number of votes in the election in which all candidates are running against all other candidates for the at large seats.

b. District Seats. Four ~~(4)~~ city council members shall be elected from council districts that are substantially equal in population. To vote for a "districted" council candidate, a registered voter must be a resident of the council district for which the candidate is running. To be elected from a council district, the candidate must be a qualified elector residing in the council district for which they are running at the time of declaration of candidacy and through the completion of the elected term. If the candidate for a districted council seat ceases to be a qualified elector residing in council district he is running for before the primary or general election, the city recorder shall inform the appropriate election official that the candidate has been disqualified. The election official shall thereafter: (i) remove the candidate's name from the ballot if practicable by blacking out the candidate's name before the ballots are delivered to voters or (ii) if removing the candidate's name is not possible, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted, and (iii) not count any votes for the disqualified candidate.

c. Name Limited to Once on a Ballot. A candidate's name may not appear on the ballot for more than one ~~C~~city elected office in the same election.

D. Time Of Elections:

1. At-large Seats. The three ~~(3)~~ at-large council seats shall be elected for four ~~(4)~~ year terms of office during the regular municipal election in November 2021, and each fourth year thereafter.

2. District Seats and Mayor. The four ~~(4)~~ districted council seats and the mayor shall be elected for four ~~(4)~~ year terms of office during the regular municipal election in November 2019, and each fourth year thereafter.

E. Council District Boundaries:

1. The boundaries of the council districts shall be adopted by ~~resolution~~ ordinance in a city council meeting.

2. ~~Within~~ Consistent with Utah Code section 10-3-205.5 or its successor provisions, within six ~~(6)~~ months after the Legislature completes its decennial redistricting process, or when otherwise required or allowed by Utah Code, the city recorder shall submit for city council approval the council district boundaries to be realigned, if necessary.

a. The city council shall designate, by ~~resolution~~ ordinance, council districts that are substantially equal in population for the districted council members to be elected from.

b. The boundaries of the council districts ~~shall~~ may not be changed frivolously or arbitrarily, but only for the purpose of assuring that the council districts are contiguous, compact, and substantially equal in population.

F. Term Of Office: The mayor and members of the city council, unless otherwise set forth by law, shall begin their terms of office at 12 noon on the first Monday in January following their election.

G. Primary Election: If the number of candidates for a specific elected office exceeds twice the number of individuals needed to fill the office, the city will hold a Primary Election in accordance with Utah Code ~~Ann.~~ section 20A-9-404 or its successor provisions to reduce the candidate field for the General Election to two ~~(2)~~ times the number of individuals needed to fill the elected office. The candidates with the highest vote totals shall move forward to the General Election. If there are fewer than two ~~(2)~~ times the number of candidates for a specific elected office, a Primary Election ~~shall~~ may not be held for that elected office. (Ord. 20-44, 12-2-2020; amd. Ord. 21-44, 11-16-2021; Ord. 23-13, 3-8-2023)

1-15-4: DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES:

A. Disclosure Duty: Each candidate for elected municipal office shall report financial contributions and expenditures in full compliance with this code, Utah Code ~~Ann.~~ section 10-3-208, and title 20A, chapter 11, or its successor provisions. If the city adopts stricter disclosure requirements than Utah Code, the disclosure requirements of this chapter shall apply.

B. Report Filing: The filings required by this section shall be made with the city recorder. The statements so filed shall be public records.

C. Campaign Finance Reports:

1. Campaign finance reports shall detail accurately and completely the information required concerning contributions and expenditures.

2. Campaign finance reports shall identify the amount of each contribution, regardless of amount, and the name of the contributor, if known. The monetary value of in-kind contributions should be estimated.

3. Campaign finance reports shall identify each expenditure, regardless of amount, and the name of the recipient of the expenditure.

4. Campaign finance reports shall identify any anonymous donations. Campaign finance reports must include a statement of the date of transfer to state, county, city, or a non-profit 501(c)(3) organization and identify the organization funds were transferred to on any anonymous contributions greater than ~~fifty-dollars (\$50.00)~~ as an expenditure.

D. Current Elected Officials: Current elected officials must submit an updated campaign finance report no later than April 1 each year in office to disclose campaign contributions and expenditures made or received since the immediately prior reporting period.

E. Campaign finance reports shall include a statement certifying that all contributions and expenditures not previously reported have been reported.

F. City Recorder Notifications:

1. The city recorder shall notify each candidate for municipal office upon declaration of candidacy and again ~~fourteen (14)~~ days before each municipal election, of the provisions of this section and Utah law that govern disclosure of contributions, expenditures, and the penalties for failing to file a campaign finance report, including the statutory provisions that require the removal of the candidate's name from the ballot for failure to file required campaign finance reports.

2. The city recorder shall notify all elected officials of their obligation to file an annual updated campaign finance report by April 1 as required by this section and the penalties for failing to do so at least ~~fourteen (14)~~ days but no more than ~~twenty-one (21)~~ days before such campaign finance report is due.

[Option 1 for subsection G]

G. Failure to File Campaign Finance Reports: A candidate who was more than thirty calendar days late in filing any campaign finance report or reports with the city recorder, since the filing period for the last municipal election, is not qualified to file any declaration of candidacy with the city recorder pursuant to section 1-15-2 until all the late or unfiled campaign finance reports have been filed with and accepted (as being in compliance) by the city recorder and in the time period required by subsection 1-15-2(A)(3)(c). (Ord. 20-44, 12-2-2020; amd. Ord. 23-13, 3-8-2023)

[Option 2 for subsection G]

G. Failure to File Campaign Finance Reports: A candidate who was more than thirty calendar days late in filing any campaign finance report or reports with the city recorder, since the filing period for the last municipal election, is not qualified to file any declaration of candidacy with the city recorder pursuant to section 1-15-2 during the filing period for the next municipal election, except that any late or unfiled campaign finance reports due on or before September 25, 2024 may be filed with (and potentially accepted as being in compliance by) the city recorder on or before October 30, 2024 without any loss of qualification. (Ord. 20-44, 12-2-2020; amd. Ord. 23-13, 3-8-2023)

1-15-8: PROHIBITION OF THE USE OF THE CITY LOGO IN MUNICIPAL ELECTIONS:

A. Prohibition: A candidate or other “person”, as defined in section 1-15-1, may not use any version or portion of the city logo in, or in the background of or in an attachment to, any election or campaign material of any type or medium (including, but not limited to, printed, digital or electronic, etc.).

B. Exception: Incidental use of any version or portion of the city logo in the background of a video or on a person's clothing in a video is allowed. Notwithstanding this exception, a person may not use any version or portion of the city logo:

1. In any printed or other physical election or campaign material; or
2. To infer the endorsement of a candidate by the city.

C. Enforcement: This section may be enforced pursuant to the procedures set forth in title 16 of this code, including but not limited to any fines identified in the consolidated fee schedule (approved by the city council). The city may also pursue injunctive relief or any other remedy or remedies available to the city. The pursuit of any remedy or remedies by the city does not limit or prohibit the pursuit of any other remedy or remedies by the city.

1-15-9: COMPLIANCE WITH UTAH ELECTION LAWS:

A. A candidate or other "person", as defined in section 1-15-1, shall fully comply with all the relevant requirements of the election laws in the Utah Code, including, but not limited to, all the relevant requirements of title 20A and any section cited in the declaration of candidacy form.

Attachment 1 – Clean (Option1)

**City Code Text Amendment (Sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9) regarding
Declarations of Candidacy, Campaign Finance Reports, and Prohibiting Use of the City Logo**

1-15-2: QUALIFICATIONS FOR OFFICE:

A. Qualifications For All Candidates and Declarations of Candidacy:

1. A candidate must be a registered voter who has resided within the city for a period of 12 consecutive months immediately preceding the date of the general election and must file a complete and timely declaration of candidacy with the city recorder, as set forth in subsection 3. A candidate may not file a declaration of candidacy if disqualified by any of the provisions of Utah Code section 20A-9-203 or its successor provisions.

a. In case of an annexation, any person who has resided within the territory annexed for the prescribed 12 month period is deemed to meet the residence requirement for candidacy.

2. Candidates to be voted for at all municipal elections in the city shall be elected in a nonpartisan election administered consistent with Utah Code title 20A, chapter 5, with amendments and modifications as are appropriate for a municipal election.

3. A complete and timely declaration of candidacy must be filed in person with the city recorder as follows:

a. Complete all required fields, information, signatures, and initials on the form provided by the city recorder;

b. Pay the full filing fee identified in the consolidated fee schedule (approved by the city council);

c. Complete all the requirements of subsection 1-15-4G, regarding any late or unfiled campaign finance report or reports, at least thirty calendar days before filing a declaration of candidacy;

d. File in person with the city recorder by 5:00:00 p.m. on the last day of the posted filing period; and

e. The city recorder may not accept any declaration of candidacy filed after the end of the filing period (at 5:00:01 p.m. or after on the last day of the posted filing period) or that otherwise does not meet all the requirements of subsections a through d above.

f. Being present in person by 5:00:00 p.m. with a complete and timely declaration of candidacy complies with the “File with the city recorder by 5:00:00 p.m.” requirement of subsection d above. In other words, if a candidate is present in person with a complete and timely declaration of candidacy, as defined in subsections (a) through (d) above, but the city recorder has not yet processed the declaration of candidacy, then the delay in processing the declaration of candidacy does not cause it to be untimely.

g. For purposes of this section, the term “city recorder” includes any deputy recorder or other person deputized by the city recorder to assist in fulfilling the duties established by this section.

B. Qualifications For Mayor: There are no additional qualifications for mayor other than those listed in subsection A.

C. Qualifications For City Council:

1. Election To Council Seats:

a. At-large Seats. Three city council members shall be elected in a city wide at-large election. All registered voters residing in the city may vote for at-large city council candidates. The at-large council members must be qualified electors residing in the city. The three at-large council member seats shall be filled by the three candidates receiving the highest, second highest, and third highest number of votes in the election in which all candidates are running against all other candidates for the at large seats.

b. District Seats. Four city council members shall be elected from council districts that are substantially equal in population. To vote for a "districted" council candidate, a registered voter must be a resident of the council district for which the candidate is running. To be elected from a council district, the candidate must be a qualified elector residing in the council district for which they are running at the time of declaration of candidacy and through the completion of the elected term. If the candidate for a districted council seat ceases to be a qualified elector residing in council district he is running for before the primary or general election, the city recorder shall inform the appropriate election official that the candidate has been disqualified. The election official shall thereafter: (i) remove the candidate's name from the ballot if practicable by blacking out the candidate's name before the ballots are delivered to voters or (ii) if removing the candidate's name is not possible, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted, and (iii) not count any votes for the disqualified candidate.

c. Name Limited to Once on a Ballot. A candidate's name may not appear on the ballot for more than one city elected office in the same election.

D. Time Of Elections:

1. At-large Seats. The three at-large council seats shall be elected for four year terms of office during the regular municipal election in November 2021, and each fourth year thereafter.

2. District Seats and Mayor. The four districted council seats and the mayor shall be elected for four year terms of office during the regular municipal election in November 2019, and each fourth year thereafter.

E. Council District Boundaries:

1. The boundaries of the council districts shall be adopted by ordinance in a city council meeting.

2. Consistent with Utah Code section 10-3-205.5 or its successor provisions, within six months after the Legislature completes its decennial redistricting process, or when otherwise required or allowed by Utah Code, the city recorder shall submit for city council approval the council district boundaries to be realigned, if necessary.

a. The city council shall designate, by ordinance, council districts that are substantially equal in population for the districted council members to be elected from.

b. The boundaries of the council districts may not be changed frivolously or arbitrarily, but only for the purpose of assuring that the council districts are contiguous, compact, and substantially equal in population.

F. Term Of Office: The mayor and members of the city council, unless otherwise set forth by law, shall begin their terms of office at 12 noon on the first Monday in January following their election.

G. Primary Election: If the number of candidates for a specific elected office exceeds twice the number of individuals needed to fill the office, the city will hold a Primary Election in accordance with Utah Code section 20A-9-404 or its successor provisions to reduce the candidate field for the General Election to two times the number of individuals needed to fill the elected office. The candidates with the highest vote totals shall move forward to the General Election. If there are fewer than two times the number of candidates for a specific elected office, a Primary Election may not be held for that elected office. (Ord. 20-44, 12-2-2020; amd. Ord. 21-44, 11-16-2021; Ord. 23-13, 3-8-2023)

1-15-4: DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES:

A. Disclosure Duty: Each candidate for elected municipal office shall report financial contributions and expenditures in full compliance with this code, Utah Code section 10-3-208, and title 20A, chapter 11, or its successor provisions. If the city adopts stricter disclosure requirements than Utah Code, the disclosure requirements of this chapter shall apply.

B. Report Filing: The filings required by this section shall be made with the city recorder. The statements so filed shall be public records.

C. Campaign Finance Reports:

1. Campaign finance reports shall detail accurately and completely the information required concerning contributions and expenditures.

2. Campaign finance reports shall identify the amount of each contribution, regardless of amount, and the name of the contributor, if known. The monetary value of in-kind contributions should be estimated.

3. Campaign finance reports shall identify each expenditure, regardless of amount, and the name of the recipient of the expenditure.

4. Campaign finance reports shall identify any anonymous donations. Campaign finance reports must include a statement of the date of transfer to state, county, city, or a non-profit 501(c)(3) organization and identify the organization funds were transferred to on any anonymous contributions greater than \$50.00 as an expenditure.

D. Current Elected Officials: Current elected officials must submit an updated campaign finance report no later than April 1 each year in office to disclose campaign contributions and expenditures made or received since the immediately prior reporting period.

E. Campaign finance reports shall include a statement certifying that all contributions and expenditures not previously reported have been reported.

F. City Recorder Notifications:

1. The city recorder shall notify each candidate for municipal office upon declaration of candidacy and again 14 days before each municipal election, of the provisions of this section and Utah law that govern disclosure of contributions, expenditures, and the penalties for failing to file a campaign finance report, including the statutory provisions that require the removal of the candidate's name from the ballot for failure to file required campaign finance reports.

2. The city recorder shall notify all elected officials of their obligation to file an annual updated campaign finance report by April 1 as required by this section and the penalties for failing to do so at least 14 days but no more than 21 days before such campaign finance report is due.

G. Failure to File Campaign Finance Reports: A candidate who was more than thirty calendar days late in filing any campaign finance report or reports with the city recorder, since the filing period for the last municipal election, is not qualified to file any declaration of candidacy with the city recorder pursuant to section 1-15-2 until all the late or unfiled campaign finance reports have been filed with and accepted (as being in compliance) by the city recorder and in the time period required by subsection 1-15-2(A)(3)(c). (Ord. 20-44, 12-2-2020; amd. Ord. 23-13, 3-8-2023)

1-15-8: PROHIBITION OF THE USE OF THE CITY LOGO IN MUNICIPAL ELECTIONS:

A. Prohibition: A candidate or other “person”, as defined in section 1-15-1, may not use any version or portion of the city logo in, or in the background of or in an attachment to, any election or campaign material of any type or medium (including, but not limited to, printed, digital or electronic, etc.).

B. Exception: Incidental use of any version or portion of the city logo in the background of a video or on a person’s clothing in a video is allowed. Notwithstanding this exception, a person may not use any version or portion of the city logo:

1. In any printed or other physical election or campaign material; or
2. To infer the endorsement of a candidate by the city.

C. Enforcement: This section may be enforced pursuant to the procedures set forth in title 16 of this code, including but not limited to any fines identified in the consolidated fee schedule (approved by the city council). The city may also pursue injunctive relief or any other remedy or remedies available to the city. The pursuit of any remedy or remedies by the city does not limit or prohibit the pursuit of any other remedy or remedies by the city.

1-15-9: COMPLIANCE WITH UTAH ELECTION LAWS:

A. A candidate or other “person”, as defined in section 1-15-1, shall fully comply with all the relevant requirements of the election laws in the Utah Code, including, but not limited to, all the relevant requirements of title 20A and any section cited in the declaration of candidacy form.

Attachment 1 – Clean (Option2)

**City Code Text Amendment (Sections 1-15-2, 1-15-4, 1-15-8, and 1-15-9) regarding
Declarations of Candidacy, Campaign Finance Reports, and Prohibiting Use of the City Logo**

1-15-2: QUALIFICATIONS FOR OFFICE:

A. Qualifications For All Candidates and Declarations of Candidacy:

1. A candidate must be a registered voter who has resided within the city for a period of 12 consecutive months immediately preceding the date of the general election and must file a complete and timely declaration of candidacy with the city recorder, as set forth in subsection 3. A candidate may not file a declaration of candidacy if disqualified by any of the provisions of Utah Code section 20A-9-203 or its successor provisions.

a. In case of an annexation, any person who has resided within the territory annexed for the prescribed 12 month period is deemed to meet the residence requirement for candidacy.

2. Candidates to be voted for at all municipal elections in the city shall be elected in a nonpartisan election administered consistent with Utah Code title 20A, chapter 5, with amendments and modifications as are appropriate for a municipal election.

3. A complete and timely declaration of candidacy must be filed in person with the city recorder as follows:

a. Complete all required fields, information, signatures, and initials on the form provided by the city recorder;

b. Pay the full filing fee identified in the consolidated fee schedule (approved by the city council);

c. Accurately declare that all the requirements of subsection 1-15-4G have been complied with, regarding any late or unfiled campaign finance report or reports, including that no campaign finance report or reports have been more than thirty days late since the filing period for the last municipal election;

d. File in person with the city recorder by 5:00:00 p.m. on the last day of the posted filing period; and

e. The city recorder may not accept any declaration of candidacy filed after the end of the filing period (at 5:00:01 p.m. or after on the last day of the posted filing period) or that otherwise does not meet all the requirements of subsections a through d above.

f. Being present in person by 5:00:00 p.m. with a complete and timely declaration of candidacy complies with the “File with the city recorder by 5:00:00 p.m.” requirement of subsection d above. In other words, if a candidate is present in person with a complete and timely declaration of candidacy, as defined in subsections (a) through (d) above, but the city recorder has not yet processed the declaration of candidacy, then the delay in processing the declaration of candidacy does not cause it to be untimely.

g. For purposes of this section, the term "city recorder" includes any deputy recorder or other person deputized by the city recorder to assist in fulfilling the duties established by this section.

B. Qualifications For Mayor: There are no additional qualifications for mayor other than those listed in subsection A.

C. Qualifications For City Council:

1. Election To Council Seats:

a. At-large Seats. Three city council members shall be elected in a city wide at-large election. All registered voters residing in the city may vote for at-large city council candidates. The at-large council members must be qualified electors residing in the city. The three at-large council member seats shall be filled by the three candidates receiving the highest, second highest, and third highest number of votes in the election in which all candidates are running against all other candidates for the at large seats.

b. District Seats. Four city council members shall be elected from council districts that are substantially equal in population. To vote for a "districted" council candidate, a registered voter must be a resident of the council district for which the candidate is running. To be elected from a council district, the candidate must be a qualified elector residing in the council district for which they are running at the time of declaration of candidacy and through the completion of the elected term. If the candidate for a districted council seat ceases to be a qualified elector residing in council district he is running for before the primary or general election, the city recorder shall inform the appropriate election official that the candidate has been disqualified. The election official shall thereafter: (i) remove the candidate's name from the ballot if practicable by blacking out the candidate's name before the ballots are delivered to voters or (ii) if removing the candidate's name is not possible, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted, and (iii) not count any votes for the disqualified candidate.

c. Name Limited to Once on a Ballot. A candidate's name may not appear on the ballot for more than one city elected office in the same election.

D. Time Of Elections:

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E. Council District Boundaries:

1. The boundaries of the council districts shall be adopted by ordinance in a city council meeting.

2. Consistent with Utah Code section 10-3-205.5 or its successor provisions, within six months after the Legislature completes its decennial redistricting process, or when otherwise required or allowed by Utah Code, the city recorder shall submit for city council approval the council district boundaries to be realigned, if necessary.

a. The city council shall designate, by ordinance, council districts that are substantially equal in population for the districted council members to be elected from.

b. The boundaries of the council districts may not be changed frivolously or arbitrarily, but only for the purpose of assuring that the council districts are contiguous, compact, and substantially equal in population.

F. Term Of Office: The mayor and members of the city council, unless otherwise set forth by law, shall begin their terms of office at 12 noon on the first Monday in January following their election.

G. Primary Election: If the number of candidates for a specific elected office exceeds twice the number of individuals needed to fill the office, the city will hold a Primary Election in accordance with Utah Code section 20A-9-404 or its successor provisions to reduce the candidate field for the General Election to two times the number of individuals needed to fill the elected office. The candidates with the highest vote totals shall move forward to the General Election. If there are fewer than two times the number of candidates for a specific elected office, a Primary Election may not be held for that elected office. (Ord. 20-44, 12-2-2020; amd. Ord. 21-44, 11-16-2021; Ord. 23-13, 3-8-2023)

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B. Report Filing: The filings required by this section shall be made with the city recorder. The statements so filed shall be public records.

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2. Campaign finance reports shall identify the amount of each contribution, regardless of amount, and the name of the contributor, if known. The monetary value of in-kind contributions should be estimated.

3. Campaign finance reports shall identify each expenditure, regardless of amount, and the name of the recipient of the expenditure.

4. Campaign finance reports shall identify any anonymous donations. Campaign finance reports must include a statement of the date of transfer to state, county, city, or a non-profit 501(c)(3) organization and identify the organization funds were transferred to on any anonymous contributions greater than \$50.00 as an expenditure.

D. Current Elected Officials: Current elected officials must submit an updated campaign finance report no later than April 1 each year in office to disclose campaign contributions and expenditures made or received since the immediately prior reporting period.

E. Campaign finance reports shall include a statement certifying that all contributions and expenditures not previously reported have been reported.

F. City Recorder Notifications:

1. The city recorder shall notify each candidate for municipal office upon declaration of candidacy and again 14 days before each municipal election, of the provisions of this section and Utah law that govern disclosure of contributions, expenditures, and the penalties for failing to file a campaign finance report, including the statutory provisions that require the removal of the candidate's name from the ballot for failure to file required campaign finance reports.

2. The city recorder shall notify all elected officials of their obligation to file an annual updated campaign finance report by April 1 as required by this section and the penalties for failing to do so at least 14 days but no more than 21 days before such campaign finance report is due.

G. Failure to File Campaign Finance Reports: A candidate who was more than thirty calendar days late in filing any campaign finance report or reports with the city recorder, since the filing period for the last municipal election, is not qualified to file any declaration of candidacy with the city recorder pursuant to section 1-15-2 during the filing period for the next municipal election, except that any late or unfiled campaign finance reports due on or before September 25, 2024 may be filed with (and potentially accepted as being in compliance by) the city recorder on or before October 30, 2024 without any loss of qualification. (Ord. 20-44, 12-2-2020; amd. Ord. 23-13, 3-8-2023)

1-15-8: PROHIBITION OF THE USE OF THE CITY LOGO IN MUNICIPAL ELECTIONS:

A. Prohibition: A candidate or other “person”, as defined in section 1-15-1, may not use any version or portion of the city logo in, or in the background of or in an attachment to, any election or campaign material of any type or medium (including, but not limited to, printed, digital or electronic, etc.).

B. Exception: Incidental use of any version or portion of the city logo in the background of a video or on a person’s clothing in a video is allowed. Notwithstanding this exception, a person may not use any version or portion of the city logo:

1. In any printed or other physical election or campaign material; or
2. To infer the endorsement of a candidate by the city.

C. Enforcement: This section may be enforced pursuant to the procedures set forth in title 16 of this code, including but not limited to any fines identified in the consolidated fee schedule (approved by the city council). The city may also pursue injunctive relief or any other remedy or remedies available to the city. The pursuit of any remedy or remedies by the city does not limit or prohibit the pursuit of any other remedy or remedies by the city.

1-15-9: COMPLIANCE WITH UTAH ELECTION LAWS:

A. A candidate or other “person”, as defined in section 1-15-1, shall fully comply with all the relevant requirements of the election laws in the Utah Code, including, but not limited to, all the relevant requirements of title 20A and any section cited in the declaration of candidacy form.



MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, August 21, 2024 – 6:00 pm
Approved September 11, 2024
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

WORK SESSION

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Council Member Bob Bedore, Council Member Pamela Bloom, Council Member Kelvin Green, Council Member Kent Shelton, Council Member Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Mayor Dirk Burton, City Attorney Josh Chandler, Policy Analyst & Public Liaison Warren Hallmark, City Administrator Korban Lee, Assistant City Attorney Duncan Murray, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Assistant City Administrator Paul Jerome, Attendee Patrick Boice, Attendee Tangee Sloan, Attendee Alexandra Sanchez, Attendee Joe Bryant

Chair Jacob called the meeting to order at 6:00 pm.

2. DISCUSSION TOPICS

a. ***Discussion of Election Code Text Amendments, Campaign Finance Reports, and Prohibition of the Use of the City Logo (West Jordan Title 1-15-2; 1-15-4; 1-15-8; 1-15-9)***

City Recorder Tangee Sloan oriented the Council with proposed amendments to City Code Sections 1-15-2, 4, 8, and 9 to address the following:

- Standardize elected official filing fee (\$50)
- Failure to file campaign finance reports
- Prohibit use of the City logo
- Deletion of redundant numbering and other stylistic changes
- Update language and format for consistency
- Compliance with Utah Election Laws

Ms. Sloan listed election-related expenses that the filing fee helped offset. Council Member Whitelock was not sure the City should sponsor a Meet the Candidates event. The Council discussed the proposed \$50 standardized filing fee. City Administrator Korban Lee believed charging a filing fee reduced staff workload by discouraging individuals from filing on a whim. A majority of the Council appeared to indicate support for setting the standardized filing fee at \$50.

Ms. Sloan proposed the following language regarding failure to file campaign finance reports to improve accountability, transparency, fairness, and efficiency:

A candidate who is at least thirty (30) calendar days late in filing any campaign finance report with the city recorder is not qualified to file any declaration of candidacy until all finance reports have been filed and accepted by the city recorder.

Responding to a question from Council Member Green about the possibility of charging a penalty fee, Ms. Sloan said State Code would allow the City to charge a \$50 penalty if the Council chose to do so. The Council discussed the proposed policy and potential scenarios. Responding to a suggestion from Council, Ms. Sloan said she believed it would be reasonable to require all previous campaign finance reports to be filed and accepted at least 30 days prior to the last day allowed to file candidacy which was supported by the majority of the Council.

Ms. Sloan proposed an amendment to the Election Code prohibiting the use of the City logo for perceived political advantage, to maintain the integrity and neutrality of municipal symbols, and to ensure all candidates had equal opportunities without leveraging City resources. Responding to a question from Council Member Green, City Attorney Josh Chandler said the City logo was trademarked, but there were questions about the enforceability of such a trademark.

Chair Jacob believed an incumbent should be able to use a photograph of themselves on the dais in Council Chambers for campaign purposes. Chair Jacob felt the purpose of prohibiting use of the City logo would be to prevent the appearance of endorsement by the City. Ms. Sloan said her concern was for printed, standalone use of the City logo on mailers or signs. Chair Jacob requested more legal background on the issue, and suggested a consequence should be established.

Ms. Sloan briefly noted that renumbering and language corrections were also needed for consistency in the code. Council requested that amendments be brought back to a future meeting for final action.

b. Municipal Alternate Voting Methods Pilot Project (also referred to as ranked choice voting) for the 2025 Election (three at-large seats)

City Recorder Tangee Sloan reported that she had the responsibility of asking the legislative body if they would like to participate in the Municipal Alternative Voting Methods Pilot Program (also known as ranked choice voting or instant runoff voting) for the 2025 election, sponsored by the Lt. Governor's Office. Ms. Sloan noted that the 2025 election year was the final year to participate in the pilot program. May 1, 2025 was the deadline to notify of intent to participate or withdraw from participation.

Ms. Sloan reported that the 2023 traditional election with a primary and general election for four council seats and a mayoral seat cost the city \$220,995. Using information provided by the County, Ms. Sloan estimated an election for the same seats would cost \$164,238 under ranked choice voting with no primary election. However, additional funds would be needed for voter education estimated at \$60,000-\$65,000. Ms. Sloan estimated for the 2025 election, a traditional election would cost \$165,000-\$200,000, and



MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
Wednesday, September 11, 2024 – 6:00 pm
Waiting Formal Approval
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Mayor Dirk Burton, City Attorney Josh Chandler, Public Works Director Brian Clegg, Public Utilities Director Greg Davenport, Assistant Planner Mark Forsythe, Public Services Director Cory Fralick, Policy Analyst & Public Liaison Warren Hallmark, Community Development Director Scott Langford, City Administrator Korban Lee, Fire Chief Derek Maxfield, Assistant City Attorney Duncan Murray, City Engineer Nathan Nelson, Council Office Clerk Cindy Quick, Assistant City Administrator Paul Jerome

Chair Jacob called the meeting to order at 6:00 pm.

2. FLAG CEREMONY

Scout Troop 92 administered a special flag ceremony in recognition of 9/11.

3. PUBLIC COMMENT

Chair Jacob opened the public comment period at 6:03 pm.

Comments:

Erick Browning, West Jordan resident, asked that the word “if” be removed from the chicken ordinance statement “if chickens are cooped.” Mr. Browning showed a picture of his dog, who died as a result of attack from un-cooped chickens. He expressed the opinion that residents wanting to play farmer should have agricultural land. Mr. Browning spoke of potential danger to children and other pets. He stated chickens in residential zones needed to be kept inside a pen or coup, with wings clipped. Mr. Browning said he would request the same change from the County Council.

Chair Jacob closed public comments at 6:07 pm.

4. REPORTS TO COUNCIL

a. City Council Reports

Council Member Whitelock welcomed high school students in attendance. She expressed appreciation to staff members who organized business and facility visits for the Council.

Council Member Green reported on a recent Association of Municipal Councils meeting, and the recent Utah League of Cities and Towns (ULCT) convention. He commented that July of 2026 would be the 250th anniversary of the United States, and the Utah Department of Cultural and Community Engagement had suggested ways to add to the celebration. Council Member Green suggested the Council consider a utility rate audit. He expressed gratitude for the final beam-placing event at the Community Arts and Events Center.

Council Member Bloom spoke of the recent ULCT conference, and said she was excited to work with the Council to implement ideas to enrich the City. She thanked the Parks Department for a dog waste station.

Council Member Bedore believed West Jordan was good at the little things that mattered. He expressed appreciation to the staff for arranging events for the Council to attend. Council Member Bedore said it was great to see the beam ceremony for the Events Center, and said he knew from experience that scheduling for such a facility could fill up quickly. He said the construction crew anticipated a Spring of 2025 opening.

Vice Chair Lamb acknowledged the inconvenience of construction on 1300 West but stressed the importance of replacing old, disintegrating pipes. He expressed his passion for improving infrastructure and thanked the staff and crews for their work.

Council Member Shelton thanked Troop 92 for administering the special flag ceremony. He spoke of a recent tour of Wood Ranch on the west side, a ride-along with the Parks Department, and events in the community. Council Member Shelton was grateful for the City staff and residents who made up West Jordan.

Chair Jacob reported on a recent Jordan Valley Water Conservancy District meeting, and noted the 2024 Summary of Operations was available for review.

b. Council Office Report

Policy Analyst & Public Liaison Warren Hallmark provided an update on the Youth Council program.

c. Mayor's Report

Mayor Dirk Burton thanked Troop 92 for the flag ceremony, and spoke of the importance of remembering events of September 11, 2001. Mayor Burton spoke of recent and upcoming events in the community. He thanked the Council for attending the recent ULCT conference.

d. City Administrator's Report

City Administrator Korban Lee reported the skate park had been very popular since the soft opening. Mr. Lee said the remainder of the park would be finished October 12, 2024.

Fire Chief Derek Maxfield reported California had reached out with a request for help with wildfires, and said three West Jordan firefighters would leave for California the next day. Utilities Manager Greg Davenport provided an update on utility projects.

5. PUBLIC HEARINGS

a. Ordinance No. 24-32 amending the West Jordan City Transportation Master Plan

Nathan Nelson said a Transportation Master Plan (TMP) update occurred every 7-10 years. The current TMP was adopted in 2014. He said an update of the Master Plan would provide a new list of future projects to aid in planning and applying for grants. Mr. Nelson said the recent update process was steered by a committee, with stakeholder involvement, and public involvement through survey and open houses.

Scott Johnson with Wall Consulting Group, contracted to help the City through the update process, said the updated TMP reflected changes in the City since 2014 and addressed new projected conditions moving forward. Mr. Johnson explained information gathered, and said the current Active Transportation Master Plan was incorporated in the TMP update.

Mayor Burton left the meeting at 6:35 pm.

Responding to a question from Vice Chair Lamb, Mr. Johnson said it was recommended the City continue to coordinate with UDOT regarding intersection traffic flow on UDOT streets. Mr. Johnson commented the City had many north/south corridors, but few east/west corridors, and only one that continued through the entire City. He spoke of recommended improvements in the updated TMP designed to improve capacity and better serve traffic demands.

Chair Jacob opened a public hearing at 6:56 pm.

Comments:

Ross Dinsdale said City staff had been good at keeping him updated as a landowner with regard to the Master Plan, and said he knew WCG did good work. Mr. Dinsdale expressed support for the updated TMP, and said he had a good experience throughout the process.

Chair Jacob closed the public hearing at 6:58 pm.

Responding to a question from Council Member Whitelock, Mr. Nelson said the annexation area shown in the updated TMP represented areas in which the City could expand in the future, and matched the City's annexation ordinance. Mr. Nelson said staff were working on an update to truck routes within the City.

Council Member Shelton said residents had expressed concern to him about plans for a 90-degree intersection at 9000 South and Duck Ridge Way, and asked if the Council would support a plan that would not drop 9000 South traffic onto Duck Ridge Way. Council Member Shelton said he believed the proposed intersection could be avoided with minor changes. Mr. Nelson said traffic in the area was studied extensively as part of plans to extend 9000 South. Council Member Shelton said he knew residents in the area did not want 9000 South to be extended, and asked if the plan could be revisited at the time of construction. Mr. Nelson said the TMP could be amended by the Council in the future if desired.

Council Member Shelton referred to plans to replace the bridge over the Jordan River at 7800 South. He said he supported plans to rebuild the bridge, and emphasized the need to take annual flooding into consideration. Mr. Nelson said staff were aware of the flooding problem. Council Office Director Alan Anderson said a No Build Study was completed and emailed to Council Members in March of 2024.

Council Member Green agreed with Council Member Shelton about the Duck Ridge/9000 South intersection, and expressed the opinion that designs needed to be more creative. Mr. Nelson said moving the intersection would have ripple effects, but the Council and staff could have the conversation. Council Member Green said truck routes needed to be updated.

Vice Chair Lamb suggested scheduling a meeting with the Council and staff to discuss plans for Duck Ridge Way and 9000 South. Chair Jacob said he would like to see 9000 South extended and connected, but believed plans involving Duck Ridge Way could be done differently. He pointed out the study referenced by staff did not have to do specifically with an intersection at 9000 South and Duck Ridge Way. Chair Jacob suggested changing language on page 70 of the updated TMP to read "New Bingham Highway will be realigned to create a 90-degree intersection at 9000 South". Council Member Green said he agreed.

MOTION: Council Member Green moved to APPROVE Ordinance No. 24-32 amending the West Jordan City Transportation Master Plan, changing the words "at Duck Ridge Way" with the words "with 9000 South" in the second paragraph on page 70 of the Plan.
Council Member Shelton seconded the motion.

Council Member Bloom thanked staff for the hard work on the update.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT:

The motion passed 7-0.

6. BUSINESS ITEMS

a. Ordinance No. 24-39 adopting the 2025 Annual Meeting Schedule for City Council and Agency Boards

The Council reviewed and discussed a 2025 Annual Meeting Schedule during a previous work session. Council Office Director Alan Anderson presented the schedule with changes requested by the Council. The Council would meet on Tuesday evenings instead of Wednesday evenings in 2025, with additional Committee of the Whole meetings scheduled on fifth Tuesdays. The RDA Board would be scheduled to meet quarterly in

March, June, September, and December, although the schedule included for adoption with Ordinance No. 24-39 only included meetings of the City Council, consistent with State law.

Council Member Whitelock encouraged administration to make sure correct calendars were included on the City website.

MOTION: Council Member Green moved to APPROVE Substitute Ordinance No. 24-39 adopting the 2025 Annual Meeting Schedule for City Council and Agency Boards.

Vice Chair Lamb seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT:

The motion passed 7-0.

- b. Ordinance No. 24-42, a petition from Ross Dinsdale/Ivory Development requesting an amendment to the Dry Creek Highlands Sub-Area 1 Development Plan encompassing 89 acres of property located at approximately 6400 West 9000 South.** Council Office Director Alan Anderson explained that Ordinance No. 24-42 did not include the Master Development Agreement, consistent with previous direction from the Council.

MOTION: Council Member Green moved to APPROVE Ordinance No. 24-42, a petition from Ross Dinsdale/Ivory Development requesting an amendment to the Dry Creek Highlands Sub-Area 1 Development Plan encompassing 89 acres of property located at approximately 6400 West 9000 South.

Council Member Whitelock seconded the motion.

Council Member Whitelock thanked staff for highlighting changes made.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT:

The motion passed 7-0.

7. CONSENT ITEMS

a. Approve Meeting Minutes

- August 21, 2024 – Committee of the Whole Meeting**
- August 27, 2024 – Regular City Council Meeting**

MOTION: Council Member Green moved to APPROVE Consent Agenda as listed.
Council Member Whitelock seconded the motion.

The vote was recorded as follows:

YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

NO:

ABSENT:

The motion passed 7-0.

8. ADJOURN

Council Member Green moved to adjourn the meeting. Council Member Whitelock seconded the motion, which passed by unanimous vote (7-0).

The meeting adjourned at 7:37 pm.

I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on September 11, 2024. This document constitutes the official minutes for the West Jordan City Council meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2024