



**CITY OF KEARNS
COUNCIL MEETING
AGENDA**
December 8, 2025

AMENDED

****NEW MEETING LOCATION****

Element Event Center

5658 Cougar Lane

Kearns, Utah 84118

PUBLIC NOTICE IS HEREBY GIVEN that the Kearns City Council will hold a meeting on the **8th day of December 2025** to begin immediately following the Kearns Community Reinvestment Agency Meeting starting at 6:00 p.m. at the **Element Event Center, 5658 Cougar Lane**, Kearns, Utah as follows:

*****Portions of the meeting may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.***

PUBLIC MEETING

1. **CALL TO ORDER**
2. **DETERMINE QUORUM**
3. **VISITING OFFICIALS**
4. **CITIZEN PUBLIC INPUT (Limited to 3 Minutes Per Person)**

ORDER OF BUSINESS:

5. **CONSENT AGENDA**
 - A. Approve Council Meeting Minutes
 - a. November 10, 2025 City Council Meeting
 - b. November 18, 2025 Board of Canvassers Meeting
 - B. Monthly Financial Report (Acknowledgment of receipt)
6. **WORKSHOP** (Discussion only) - *None*
7. **PRESENTATION ITEMS** - *None*
8. **COUNCIL BUSINESS – ACTION ITEMS** (Discussion/Motion)
 - A. Capital Projects Budget Process – **Chad Anderson, Engineering Manager**
 - B. **Ordinance 2025-O-19**, An Ordinance of the Kearns City Council Enacting Section 15.08.011 of the Kearns Municipal Code to Adopt the 2006 Edition of the Utah Wildland-Urban Interface Code and to Adopt an Official Wildland-Urban Interface Map for the City of Kearns Pursuant to H.B. 48 – **Nathan Bracken, Legal Counsel**
 - C. **Ordinance 2025-O-20**, An Ordinance to Initiate the Establishment of the City of Kearns' Data Privacy Program – **Nathan Bracken, Legal Counsel**
 - D. **Ordinance 2025-O-21**, Approval of Enbridge Franchise Agreement – **Nathan Bracken, Legal Counsel**
 - E. Discussion and Direction Regarding Representation on Magna Mosquito Abatement District Board of Trustees – **Kelly Bush, Mayor**

9. STAKEHOLDER UPDATES / INFORMATION

- A. Kearns Improvement District (KID) - **Greg Anderson, General Manager**
- B. Kearns Library - **Lee Whiting, Librarian**
 - a. No December updates
- C. Wasatch Front Waste Recycling District (WFWRD) - **Renee Plant, Manager**
 - a. No December updates – will be updating quarterly
- D. Unified Fire Authority (UFA) – **Chief Tyler Lintz**
- E. Unified Police Department (UPD) – **Chief Levi Hughes**
- F. Kearns Community Council – **Paula Larsen**

10. OTHER BUSINESS

- A. Future Agenda Business (Motion/Voting)

11. CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205

- A. Discussion of the character, professional competence or physical or mental health of an individual
- B. Strategy sessions to discuss pending or reasonably imminent litigation
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property
- D. Discussion regarding deployment of security personnel, devices, or systems; and/or
- E. Other lawful purposes as listed in Utah Code §52-4-205

12. ADJOURN

Upon request, within three working days' notice, the Greater Salt Lake Municipal Services District will provide free auxiliary aids and services to qualified individuals (including sign language interpreters, alternative, etc.). For assistance, please call (385) 377-9466 – TTY 711.

This City Council Meeting will not be available this month for online viewing. We encourage all members of the public interested in participating to attend the meeting in person at the **NEW location**, time and date listed at the top of this agenda. The public may always submit public comments prior to the meeting for the City Council to consider; please email those to the City Recorder, Diana Baun, at dbaun@msd.utah.gov.

POSTED ON: December 5, 2025



**CITY OF KEARNS
CITY COUNCIL MEETING**

NOVEMBER 10, 2025, 6:00 PM

KEARNS LIBRARY - 4275 W 5345 S, KEARNS, UTAH 84118

****DRAFT MINUTES – UNAPPROVED****

CITY OF KEARNS COUNCIL MEETING MINUTES

November 10, 2025

COUNCIL MEMBERS PRESENT:

Kelly Bush, Mayor
Chrystal Butterfield
Patrick Schaeffer
Alan Peterson
Tina Snow

COUNCIL MEMBERS EXCUSED:

STAFF PRESENT:

Nathan Bracken, City Attorney
Diana Baun, City Recorder
Daniel Hoffman, Senior Accountant
Brian Tucker, Planning Manager
Dan Torres, Economic Development Manager

Others Present:

1. CALL TO ORDER

Mayor Kelly Bush, presiding, called the meeting to order at 6:00 PM.

2. DETERMINE QUORUM

Mayor Kelly Bush announced that a quorum was present allowing the meeting to proceed.

3. VISITING PUBLIC OFFICIALS – None

4. CITIZEN PUBLIC INPUT

During public comment, Darren Nerdin submitted a prepared statement (Attachment A) in which he thanked those who had run for office and expressed disappointment regarding negativity he believed had occurred within the community. He urged residents to put aside differences, focus on positive contributions, and avoid fault-finding.

Council Member Tina Snow responded by stating that Darren Nerdin's son had participated in negative online behavior during the election and asserted that if he intended to address everyone, he should also address individuals not present.

CITY OF KEARNS COUNCIL

MAYOR KELLY BUSH, DEPUTY MAYOR TINA SNOW

COUNCIL MEMBER CHRYSSTAL BUTTERFIELD, COUNCIL MEMBER ALAN PETERSON,

COUNCIL MEMBER PATRICK SCHAEFFER

Mr. Nerdin stated that his son had only been defending his mother.

Council Member Tina Snow replied that additional issues had occurred and reiterated that she did not want the council to be lectured, noting that this was the third time such remarks had been presented.

Mayor Kelly Bush asked Darren Nerdin to provide his written statement to the Recorder for the record.

Paula Larsen representing the Kearns Community Council stated that the recent election had been “disgusting” due to the cruelty she observed. She emphasized that calls for civility needed to apply universally. She then shifted to expressing appreciation for the city council, noting the long-standing partnership between the city and the Kearns Community Council and thanking council members for their support. She distributed small gifts to the council and highlighted the historical unpaid service many individuals had provided to the community. She then recognized several departing long-serving officials. She honored Al Peterson for approximately 22 years of community service, detailing his roles with the American Legion, the Kearns Community Council from 2004 to 2016, the Metro Township Council from 2017 to 2024, and the City of Kearns council from May 2024 through the end of the current year. She also recognized Council Member Tina Snow, who had served the community for 18 years, including work with the Kearns Community Council from 2008 to 2016, service on the Metro Township Council from 2017 to 2024, and tenure as a City of Kearns council member and deputy mayor from May 2024 to the present. She concluded by acknowledging Mayor Kelly Bush for nine years of service, citing the mayor’s work as a township council member from 2017 to 2024, a City of Kearns council member in 2024, and mayor from 2018 through December 2025. She expressed gratitude for the mayor’s leadership and dedication during the transition to township status.

5. PRESENTATION ITEMS

A. Special Recognition

Mayor Kelly Bush stated that she intended to provide mayoral recognition and noted that, collectively, the council and long-serving community members present had contributed 92 years of service. She acknowledged the challenges of holding public office and emphasized that those who served did so out of love for the community. She then presented two recognitions, first honoring Al Peterson, reiterating his long history of involvement in Kearns, including his work with the Community Council and the American Legion. She described him as widely known and appreciated within the community. She expressed pride in the council and stated that serving with them had been an honor. She then presented Al Peterson an award on behalf of the mayor and city council, recognizing and honoring him for 23 years of service and acknowledging his contributions to the community’s growth and success. She next recognized Mayor Pro Tem and Council Member Tina Snow. She highlighted Tina Snow’s long record of service, both through her volunteer work with the Kearns Community Council and through decades of running a daycare business that had supported multiple generations of local families. She presented an award honoring Tina Snow for 21 years of dedication to

Kearns residents and 10 years of service on the city council. She concluded by extending her best wishes to the council and by acknowledging the two newly elected council members present at the meeting, Lyndsay Longtin and Lorrin Colby, noting that the next chapter for the City of Kearns would be an exciting one.

6. CONSENT AGENDA

- A. Approve Council Meeting Minutes**
 - a. October 14, 2025 City Council Meeting**

Council Member Schaeffer moved to approve the October 14, 2025 City Council Meeting Minutes as published. Council Member Peterson seconded the motion; vote was 5-0, unanimous in favor.

- B. Quarterly Financial Report**

Daniel Hoffman presented the quarterly financial report and explained that, as part of maintaining good fiscal policy and transparency, the financials were going to be reviewed with the council every quarter. He clarified that the City of Kearns operated on a fiscal year rather than a calendar year, a change implemented recently. The report covered the first quarter of the fiscal year, July through September. He stated that revenues collected totaled \$3.5 million, representing 27% of the annual budgeted amount, which he noted aligned well with the expected 25% benchmark for a single quarter. He explained that expenses totaled \$2.5 million, or 19% of the annual budget, and that it was typical for expenditures to be lower early in the year because the fourth quarter was usually the most costly due to preparation for summer projects. He stated that based on the available data, the city was performing well and remaining within budget. He reviewed four funds associated with the City of Kearns. He first described the city's main fund and explained that the accounting system used fund accounting to separate finances into specific categories based on purpose. He then reviewed the Kearns beer tax special fund, noting that Utah collected alcohol taxes at the state level and distributed a portion back to cities for local use. He next addressed the City of Kearns Community Reinvestment Agency fund, stating that the fund had not yet been significantly active and that only minor attorney fees had been charged to it, which had been paid through a loan from the main Kearns fund. Mayor Kelly Bush noted that the fund would become active once the newly elected council took office. He then reviewed the Kearns Council Designated Fund, which consisted of MET taxes—specifically the municipal energy tax (MET), municipal telecom tax, Pacific Rocky Mountain Power tax, and Questar Gas and Dominion Energy taxes. He reported that the fund totaled \$379,000 so far in the fiscal year and that the previous year's collections were approximately \$800,000. He stated the city was trending slightly ahead of the prior year, and that total liabilities and fund equity in the fund stood at \$1 million. Mayor Kelly Bush added that differences in collection amounts were due to a mid-year implementation of the MET cap the previous year, whereas the current year reflected a full year of collection. He identified a \$22,000 charge related to Fourth of July activities and explained that MET funds were commonly used for policing services. He clarified that the city had not yet been invoiced for policing because external agencies often billed several months later, requiring the city to wait up to two months after year-end to close the books and assign bills to the correct reporting period. Mayor Kelly Bush stated that the current council had chosen to use MET tax revenue

for policing, and that the incoming council would decide how to allocate the funds going forward. He informed the council that budget meetings would begin in January and would include training for newly elected council members on the city's financial structure and budgeting process. He invited council members to review the financial documents and contact him with questions. Mayor Kelly Bush noted that the financial report would be made publicly available in the agenda packet online.

Council Member Snow moved to accept and acknowledge the quarterly financial reports as presented. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor

7. WORKSHOP

A. Implementation of H.B. 48 (Wildland Urban Interface Modifications)

Nathan Bracken reported on legislative requirements associated with HB 48, explaining that the bill was passed late in the most recent legislative session and was intended to clarify which areas of Utah were subject to catastrophic wildfire risk. He stated that the legislation required any city with a wildland–urban interface area to adopt and enforce the Wildland Urban Interface (WUI) code beginning January 1, and warned that failure to do so could affect eligibility for state assistance in the event of a catastrophic wildfire. He explained that although the bill envisioned updated, refined maps from the state to identify high-risk areas, those maps had not yet been produced, leaving cities uncertain about how to comply. Insurance companies had already been treating some low-risk properties as though they were in high-risk areas, raising premiums or canceling coverage, and the bill was intended to resolve those issues by clearly defining risk zones and implementing associated fees. He stated that he initially believed the requirements would not apply to Kearns because available information showed no wildland–urban interface areas in the city. He noted that the state's existing map was inaccurate and that even the one small Kearns parcel preliminarily identified did not meet criteria when reviewed by the Unified Fire Authority. However, recent state outreach meetings indicated that every city, including Kearns, would be required to adopt the WUI code and adopt a corresponding map, even if the map designated no qualifying areas. He explained that the city could adopt an ordinance with a map showing no identified wildland–urban interface areas based on currently available information, with the understanding that the map would be revised if future state data showed otherwise.

Mayor Kelly Bush asked whether the ordinance could be prepared in conjunction with the meeting scheduled for canvassing election results. Nathan Bracken stated that it could not, because the ordinance would need to go through the planning commission first, as it constituted a land-use regulation. He cautioned that the WUI code was difficult to meet and could impose significant costs on property owners due to buffer, landscaping, and construction requirements intended to withstand wildfire conditions. Because of those potential burdens, he was reluctant to designate any property unless the state confirmed that it met the criteria. He emphasized that failing to adopt the ordinance could jeopardize the city's access to catastrophic wildfire protection through a cooperative agreement that the Unified Fire Authority maintained with the state on behalf of member cities. He stated that UFA was in the process of updating that agreement and that the city's compliance was important. He explained that the

city had not planned on holding meetings in December, but due to the evolving requirements identified during meetings with Municipal Services District staff and others, both a planning commission meeting and a city council meeting would now be necessary to adopt the ordinance and complete any related business.

8. COUNCIL BUSINESS – ACTION ITEMS

A. Nominations to the JVWCD Board of Trustees

Nathan Bracken explained that both Kearns and Magna were entitled to nominate individuals to represent their communities on the Jordan Valley Water Conservancy District board. He stated that the seat was shared between the two communities and noted that it had previously been held by Ray Christensen on behalf of Kearns and was currently held by Mick Sudbury of the Magna Water District. Since Mick Sudbury's term was concluding, Kearns needed to submit nominations for consideration.

Nathan Bracken stated that he had worked with Greg Anderson, who had provided names and letters of recommendation, and that the council had received a packet containing a draft nomination letter and the résumés of two candidates. He explained that although there was only one board seat, and the final decision rested with the governor, both Kearns and Magna were permitted to nominate candidates each year. He clarified that the council was required by law to approve the nominations before they could be forwarded to the governor's office.

Council Member Snow moved to approve the nominations presented tonight for submittal to the governor's office. Council Member Butterfield seconded the motion; vote was 5-0, unanimous in favor.

B. Ordinance 2025-O-18, An Ordinance Updating Titles 18 and 19 of the Kearns Municipal Code to Implement H.B. 368 and to Make Other Changes

Nathan Bracken introduced the next agenda item by explaining that the legislature had passed a large omnibus land-use bill, HB 368, during the most recent session. He stated that the bill contained approximately 7,000 lines of statutory changes and required cities to update their land-use codes to remain compliant. He noted that although the bill had already gone into effect and the city had been operating under its requirements, the city still needed to formally amend its code before the end of the year. He stated that Brian Tucker had completed the detailed work of reviewing and incorporating the required changes, that the ordinance had already been reviewed by the planning commission, and that the commission had forwarded a favorable recommendation with one requested edit.

Brian Tucker then presented the proposed code amendments (Attachment B). He explained that HB 368 required updates to subdivision regulations, bonding processes, warranty bond timelines, inspection and release procedures, and landscaping installation standards connected to building permits and certificates of occupancy. He also stated that the city previously required developers to post a reclamation bond equal to 10% of the cost of planned improvements to ensure the city could make a project site safe if a developer abandoned it. He explained that the state now prohibited reclamation bonds, requiring the city to remove all

provisions related to upfront bonding. However, the city was still permitted to use performance bonds, which required that either the necessary infrastructure be built or a bond be posted before a developer could record a subdivision plat or sell lots.

Mayor Kelly Bush asked for clarification regarding allowable bonding instruments, and Brian Tucker confirmed that the city continued to use cash, irrevocable letters of credit, and escrow accounts, and that surety bonds had not been added back into the ordinance. Brian Tucker further noted that the code previously allowed the director to extend a standard one-year warranty period to two years under certain circumstances, but the state had already restricted such extensions, requiring removal of that provision. The city was also eliminating “fees in lieu,” which allowed developers to pay for the city to later install improvements instead of constructing them themselves; he explained that the administrative requirements made that approach impractical.

Brian Tucker stated that another amendment removed a provision requiring a water master to sign off on construction plans, because this effectively required developers to meet standards the city had not formally adopted. He then explained that the city was removing code language that allowed revocation or withholding of building permits or certificates of occupancy when landscaping had not yet been installed, because the state no longer permitted such enforcement methods. He stated that the planning commission had reviewed a proposed clarification regarding internal and attached dwelling units on single-family lots. The original intent was to require lots of at least 6,000 square feet, but current wording only required the dwelling to be located in a zone with that minimum lot size. The commission recommended allowing all internal, attached, and detached accessory dwelling units on lots of at least 5,000 square feet, noting that detached units were already permitted on 5,000-square-foot lots. He then explained revisions to animal-rights provisions, stating they clarified that a property must contain at least 20,000 square feet to qualify. He next addressed changes to setback requirements in manufacturing and industrial zones. He stated that the current ordinance required a 20-foot setback for industrial uses even when adjacent properties were also industrial. The amendment removed that requirement in situations where two industrial or manufacturing uses were next to each other. The only stipulation was that if structures were within five yards of the property line, stormwater must be contained on the parcel. Setbacks would still apply when bordering single-family residential or commercial uses. He concluded by noting that a number of definitions were being added to make the ordinance clearer and more functional.

Council Member Snow moved to approve Ordinance 2025-O-18, Updating Titles 18 and 19 of the Kearns City Code, as presented tonight. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor.

C. Waiver/Disclosure Regarding Legal Counsel Representing the Magna Mosquito Abatement District and Kearns

Nathan Bracken reported that the City of Kearns was currently divided between two mosquito abatement districts: the Magna Mosquito Abatement District and the South Salt Lake Valley Mosquito Abatement District. He stated that both the city and the Magna Mosquito Abatement

District had independently contacted him to discuss the possibility of boundary adjustments and annexations that would allow Magna Mosquito to serve all of Kearns. He explained that because he represented both the City of Kearns and the Magna Mosquito Abatement District, he could not offer legal advice on the matter without first obtaining a formal conflict waiver from both entities. He stated that he did not believe their interests were adverse and viewed the exploration as aligned and noncontentious. However, the Utah Rules of Professional Conduct required disclosure and consent when one attorney represented two parties involved in the same matter. He clarified that granting the waiver would not authorize or commit the city to any boundary adjustment or annexation; it would only allow him to advise both bodies on the statutory process for exploring the concept. He stated that if the matter later became adverse—although he did not foresee that occurring—he would be required to withdraw from representing the city on the issue. He then emphasized that the request before the council only involved authorizing him to provide legal advice while also representing the Magna Mosquito Abatement District. He noted that the district's board would likewise need to approve a waiver. He stated that he preferred to handle the matter with full transparency to ensure there could be no suggestion that he had failed to disclose dual representation.

Council Member Snow moved to approve council support for Nathan Bracken representing Kearns with the Magna Mosquito Abatement District and signing a conflict of interest waiver allowing for that. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor.

D. Approval of 2026 Council Meeting Schedule

Council Member Snow moved to approve the 2026 Council Meeting Schedule as presented. Council Member Peterson seconded the motion; vote was 5-0, unanimous on favor.

9. Stakeholder Updates/Information

A. Kearns Improvement District (KID) - *Greg Anderson, General Manager*

Greg Anderson expressed appreciation to the council for the way it had worked with the Kearns Improvement District over the years, stating that the district would miss the council members and that Greg Anderson considered them friends. Greg Anderson confirmed that the district remained open to continued collaboration and thanked the council for working with the district on submitting names to Governor Spencer Cox for the Jordan Valley Water Conservancy District board. Greg Anderson clarified that, while the governor selects the nominee, the Utah Senate must confirm the appointment, and based on past experience, that confirmation typically occurs near the end of the legislative session. He reported that the Environmental Protection Agency had completed and approved its review of the Sama Boulevard water line upgrade, and the district had been authorized for a \$1 million grant for the project. Greg Anderson stated that the project would be bid out the following Tuesday and that 22 contractors had attended the mandatory construction meeting, which the district hoped would result in favorable bids. Greg Anderson further reported that phase two of the 5400 South project had been awarded, with documentation finalized with the winning contractor.

This phase would extend from Copper City to the district's tanks near the Mountain View Corridor and was anticipated to begin construction in the spring. He informed the council that the Kearns Improvement District would hold its 2026 budget public hearing the following Tuesday at 6:00 p.m. in the district boardroom. He stated that the district anticipated increasing residential water rates by 2% and sewer rates by approximately 6%, explaining that the district had worked to manage and moderate the impact of higher costs. He concluded by inviting anyone interested to attend the hearing and asked whether the council had any questions, confirming again that the meeting would be held at 6:00 p.m. next Tuesday.

B. Kearns Library - *Lee Whiting, Librarian*

Lee Whiting informed the mayor and council that the Utah Community Court was holding sessions in the library on the third Tuesday of each month from 5:00 p.m. to 7:00 p.m. to assist community members with landlord-tenant disputes. He stated that notices were posted on the bulletin board and that handouts were available at the information desk in both English and Spanish. The reverse side of the handout included a schedule of upcoming court dates. He explained that the decision to return to Kearns as a host site resulted from identifying a significant need among unrepresented individuals, particularly from nearby ZIP codes, who required assistance in landlord-related matters. He stated that pro bono attorneys, Bar Association representatives, and court clerks participated in the sessions. The court was not a walk-in service; individuals were encouraged to scan the provided QR code and complete an online application to communicate with the court and schedule an appointment. A judge would preside over the proceedings, and deputies would be present to serve in a bailiff capacity.

C. Wasatch Front Waste Recycling District (WFWRD) - *Renee Plant, Manager*

No current updates.

D. Unified Fire Authority (UFA) - *Chief Lintz*

Chief Tyler Lintz reported that he had planned to discuss HB 48 but that Nathan Bracken had already covered the subject in detail. He explained that the only area previously flagged for possible inclusion in the wildland-urban interface map was Lodestone Park, but the map used for that determination was outdated and predated the development of the park. He stated that he and Fire Marshal Watkins had inspected the area and determined that it did not qualify under current criteria, leading him to conclude that Kearns would have no designated wildland-urban interface zones.

Mayor Kelly Bush asked why the city still needed to move forward with the mapping process if a full exemption applied. Nathan Bracken clarified that there was no exemption under the law; rather, the city would adopt a required map that identified zero qualifying areas based on available information.

Chief Lintz then reported that Fire Station 107 would officially open on November 16. Crews had been assigned to the station, including three captains with 25 to 30 years of experience each. One of the captains, Captain Henderson, had previously worked in Kearns and was well

known in the community. Mayor Kelly Bush expressed personal excitement about the opening, recounting the years of effort involved in reopening the facility and emphasizing the significance of finally achieving full operational status at the station.

Chief Lintz announced upcoming CPR classes, including one scheduled for December 10 at the Magna fire station. The cost was \$60, and registration was available on the UFA website, with certification valid for two years. He also reported on the Utah firefighter chili cook-off, noting that UFA raised the highest amount of any participating agency, contributing to a total of \$70,000 raised to support burn camp programs for adolescents. He then provided a seasonal fire safety reminder, stating that Thanksgiving was the leading day for home fires, with incidents occurring at three times the national average primarily due to unattended cooking. Mayor Kelly Bush asked whether UFA could also issue public education materials on space heater safety, referencing a recent fire and noting that such incidents were common during colder months. He agreed to follow up and coordinate with UFA's public information staff. He reported that call volume remained steady, with Station 109 responding to approximately 203 calls and Station 107 responding to 98 calls. He anticipated that Station 107's volume would increase as it assumed calls currently handled by West Valley City and West Jordan.

Mayor Kelly Bush asked whether those jurisdictions might contribute personnel to reduce costs given their shared benefit. Chief Lintz stated that Chief Burchette had previously initiated discussions with neighboring departments, and Mayor Kelly Bush commented that those agencies had previously expressed willingness. Tyler Lintz said he would reach out to Chief Russell the following day and concluded his report by asking whether the council had additional questions.

E. Unified Police Department (UPD)

Chief Levi Hughes reported that a recent SWAT callout in Kearns had been traumatic for all involved. The incident required evacuating nearby homes, and the individual at the center of the response took their own life. He stated that the investigation was essentially complete and emphasized that there had been no threat to anyone outside the residence. Apart from that event, he noted that calls were down and that crime—including violent crime—continued the years-long downward trend in Kearns. He explained that “Carmageddon,” the annual enforcement sweep targeting abandoned and improperly parked vehicles, had begun that day. Officers had been canvassing streets throughout Kearns, and more than 300 vehicles had been pink-tagged or otherwise identified for follow-up. He noted that many community members complained when their vehicles were marked, but officers were simply enforcing the law and informing residents when changes were required. He explained that rising household density and aging street designs created ongoing parking conflicts, so officers typically addressed complaints on a case-by-case basis during the year and conducted the full sweep ahead of potential winter storms to prevent problems for snowplows.

A member of the public asked why abandoned vehicles often sat on neighborhood streets for extended periods. Chief Levi Hughes explained that officers responded when calls were made, but the systematic sweep occurred only once a year. He stated that the department would now spend several weeks following up on the 300 identified vehicles.

Mayor Kelly Bush added context regarding parking enforcement, explaining that officers worked to balance legal compliance with compassion because towing a vehicle could severely affect a resident's ability to work, transport children, or attend appointments. She emphasized that enforcement was complex and urged residents to treat officers respectfully. She noted, however, that properties operating vehicle repair businesses out of homes fell into a different category, and Chief Hughes stated that those situations were handled more strictly.

Chief Levi Hughes continued his report by highlighting significant reductions in stolen-vehicle cases, a major concern in recent years. He credited ongoing efforts and the return of Kirk Powell, who was again working with Detective Angie Oldham in the community, for improving those numbers.

Mayor Kelly Bush asked about issuing seasonal crime-prevention reminders, particularly warnings not to leave valuables visible in cars during the holiday season when thefts typically increase. Chief Hughes said such messaging would likely be posted on the Unified Police Department's general page. Detective Oldham noted that public service announcements sometimes resulted in complaints about "victim shaming," creating a challenge in striking the right balance. Mayor Bush said education remained important because many reported thefts involved unlocked vehicles.

Detective Oldham added that the spike in stolen-vehicle cases in April had resulted from a TikTok challenge that circulated instructions for stealing certain car models.

F. Kearns Community Council – *Paula Larsen*

Paula Larsen stated that the Kearns Community Council had expanded and improved its events throughout the year and that public response had been overwhelmingly positive, with residents asking for even more community activities. She announced that the next major event would take place at the Utah Olympic Oval during the World Cup speed-skating competition, which would feature athletes from around the world. She explained that, due to a partnership she established roughly 20 years earlier and which the council had continued, the community was able to offer free tickets to attendees. She noted that postcards for the event were being mailed out, though they resembled junk mail, and encouraged residents to bring the tickets to any of the event days—Friday, Saturday, or Sunday. She added that she and representatives from the Kearns Improvement District would be present on Saturday.

Paula Larsen also announced that "Christmas on 54th," including the Lights on Hope display at the Linear Park across from the fire station, would take place on November 29 at 4:00 p.m. She stated that a special visitor would appear at the event and invited the council and community to attend. She concluded by expressing personal appreciation, stating that she had greatly valued her years of service to the community and that it had been an honor to work with the council.

10. Other Business

A. Future Agenda Business - None

No closed session needed.

11. Closed Session if Needed as Allowed Pursuant to Utah Code §52-4-205

- A. Discussion of the character, professional competence or physical or mental health of an individual**
- B. Strategy sessions to discuss pending or reasonably imminent litigation**
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property**
- D. Discussion regarding deployment of security personnel, devices, or systems; and/or**
- E. Other lawful purposes as listed in Utah Code §52-4-205**

12. Adjourn

Council Member Snow moved to adjourn the November 10, 2025 City Council Meeting. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor.

The November 10, 2025 meeting adjourned at 7:04 PM

This is a true and correct copy of the November 10, 2025 City Council Meeting Minutes, which were approved on December 8, 2025.

Attest:

Diana Baun, City Recorder

Kelly Bush, Mayor



CITY OF KEARNS BOARD OF CANVASSERS MEETING

NOVEMBER 18, 2025, 2:30 PM

MSD Offices – 860 W. Levoy Dr., Ste. 300
Taylorsville, UT 84123

****DRAFT MINUTES – UNAPPROVED****

CITY OF KEARNS BOARD OF CANVASSERS MINUTES November 18, 2025

COUNCIL MEMBERS PRESENT:

Kelly Bush, Mayor (via Zoom)
Chrystal Butterfield (via Zoom)
Al Peterson (via Zoom)
Patrick Schaeffer (via Zoom)
Tina Snow (via Zoom)

COUNCIL MEMBERS EXCUSED:

STAFF PRESENT:

Diana Baun, City Recorder

Others Present:

1. CALL TO ORDER

Mayor Kelly Bush, presiding, called the meeting to order at 2:33 PM.

2. BUSINESS ITEMS

Diana Baun reviewed the attached 2025 General Election Canvass Statistics Report and Election Results, noting specifically that for the Office of Mayor, Michael Jesse Xon Valdez had been elected; Council Member District 2, Lyndsay Longtin had been elected; Council Member District 4, Lorrin Colby, Jr. had been elected.

Council Member Snow moved to approve Resolution R2025-11, Accepting and Approving the Tabulation of the 2025 Municipal General Election Returns as Provided by the Salt Lake County Elections Division. Council Member Butterfield seconded the motion; vote was 5-0, unanimous in favor.

The council then discussed changing the location for the Council Meetings in the future from the Kearns Public Library to the Element Event Center. Diana Baun confirmed that the Element Center was available for the December 2025 meeting, as well as all the approved 2026 Council Meeting dates and that the on-site coordinator had tentatively reserved the North Ballroom for all those dates above just in case the council agreed to the venue change. This move aligns the council meetings with all the other public meetings held within the city such as the Planning Commission and Community Council Meetings, which are currently held at the

KEARNS CITY COUNCIL

MAYOR KELLY BUSH, COUNCIL MEMBER CHRYSAL BUTTERFIELD,
COUNCIL MEMBER AL PETERSON, COUNCIL MEMBER PATRICK SCHAEFFER,
COUNCIL MEMBER TINA SNOW

Element Center.

Council Member Snow moved to approve the suggested location change for the December 8, 2025 City Council Meeting to the Element Center. Council Member Butterfield seconded the motion; vote was 5-0, unanimous in favor.

Council Member Butterfield moved to approve the suggested location change for the approved 2026 City Council Meeting dates to the Element Center. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor.

Diana Baun noted that she would let the Element Center know that they can officially reserve those 2026 dates for the council and re-publish the approved 2026 City Council Meeting Schedule with the new location noted prominently.

3. COUNCIL REMARKS

Kelly asked everyone to review the Community Council budget that was coming before the council for approval at the December 8, 2025 council meeting.

4. ADJOURN

Council Member Snow moved to adjourn the November 18, 2025 Board of Canvassers Meeting. Council Member Schaeffer seconded the motion; vote was 5-0, unanimous in favor.

The November 18, 2025 meeting adjourned at 2:41 PM

This is a true and correct copy of the November 18, 2025 Board of Canvassers Meeting Minutes, which were approved on December 8, 2025.

Attest:

Diana Baun, City Recorder

Kelly Bush, Mayor

Greater Salt Lake Municipal Services District

Standard Financial Report

50 City of Kearns - 07/01/2025 to 10/31/2025

33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10200 Cash - PTIF	2,528,399.87	2,062,950.02
10750 Undeposited Receipts	(0.09)	(0.16)
Total Cash and cash equivalents	2,528,399.78	2,062,949.86
Receivables		
11530 Accounts Rec. -	17,878.51	352.71
12500 Due From Other Gov.	1,655,624.41	1,507,546.02
12550 Due from Other Funds	510.00	3,542.00
Total Receivables	1,674,012.92	1,511,440.73
Total Current Assets	4,202,412.70	3,574,390.59
Non-Current Assets		
Restricted assets		
10102 Cash - Zions Bond Escrow	95,324.92	43,388.77
Total Restricted assets	95,324.92	43,388.77
Total Non-Current Assets	95,324.92	43,388.77
Total Assets:	4,297,737.62	3,617,779.36
Liabilities and Fund Equity:		
Liabilities:		
Current liabilities		
21000 Accounts Payable	13,758.54	8,396.50
21100 Accrued Expenses	17,547.09	17,547.09
23450 Performance Bonds Payable	95,324.92	43,388.77
24000 Due to Other Funds	1,674,114.51	0.00
Total Current liabilities	1,800,745.06	69,332.36
Total Liabilities:	1,800,745.06	69,332.36
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	1,632,308.87	2,610,763.31
29010 Net Assets - Restricted Capital Fund	262,683.69	262,683.69
29561 Net Assets - Restricted Corridor Preservation	602,000.00	675,000.00
Total Equity - Fund Balance	2,496,992.56	3,548,447.00
Total Liabilities and Fund Equity:	4,297,737.62	3,617,779.36
Total Net Position	0.00	0.00

Greater Salt Lake Municipal Services District

Standard Financial Report

50 City of Kearns - 07/01/2025 to 10/31/2025

33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual	2026 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Taxes					
Sales Taxes					
3100.300 Sales Tax	6,900,633.70	2,305,303.50	6,500,000.00	4,194,696.50	35.47%
Total Sales Taxes	6,900,633.70	2,305,303.50	6,500,000.00	4,194,696.50	35.47%
SB 136 Sales Tax					
3100.350 SB 136 Sales Tax	618,184.70	217,917.07	650,000.00	432,082.93	33.53%
Total SB 136 Sales Tax	618,184.70	217,917.07	650,000.00	432,082.93	33.53%
Total Taxes	7,518,818.40	2,523,220.57	7,150,000.00	4,626,779.43	35.29%
Intergovernmental revenue					
Road Funds					
3100.560 B&C Road Fund Allotment	1,721,486.51	474,606.93	1,600,000.00	1,125,393.07	29.66%
3100.561 HB244 Corridor Preservation Funds	302,000.00	73,000.00	0.00	(73,000.00)	0.00%
3100.562 Public Transportation Tax	6,283.41	33,978.93	0.00	(33,978.93)	0.00%
Total Road Funds	2,029,769.92	581,585.86	1,600,000.00	1,018,414.14	36.35%
CARES Act					
3100.322 ARPA Funds	0.00	0.00	2,631,285.00	2,631,285.00	0.00%
Total CARES Act	0.00	0.00	2,631,285.00	2,631,285.00	0.00%
Total Intergovernmental revenue	2,029,769.92	581,585.86	4,231,285.00	3,649,699.14	13.74%
Licenses and permits					
Business licenses					
3100.130 Business Licenses	54,126.00	17,815.50	50,000.00	32,184.50	35.63%
Total Business licenses	54,126.00	17,815.50	50,000.00	32,184.50	35.63%
Building permits					
3100.260 Building Permit	190,854.69	57,434.10	200,000.00	142,565.90	28.72%
Total Building permits	190,854.69	57,434.10	200,000.00	142,565.90	28.72%
Total Licenses and permits	244,980.69	75,249.60	250,000.00	174,750.40	30.10%
Charges for services					
Charges other					
3100.420 Engineering Services	23,374.00	10,802.75	50,000.00	39,197.25	21.61%
3100.450 Planning Services	5,742.06	3,376.50	15,000.00	11,623.50	22.51%
Total Charges other	29,116.06	14,179.25	65,000.00	50,820.75	21.81%
Total Charges for services	29,116.06	14,179.25	65,000.00	50,820.75	21.81%
Fines and forfeitures					
Code enforcement fines and fees					
3100.240 Code Enforcement Fines and Fees	20,259.64	0.00	5,000.00	5,000.00	0.00%
Total Code enforcement fines and fees	20,259.64	0.00	5,000.00	5,000.00	0.00%
Justice court fines/forfeitures					
3100.500 Justice Court Fines/Forfeitures	266,267.95	75,049.31	250,000.00	174,950.69	30.02%
Total Justice court fines/forfeitures	266,267.95	75,049.31	250,000.00	174,950.69	30.02%
Total Fines and forfeitures	286,527.59	75,049.31	255,000.00	179,950.69	29.43%
Miscellaneous revenue					
Interest					
3600.100 Interest Earnings	54,641.13	38,627.46	125,000.00	86,372.54	30.90%
Total Interest	54,641.13	38,627.46	125,000.00	86,372.54	30.90%
Miscellaneous other					
3600.900 Other Revenue	18,670.20	0.00	0.00	0.00	0.00%
3600.902 Other Revenue - Declaration of Candidate	400.00	0.00	0.00	0.00	0.00%
Total Miscellaneous other	19,070.20	0.00	0.00	0.00	0.00%
Total Miscellaneous revenue	73,711.33	38,627.46	125,000.00	86,372.54	30.90%
Contributions and transfers					
3800.100 Contribution from GF	1,083,361.00	1,221,141.00	1,221,141.00	0.00	100.00%
Total Contributions and transfers	1,083,361.00	1,221,141.00	1,221,141.00	0.00	100.00%
Total Revenue:	11,266,284.99	4,529,053.05	13,297,426.00	8,768,372.95	34.06%
Expenditures:					
Administration					

Greater Salt Lake Municipal Services District

Standard Financial Report

50 City of Kearns - 07/01/2025 to 10/31/2025

33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual	2026 Budget	Unearned/ Unused Budget	% Earned/ Used
4100.100 Wages	103,565.34	38,733.32	225,000.00	186,266.68	17.21%
4100.130 Employee Benefits	75.60	25.20	19,800.00	19,774.80	0.13%
4100.150 Social Security Tax	6,339.21	2,371.71	14,000.00	11,628.29	16.94%
4100.160 Medicare	1,482.56	554.67	3,500.00	2,945.33	15.85%
4100.180 Medical Insurance	60,428.28	26,613.20	132,500.00	105,886.80	20.09%
4100.200 Awards, Promotional & Meals	1,092.42	742.57	1,500.00	757.43	49.50%
4100.210 Subscriptions/Memberships	23,630.20	19,802.08	30,000.00	10,197.92	66.01%
4100.220 Printing/Publications/Advertising	4,576.52	7,242.43	5,500.00	(1,742.43)	131.68%
4100.230 Travel/Mileage	11,446.73	2,273.31	1,500.00	(773.31)	151.55%
4100.240 Office Expense and Supplies	3,421.59	446.04	5,000.00	4,553.96	8.92%
4100.255 Computer Equip/software	0.00	0.00	30,000.00	30,000.00	0.00%
4100.310 Attorney-Civil	102,804.50	37,737.00	130,000.00	92,263.00	29.03%
4100.312 Lobbyist Services	12,000.00	4,000.00	12,000.00	8,000.00	33.33%
4100.320 Attorney - Land Use	1,971.00	12,866.50	40,000.00	27,133.50	32.17%
4100.330 Training and Seminars	750.00	0.00	0.00	0.00	0.00%
4100.360 Web Page Development/Maintenance	6,323.92	1,377.95	15,000.00	13,622.05	9.19%
4100.370 Software/Streaming	18,745.98	18,170.39	17,000.00	(1,170.39)	106.88%
4100.380 Internet Connections	5,990.94	1,536.97	5,500.00	3,963.03	27.94%
4100.390 Payroll Processing Fees	504.00	169.00	0.00	(169.00)	0.00%
4100.420 Contributions/Special Events	78,500.00	0.00	90,000.00	90,000.00	0.00%
4100.510 Insurance	25,960.79	24,697.28	40,000.00	15,302.72	61.74%
4100.520 Workers Comp Insurance	0.00	2,086.21	8,500.00	6,413.79	24.54%
4100.590 Postage	7,693.10	7,608.03	5,000.00	(2,608.03)	152.16%
4100.600 Professional and Technical	1,980.00	1,630.00	7,500.00	5,870.00	21.73%
4100.621 Victim Critical Needs	0.00	2,166.00	25,000.00	22,834.00	8.66%
4100.635 Election Support Services	0.00	3,000.00	84,341.00	81,341.00	3.56%
4100.640 Grant Related	20,547.09	0.00	0.00	0.00	0.00%
4100.650 SL (Client) County Support Services	87.07	0.00	50,000.00	50,000.00	0.00%
4100.750 Non-Cap Improvements	1,012.50	22,712.00	25,000.00	2,288.00	90.85%
4100.760 Christmas on 54th Decorations & Lights	64.34	0.00	8,000.00	8,000.00	0.00%
4100.860 Code Enforcement Abatements	7,469.86	431.25	50,000.00	49,568.75	0.86%
4100.870 Rent	6,817.92	2,272.64	135,000.00	132,727.36	1.68%
4100.880 Non-Classified Expenses	0.00	1,420.81	5,000.00	3,579.19	28.42%
Total Administration	515,281.46	242,686.56	1,221,141.00	978,454.44	19.87%
COVID Related Expenses					
4100.243 ARPA Act Expense and Supplies	0.00	0.00	2,631,285.00	2,631,285.00	0.00%
Total COVID Related Expenses	0.00	0.00	2,631,285.00	2,631,285.00	0.00%
Transfers					
4100.928 Contribution to General Fund	9,878,196.49	3,234,912.05	9,445,000.00	6,210,087.95	34.25%
4100.932 Contribution to Restricted Capital Fund	302,000.00	73,000.00	0.00	(73,000.00)	0.00%
48450.001 Operational Transfers out	2,828.09	0.00	0.00	0.00	0.00%
Total Transfers	10,183,024.58	3,307,912.05	9,445,000.00	6,137,087.95	35.02%
Total Expenditures:	10,698,306.04	3,550,598.61	13,297,426.00	9,746,827.39	26.70%
Total Change In Net Position	567,978.95	978,454.44	0.00	(978,454.44)	0.00%

Greater Salt Lake Municipal Services District

Standard Financial Report

52 Kearns Beer Tax Special Fund - 07/01/2025 to 10/31/2025

33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual	2026 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
State liquor fund					
3100.580 State Liquor Fund Allotment	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total State liquor fund	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total Intergovernmental revenue	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total Revenue:	61,156.89	0.00	30,000.00	30,000.00	0.00%
Expenditures:					
Administration					
4100.850 Beer Funds	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total Administration	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total Expenditures:	61,156.89	0.00	30,000.00	30,000.00	0.00%
Total Change In Net Position	0.00	0.00	0.00	0.00	0.00%

Greater Salt Lake Municipal Services District
Standard Financial Report
54 City of Kearns Community Reinvestment Agency - 07/01/2025 to 10/31/2025
33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10100 Cash - Zions Checking	510.00	1,202.00
Total Cash and cash equivalents	510.00	1,202.00
Total Current Assets	510.00	1,202.00
Total Assets:	510.00	1,202.00
Liabilities and Fund Equity:		
Liabilities:		
Current liabilities		
21000 Accounts Payable	510.00	1,202.00
24000 Due to Other Funds	510.00	3,542.00
Total Current Liabilities	1,020.00	4,744.00
Total Liabilities:	1,020.00	4,744.00
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	(510.00)	(3,542.00)
Total Equity - Fund Balance	(510.00)	(3,542.00)
Total Liabilities and Fund Equity:	510.00	1,202.00
Total Net Position	0.00	0.00

Greater Salt Lake Municipal Services District
Standard Financial Report
54 City of Kearns Community Reinvestment Agency - 07/01/2025 to 10/31/2025
33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual	2026 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Expenditures:					
Administration					
4100.310.000 General - Attorney-Civil	510.00	3,032.00	0.00	(3,032.00)	0.00%
Total Administration	510.00	3,032.00	0.00	(3,032.00)	0.00%
Total Expenditures:					
Total Change In Net Position	(510.00)	(3,032.00)	0.00	3,032.00	0.00%

Greater Salt Lake Municipal Services District
Standard Financial Report
55 Kearns Council Designated Fund - 07/01/2025 to 10/31/2025
33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10100 Cash - Zions Checking	0.00	12,061.57
10101 Cash - Zions CARES	2,828.09	2,828.09
10200 Cash - PTIF	238,422.63	514,579.73
10202 Cash - PTIF 9074 CARES	746,187.08	342,173.30
10750 Undeposited Receipts	(0.01)	(0.01)
Total Cash and cash equivalents	987,437.79	871,642.68
Receivables		
12500 Due From Other Gov.	157,924.59	262,601.91
Total Receivables	157,924.59	262,601.91
Total Current Assets	1,145,362.38	1,134,244.59
Total Assets:	1,145,362.38	1,134,244.59
Liabilities and Fund Equity:		
Liabilities:		
Current liabilities		
21000 Accounts Payable	494,288.00	0.00
Total Current liabilities	494,288.00	0.00
Deferred revenue		
23455 CARES2 Deferred Revenue	258,120.71	235,620.71
Total Deferred revenue	258,120.71	235,620.71
Total Liabilities:	752,408.71	235,620.71
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	392,953.67	898,623.88
Total Equity - Fund Balance	392,953.67	898,623.88
Total Liabilities and Fund Equity:	1,145,362.38	1,134,244.59
Total Net Position	0.00	0.00

Greater Salt Lake Municipal Services District

Standard Financial Report

55 Kearns Council Designated Fund - 07/01/2025 to 10/31/2025

33.33% of the fiscal year has expired

	2025 Year-End Actual	2026 YTD Actual	2026 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Taxes					
MET Taxes					
3100.111 MET-Municipal Energy	3,072.68	116.06	0.00	(116.06)	0.00%
3100.112 MET-Municipal Telecom	55,240.50	25,217.00	60,000.00	34,783.00	42.03%
3100.113 MET-Pacificorp/Rocky Mtn Power	271,348.65	401,831.20	600,000.00	198,168.80	66.97%
3100.114 MET-Questar Gas/Dominion Energy	391,618.88	52,296.80	720,000.00	667,703.20	7.26%
Total MET Taxes	721,280.71	479,461.06	1,380,000.00	900,538.94	34.74%
Franchise Taxes					
3100.401 Google Franchise Fee	80,796.00	15,481.00	30,000.00	14,519.00	51.60%
Total Franchise Taxes	80,796.00	15,481.00	30,000.00	14,519.00	51.60%
Total Taxes	802,076.71	494,942.06	1,410,000.00	915,057.94	35.10%
Intergovernmental revenue					
Road Funds					
3100.561 HB244 Corridor Preservation Funds	0.00	0.00	300,000.00	300,000.00	0.00%
Total Road Funds	0.00	0.00	300,000.00	300,000.00	0.00%
CARES Act					
3100.322 ARPA	82,130.00	0.00	0.00	0.00	0.00%
3100.323 CARES2	623,691.70	22,500.00	0.00	(22,500.00)	0.00%
Total CARES Act	705,821.70	22,500.00	0.00	(22,500.00)	0.00%
Total Intergovernmental revenue	705,821.70	22,500.00	300,000.00	277,500.00	7.50%
Miscellaneous revenue					
Interest					
3600.100 Interest Earnings	81,946.53	13,728.15	42,000.00	28,271.85	32.69%
Total Interest	81,946.53	13,728.15	42,000.00	28,271.85	32.69%
Total Miscellaneous revenue	81,946.53	13,728.15	42,000.00	28,271.85	32.69%
Contributions and transfers					
3100.001 Operating transfers in	2,828.09	0.00	0.00	0.00	0.00%
Total Contributions and transfers	2,828.09	0.00	0.00	0.00	0.00%
Total Revenue:	1,592,673.03	531,170.21	1,752,000.00	1,220,829.79	30.32%
Expenditures:					
Administration					
4100.420 Contributions/Special Events	0.00	3,000.00	0.00	(3,000.00)	0.00%
Total Administration	0.00	3,000.00	0.00	(3,000.00)	0.00%
Professional services					
4100.623 Public Safety	493,897.66	0.00	25,000.00	25,000.00	0.00%
Total Professional services	493,897.66	0.00	25,000.00	25,000.00	0.00%
COVID Related Expenses					
4100.242 CARES 2 Expense and Supplies	623,691.70	22,500.00	0.00	(22,500.00)	0.00%
4100.243 ARPA Act Expense and Supplies	82,130.00	0.00	0.00	0.00	0.00%
Total COVID Related Expenses	705,821.70	22,500.00	0.00	(22,500.00)	0.00%
Total Expenditures:	1,199,719.36	25,500.00	25,000.00	(500.00)	102.00%
Total Change In Net Position	392,953.67	505,670.21	1,727,000.00	1,221,329.79	29.28%

KEARNS CITY COUNCIL

ORDINANCE NO. 2025-O-19

DATE: December 8, 2025

AN ORDINANCE OF THE KEARNS CITY COUNCIL ENACTING SECTION 15.08.011 OF THE KEARNS MUNICIPAL CODE TO ADOPT THE 2006 EDITION OF THE UTAH WILDLAND-URBAN INTERFACE CODE AND TO ADOPT AN OFFICIAL WILDLAND-URBAN INTERFACE MAP FOR THE CITY OF KEARNS PURSUANT TO H.B. 48

WHEREAS, in accordance with H.B. 48, effective January 1, 2026, municipalities are encouraged to adopt the 2006 Edition of the Utah Wildland-Urban Interface Code (“UWUIC”) and a corresponding map depicting those areas within their boundaries that are subject to UWUIC; and

WHEREAS, in accordance with Section 301 of UWUIC, the Kearns City Council (“Council”) shall determine the UWUIC areas within its jurisdiction after review and consideration of the information and maps published by the Division of Forestry, Fire and State Lands (“FFSL”); and

WHEREAS, the Council has reviewed the FFSL UWUIC information and maps currently available; and

WHEREAS, the Council has also consulted with Unified Fire Authority, which has determined that there are no wildland-urban interface areas within the jurisdictional limits of the City of Kearns; and

WHEREAS, accordingly, the current FFSL information and maps designate the City of Kearns as the lowest category for risk to life and property from wildland exposures and for risk of fire spread to wildland fuels; and

WHEREAS, Section 301 of UWUIC authorizes the Kearns Council to modify its UWUIC areas every three (3) years or as deemed necessary; and

WHEREAS, Kearns staff prepared a draft ordinance adopting the UWUIC and a related map indicating that no portions of Kearns currently qualify as wildland-urban interface areas; and

WHEREAS, the Kearns Planning Commission issued a favorable recommendation for the proposed UWUIC ordinance and related map after holding a duly noticed public hearing on December 1, 2025, pursuant to Utah Code §§ 10-20-205(2)(b)(ii) and 10-20-502.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE KEARNS COUNCIL AS FOLLOWS:

1. Enactment of 2006 Utah Wildland-Urban Interface Code: Section 15.08.011 of the Kearns Municipal Code is enacted to read as follows:

15.08.011 2006 Utah Wildland-Urban Interface Code

The 2006 Utah Wildland-Urban Interface Code along with any amendments shall apply to those areas within the City that the Council designates as wildland-urban interface areas in the City's official Wildland-Urban Interface Map.

2. **Enactment of Wildland-Urban Interface Map.** The map attached as **Exhibit 1** is enacted as the official Wildland-Urban Interface Map for the City of Kearns, which map does not subject any area within the jurisdictional limits of Kearns to the UWUIC and depicts all of Kearns as the lowest category for risk to life and property from wildland exposures and for risk of fire spread to wildland fuels.

3. **Severability:** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of this ordinance, or specific application of this ordinance, shall be severed from the remainder, which shall continue in full force and effect.

4. **Direction to Mayor and Staff:** The Mayor and staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

5. **Effective Date:** This Ordinance shall become effective immediately upon its posting.

[execution on following page]

ADOPTED AND APPROVED at a duly called meeting of the Kearns City Council on this 8th day of December 2025.

CITY OF KEARNS

By: Kelly Bush, Mayor

ATTEST:

Diana Baun, City Recorder

Voting:

Mayor Bush	voting	_____
Council Member Butterfield	voting	_____
Council Member Peterson	voting	_____
Council Member Schaeffer	voting	_____
Council Member Snow	voting	_____

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: _____

Effective date of ordinance: _____

**SUMMARY OF
CITY OF KEARNS
ORDINANCE NO. 2025-O-19**

On December 8, 2025, the Kearns City Council enacted Ordinance No. 2025-O-19 to comply with H.B. 48. The ordinance adopts: (1) the 2006 Utah Wildland-Urban Interface Code (“UWUIC”) as Chapter 15.08.011 of the Kearns Municipal Code; and (2) an official Wildland-Urban Interface map for the City of Kearns. Based on determinations from the Unified Fire Authority, the map does not subject any portion of Kearns to the UWUIC and depicts all of Kearns as the lowest category for risk to life and property from wildland exposures and for risk of fire spread to wildland fuels.

CITY OF KEARNS

By: Kelly Bush, Mayor

ATTEST:

Diana Baun, City Recorder

Voting:

Mayor Bush voting
Council Member Butterfield voting
Council Member Peterson voting
Council Member Schaeffer voting
Council Member Snow voting

A complete copy of Ordinance No. 2025-O-19 is available in the office of the Kearns City Recorder, 860 Levoy Drive, Suite 300, Taylorsville, Utah 84123.

EXHIBIT 1

Official Wildland-Urban Interface Map for the City of Kearns

KEARNS CITY COUNCIL

ORDINANCE NO. 2025-O-20

DATE: December 8, 2025

AN ORDINANCE TO INITIATE THE ESTABLISHMENT OF THE CITY OF KEARNS DATA PRIVACY PROGRAM; DESIGNATE CHIEF ADMINISTRATIVE AND AUTHORIZED RECORDS OFFICERS; REQUIRE RECORDS FOR PROOF OF OFFICER AND EMPLOYEE PRIVACY TRAINING; PREPARE WEBSITE DATA PRIVACY NOTICE; ENDORSE THE STATE OF UTAH'S DATA PRIVACY POLICY; AND COMPLETE KEARNS' INTERNAL DATA PRIVACY PROGRAM REPORT

WHEREAS, the Kearns City Council (“**Council**”) adopts programs to guide decision-making and policy; and

WHEREAS, the State of Utah requires each governmental entity, including the City of Kearns (“**Kearns**”), to initiate a data privacy program (“**DPP**”) that recognizes the state policy that “an individual has a fundamental interest in and inherent expectation of privacy regarding the individual’s personal data that an individual provides to a governmental entity” and each governmental entity shall process personal data consistent with this state policy pursuant to Utah Code § 63A-19-401; and

WHEREAS, the Utah State Legislature enacted HB 444, Data Privacy Amendments, in 2025, which requires Kearns to prepare an internal DPP report (“**Report**”) no later than December 31, 2025, pursuant to Utah Code Ann. § 63A-19-401.3; and

WHEREAS, the Council resolves to fully comply with the requirements of Utah Code, Title 63A, Chapter 19, Government Data Privacy Act (“**GDPA**”); Utah Code, Title 63G, Chapter 2, Government Records Access and Management Act (“**GRAMA**”); and Utah Government Operations Code, Title 63A; including the completion of the Report; and

WHEREAS, Kearns is a member of the Greater Salt Lake Municipal Services District (“**MSD**”) that collects the majority of data from the residents of the MSD member cities and towns for Planning & Development services. Kearns supports MSD’s own Data Privacy Program as approved by the MSD Board of Trustees; and

WHEREAS, the Council desires to initiate and establish an official Kearns DPP to be developed and implemented over time to comply with the requirements of Utah Code, Title 63A, Chapter 19, Part 4, Duties of Governmental Entities, and other applicable laws; and

WHEREAS, the Council desires to appoint a Chief Administrative Officer (“**CAO**”) and an administrative records officer (“**ARO**”) for the City’s DPP.

NOW, THEREFORE BE IT ORDAINED by the Kearns City Council that:

1. Approval of Forms: The Council approves the following forms:

a. The internal privacy report form template included as **Exhibit A** of this Ordinance; and

b. The website data privacy statement attached as **Exhibit B** of this Ordinance.

2. Appointment of CAO: The Council designates Marla Howard, General Manager for the Greater Salt Lake Municipal Services District as the CAO of the Kearns DPP and directs the CAO to:

a. Obtain all required training(s); and

b. Oversee the compliance of all Kearns staff and applicable agents with the data privacy training pursuant to Utah Code § 63A-19-401.2; and

c. Report the names of the designated CAO and ARO to the Division of Archives and Records Services pursuant to Utah Code Subsections 63A-12-103(8)(c)(ii) and 63G-2-108; and

d. Prepare the Report to the best of the CAO's ability using the template attached as Exhibit A in accordance with applicable law and to file the completed report in Kearns' records, provided that such report will be a protected record; and

e. Prepare the website data privacy statement in a manner that is substantially similar to the notice template attached as Exhibit B and publish the completed statement to the City of Kearns' official website and the Utah Public Notice Website.

3. Appointment of ARO: The Council designates Diana Baun, City Recorder as the ARO of the Kearns DPP to fulfill all duties under applicable law and Kearns ordinances and directs the ARO to take all required training(s).

4. Endorsement: The Council endorses the State of Utah's data privacy policy.

5. Enactment of DPP: The Council approves:

a. The initiation and establishment of the Kearns DPP, with direction to the Mayor and staff to and present to the Council for approval at a later date such other ordinances, rules, or policies needed to implement the DPP and to comply with applicable law; and

b. The designation of the CAO and appointment of the ARO, the intended recordkeeping for proof of completion of ARO training and certification and employee privacy training; and

- c. The preparation and publication of the website data privacy notice; and
- d. The completion of the Report.

6. Additional Direction to Mayor and Staff: The Mayor and staff are authorized and directed to take such other steps as may be needed:

- a. For this Ordinance to become effective under Utah law; and
- b. To make any non-substantive edits to correct any scrivener's, formatting, and numbering errors that may be needed, if any, to this Ordinance.

7. Severability: If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

8. Effective Date: This Ordinance will go into effect immediately.

[execution on following page]

ADOPTED AND APPROVED at a duly called meeting of the Kearns City Council on this 8th day of December 2025.

CITY OF KEARNS

By: Kelly Bush, Mayor

ATTEST:

Diana Baun, City Recorder

Voting:

Mayor Bush	voting	_____
Council Member Butterfield	voting	_____
Council Member Peterson	voting	_____
Council Member Schaeffer	voting	_____
Council Member Snow	voting	_____

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: _____

Effective date of ordinance: _____

**SUMMARY OF
CITY OF KEARNS
ORDINANCE NO. 2025-O-20**

On December 8, 2025, the Kearns Council enacted Ordinance No. 2025-O-20 to: (1) establish a data privacy program per H.B. 444; (2) designate chief administrative and authorized records officers; (3) require records for proof of officer and employee privacy training; (4) prepare a website data privacy notice; (5) endorse the State of Utah's data privacy policy; and (6) complete an initial data privacy program report.

CITY OF KEARNS

By: Kelly Bush, Mayor

ATTEST:

Diana Baun, City Recorder

Voting:

Mayor Bush	voting	_____
Council Member Butterfield	voting	_____
Council Member Peterson	voting	_____
Council Member Schaeffer	voting	_____
Council Member Snow	voting	_____

A complete copy of Ordinance No. 2025-O-20 is available in the office of the Kearns City Recorder, 860 Levoy Drive, Suite 300, Taylorsville, Utah 84123.

EXHIBIT A

CITY OF KEARNS TEMPLATE DATA PRIVACY PROGRAM REPORT

Section 1: Governmental Entity Information

Governmental Entity Name: _____

Governmental Entity Type (Select One):

<input type="checkbox"/> State Agency	<input type="checkbox"/> Interlocal
<input type="checkbox"/> County	<input type="checkbox"/> Associations of Government
<input type="checkbox"/> Municipality	<input type="checkbox"/> Charter School
<input type="checkbox"/> Special Service District	<input type="checkbox"/> Public School
<input type="checkbox"/> Board or Commission	<input type="checkbox"/> Independent or Quasi-Government
<input type="checkbox"/> College or University	<input type="checkbox"/> Other _____

Mailing Address:

Chief Administrative Officer (CAO):

- **Name:** _____
- **Title:** _____
- **Email:** _____
- **Phone:** _____
- **Date of Report Completion:** _____

Section 2: Privacy Program Status

Utah Code Ann. Subsection 63A-19-401.3(1)(a):

- Has your governmental entity initiated a **privacy program**?

Yes No

- What mechanism(s) has your governmental entity used to initiate its **privacy program**?

Administrative Rule

Ordinance

Resolution

Policy

Privacy Program Report

Other: _____

Section 3: Privacy Practices, Maturity and Strategies

Utah Code Ann. Subsections 63A-19-401.3(1)(b)(i) and (ii):

Privacy Practice Maturity Model:

Level	Description
Level 0 Non-Existent	The practice is not implemented or acknowledged.
Level 1 Ad Hoc	The practice may occur but is undocumented (no policies or procedures), application is reactive and not standardized.
Level 2 Defined	The practice is implemented and documented, but documentation may not cover all relevant aspects, and application may be informal and inconsistent.
Level 3 Consistently Implemented	The practice is documented to cover all relevant aspects, application is formal and consistent.
Level 4 Managed	The practice is actively managed with metrics that are regularly reviewed to assess efficacy and facilitate improvement.
Level 5 Optimized	The practice is fully embedded in the entity with recognition and understanding across the workforce through active training and awareness campaigns, and inclusion in operations and strategy.

Privacy Practices Implemented:

List all privacy practices implemented, and the strategies your entity will implement, in the coming calendar year to improve its privacy practices and program. The Office recommends entities indicate the current maturity level (0–5) of each practice and select the target maturity they plan to achieve for a given practice by the end of the following calendar year. This will be beneficial to the entity in moving their privacy programs forward.

Governance				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
Gov-1. Chief Administrative Officer (CAO) Designation	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0	<i>Example Strategy:</i> Adopt policy or ordinance formally adopting this practice and defines who will make CAO designation and how that designation will be made.	Level 0
Gov-2. Records Officers Appointment	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0	<i>Example Strategy:</i> Adopt policy or ordinance formally adopting this practice and defines how the CAO will appoint records officers and review appointments.	Level 0
Gov-3. Records Officer Training and Certification	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0	<i>Example Strategy:</i> Adopt policy or ordinance formally adopting this practice and require records	Level 0

officers complete certification.				
Gov-4. Statewide Privacy Awareness Training	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Gov-5. Privacy Program Report	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Identify				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
Ide-1. Record Series Creation and Maintenance	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Ide-2. Record Series Designation and Classification	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Ide-3. Retention Schedule Proposal and Approval	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Ide-4. Record Series Privacy Annotation	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Ide-5. Inventorying	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0	<i>Example strategy:</i> Adopt policy or ordinance that formally adopts this practice.	Level 0
Ide-6. Privacy Impact Assessment	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Ide-7. Record and Data Sharing, Selling, or Purchasing	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0	<i>Example Strategy:</i> Adopt policy or ordinance requiring any sharing, selling or purchasing of data be reported and inventoried.	Level 0

Control				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
Con-1. Data Subject Requests for Access	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Con-2. Data Subject Requests for Amendment or Correction	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Con-3. Data Subject Requests for an Explanation	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Con-4. Data Subject Request At-Risk Employee Restrictions	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
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Communicate				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
Com-1. Website Privacy Notice (Policy)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Com-2. Privacy Notice (Notice to Provider of Information)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Protect				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
Pro-1. Minimum Data Necessary	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Pro-2. Record Retention and Disposition	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
Pro-3. Incident Response	<input type="checkbox"/> Yes	Level 0		Level 0

	<input type="checkbox"/> No			
Pro-4. Breach Notification	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Other Privacy Practices Implemented by the Governmental Entity				
Practice	Implemented	Current Maturity	Strategies for Improvement	Target Maturity
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Level 0		Level 0

Section 4: High-Risk Processing Activities

Fulfills requirement of Subsection 63A-19-401.3(1)(b)(iii): The chief administrative officer of each governmental entity shall prepare a report that includes a description of: the governmental entity's high-risk processing activities.

Definition – Utah Code § 63A-19-101(17)(a) and (b):

- (a) “**High-risk processing activities**” means a governmental entity’s processing of personal data that may have a significant impact on an individual’s privacy interests, based on factors that include:
 - (i) the sensitivity of the personal data processed;
 - (ii) the amount of personal data being processed;

(iii) the individual's ability to consent to the processing of personal data; and
(iv) risks of unauthorized access or use.

(b) High-risk processing activities may include the use of:

(i) facial recognition technology

(ii) automated decision making

(iii) profiling

(iv) genetic data

(v) biometric data

(vi) geolocation data.

4.1 High-Risk Activities:

Select all applicable high-risk processing activities your entity engages in and provide a brief description of the purposes and uses of each activity.

Facial recognition technology

Explanation of Purpose:

Automated decision making

Explanation of Purpose:

Profiling (e.g., behavioral or predictive analysis)

Explanation of Purpose:

Genetic data processing

Explanation of Purpose:

Biometric data processing (e.g., fingerprints, voice, iris scans)

Explanation of Purpose:

Geolocation data processing

Explanation of Purpose:

4.2 Additional high-risk activities (not listed above):

List any other processing activities your entity has identified as high-risk under the statutory definition and a brief description of the purposes and uses of each.

[Insert narrative or list here]

Section 5: Personal Data Sharing, Selling, and Purchasing

5.1 Personal Data Sharing, Selling, and Purchasing

Fulfills requirements of Subsections 63A-19-401.3(1)(c) and (d):

The chief administrative officer of each governmental entity shall prepare a report that includes: **a list of the types of personal data the governmental entity currently shares, sells, or purchases and the legal basis for sharing, selling, or purchasing personal data.**

Using the checkboxes below identify whether, and the types of, personal data that your governmental entity shares, sells, or purchases and provide a summary of the legal basis for the sharing, selling, or purchasing.

Types of Personal Data	Share, Sell and Purchase Status	Legal Basis for Sharing, Selling or Purchasing
Basic Identification & Contact Information <ul style="list-style-type: none">● Full Name● Date of Birth● Place of Birth● Gender● Age	<input type="checkbox"/> Share <input type="checkbox"/> Sell	

<ul style="list-style-type: none"> ● Government-Issued Identifiers: <ul style="list-style-type: none"> ○ Social Security Number ○ Driver's License or State ID Number ○ Passport Number ○ Other national or government-assigned IDs ● Contact Information: <ul style="list-style-type: none"> ○ Home Address ○ Email Address(es) ○ Phone Number(s) ○ Mailing Address (if different from home address) 	<input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Demographic & Personal Characteristics ● Race or Ethnicity ● Marital Status ● Nationality or Citizenship ● Language Preferences ● Household Information <ul style="list-style-type: none"> ○ Household Size ○ Household Composition 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	

<ul style="list-style-type: none"> ● Employment & Professional Information ● Job Title and Position ● Employment History ● Employer Name ● Professional Credentials <ul style="list-style-type: none"> ○ Professional Licenses ○ Certifications ● Work Contact Information 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Financial Data ● Banking Details <ul style="list-style-type: none"> ○ Bank Account Numbers ○ Credit Card Numbers ● Tax Identification Numbers ● Income and Wage Data ● Credit Information <ul style="list-style-type: none"> ○ Credit Reports ○ Credit Scores ● Payment History 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Health and Medical Information 	<input type="checkbox"/> Share	

<ul style="list-style-type: none"> ● Medical History ● Diagnoses or Treatments ● Mental Health Data ● Health Insurance Information ● Prescription Information ● Disability Status 	<input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Education Information ● School or Institution Attended ● Student ID Numbers ● Academic Records <ul style="list-style-type: none"> ○ Grades ○ Transcripts ● Special Education Status ● Disciplinary Records 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Government Program & Benefits Data ● Program Participation (e.g., SNAP, Medicaid, TANF) ● Eligibility Determinations ● Benefit Amounts or Disbursements ● Case Management Notes 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase	

<ul style="list-style-type: none"> • Appeals/Decisions 	<input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Biometric Data • Physical Biometrics <ul style="list-style-type: none"> ◦ Fingerprints ◦ Facial Recognition Data ◦ Retina or Iris Scans • Voiceprints • Genetic Information: DNA or other genetic data 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Online & Digital Identifiers • Network Identifiers <ul style="list-style-type: none"> ◦ IP Addresses ◦ Device IDs • Tracking Technologies <ul style="list-style-type: none"> ◦ Cookies ◦ Browser Fingerprints • Location Data (e.g., GPS, precise geolocation) • Login Credentials (e.g., usernames, hashed passwords) • Online Activity Logs 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	

<ul style="list-style-type: none"> • Social Media Handles 		
<ul style="list-style-type: none"> • Criminal or Legal Information • Arrest Records • Conviction History • Court Records • Probation or Parole Status • Incarceration Records 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Vehicle & Property Data • Vehicle Information <ul style="list-style-type: none"> ○ Vehicle Registration ○ VIN Numbers • Property Ownership <ul style="list-style-type: none"> ○ Property Ownership or Deed Information ○ Property Tax Records • Utility Usage Data 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Photographic or Video Data • Surveillance Footage 	<input type="checkbox"/> Share <input type="checkbox"/> Sell	

<ul style="list-style-type: none"> • Government ID Photos • School or Agency-Provided Photo Records • Body Camera Footage • Public Meeting Recordings 	<input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Voting & Civic Data • Voter Registration • Voting History • Political District Assignments • Civic Engagement Program Data 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Immigration & Travel Information • Visa Status • Travel History or Itineraries • Customs Declarations • Immigration Proceedings 	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> • Communication & Complaints Data 	<input type="checkbox"/> Share	

<ul style="list-style-type: none"> ● Correspondence <ul style="list-style-type: none"> ○ Emails or Written Correspondence ○ Call Transcripts or Recordings ● Case Notes related to complaints or service requests ● 	<input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	
<ul style="list-style-type: none"> ● Other <p>Explain:</p> <hr/>	<input type="checkbox"/> Share <input type="checkbox"/> Sell <input type="checkbox"/> Purchase <input type="checkbox"/> N/A	

5.2 Personal Data Recipients and Sources

Fulfills requirements of Subsections 63A-19-401.3(1)(e)(i), (ii), and (iii):

The chief administrative officer of each governmental entity shall prepare a report that includes: **the category of individuals or entities with whom, to whom, and from whom the governmental entity shares, sells, or purchases personal data.**

Mark all that apply:

Processing Activity	Categories of Recipients or Sources
Personal Data Shared With:	<p>Governmental and Public Sector Entities</p> <p>I. Domestic Governmental Entities:</p> <p><input type="checkbox"/> State, Local, Federal, or Tribal Governmental Entities</p> <p><input type="checkbox"/> Law Enforcement Agencies</p> <p><input type="checkbox"/> Judicial or Court Systems</p> <p><input type="checkbox"/> Legislative Bodies or Policy Research Organizations</p> <p><input type="checkbox"/> Regulatory Agencies</p> <p><input type="checkbox"/> Professional Licensing Boards</p> <p>II. International Governmental Entities:</p> <p><input type="checkbox"/> Foreign Governments or International Organizations</p> <p><input type="checkbox"/> Public Services & Emergency:</p> <p><input type="checkbox"/> Emergency Services / Disaster Response Agencies</p> <p><input type="checkbox"/> Public Utilities or Infrastructure Partners</p> <p>III. Public Disclosure:</p> <p><input type="checkbox"/> Public Disclosure / Open Records Releases</p> <p>Commercial and Private Sector Entities</p> <p>I. Service Providers & Vendors:</p> <p><input type="checkbox"/> Third-Party Service Providers / Contractors / Vendors</p> <p><input type="checkbox"/> Cloud Service Providers / Hosting Platforms</p> <p><input type="checkbox"/> Technology Integrators or Software Developers</p>

II. Data & Marketing:

Private Sector / Commercial Companies

Data Brokers / Aggregators

Social Media Platforms

III. Financial & Insurance:

Credit Bureaus or Financial Institutions

Insurance Providers

IV. Healthcare:

Healthcare Providers or Health Information Exchanges

V. Media:

Media or News Organizations

Research, Education, and Nonprofit Entities

Research Institutions / Universities

Educational Institutions

Nonprofit Organizations

Non-Governmental Watchdogs / Advocacy Groups

Individuals and Oversight

Individuals (e.g., data subjects or their authorized representatives)

Auditors / Oversight Bodies

Other/Not Applicable (N/A)

Other (Specify as needed)

	<input type="checkbox"/> N/A (Indicate if no data is shared with or received from any of these categories)
Personal Data Sold To:	<p>Governmental and Public Sector Entities</p> <p>I. Domestic Governmental Entities:</p> <p><input type="checkbox"/> State, Local, Federal, or Tribal Governmental Entities</p> <p><input type="checkbox"/> Law Enforcement Agencies</p> <p><input type="checkbox"/> Judicial or Court Systems</p> <p><input type="checkbox"/> Legislative Bodies or Policy Research Organizations</p> <p><input type="checkbox"/> Regulatory Agencies</p> <p><input type="checkbox"/> Professional Licensing Boards</p> <p>II. International Governmental Entities:</p> <p><input type="checkbox"/> Foreign Governments or International Organizations</p> <p><input type="checkbox"/> Public Services & Emergency:</p> <p><input type="checkbox"/> Emergency Services / Disaster Response Agencies</p> <p><input type="checkbox"/> Public Utilities or Infrastructure Partners</p> <p>III. Public Disclosure:</p> <p><input type="checkbox"/> Public Disclosure / Open Records Releases</p> <p>Commercial and Private Sector Entities</p> <p>I. Service Providers & Vendors:</p> <p><input type="checkbox"/> Third-Party Service Providers / Contractors / Vendors</p> <p><input type="checkbox"/> Cloud Service Providers / Hosting Platforms</p> <p><input type="checkbox"/> Technology Integrators or Software Developers</p>

II. Data & Marketing:

Private Sector / Commercial Companies

Data Brokers / Aggregators

Social Media Platforms

III. Financial & Insurance:

Credit Bureaus or Financial Institutions

Insurance Providers

IV. Healthcare:

Healthcare Providers or Health Information Exchanges

V. Media:

Media or News Organizations

Research, Education, and Nonprofit Entities

Research Institutions / Universities

Educational Institutions

Nonprofit Organizations

Non-Governmental Watchdogs / Advocacy Groups

Individuals and Oversight

Individuals (e.g., data subjects or their authorized representatives)

Auditors / Oversight Bodies

Other/Not Applicable (N/A)

Other (Specify as needed)

	<input type="checkbox"/> N/A (Indicate if no data is shared with or received from any of these categories)
Personal Data Purchased From:	<p>Governmental and Public Sector Entities</p> <p>I. Domestic Governmental Entities:</p> <p><input type="checkbox"/> State, Local, Federal, or Tribal Governmental Entities</p> <p><input type="checkbox"/> Law Enforcement Agencies</p> <p><input type="checkbox"/> Judicial or Court Systems</p> <p><input type="checkbox"/> Legislative Bodies or Policy Research Organizations</p> <p><input type="checkbox"/> Regulatory Agencies</p> <p><input type="checkbox"/> Professional Licensing Boards</p> <p>II. International Governmental Entities:</p> <p><input type="checkbox"/> Foreign Governments or International Organizations</p> <p><input type="checkbox"/> Public Services & Emergency:</p> <p><input type="checkbox"/> Emergency Services / Disaster Response Agencies</p> <p><input type="checkbox"/> Public Utilities or Infrastructure Partners</p> <p>III. Public Disclosure:</p> <p><input type="checkbox"/> Public Disclosure / Open Records Releases</p> <p>Commercial and Private Sector Entities</p> <p>I. Service Providers & Vendors:</p> <p><input type="checkbox"/> Third-Party Service Providers / Contractors / Vendors</p> <p><input type="checkbox"/> Cloud Service Providers / Hosting Platforms</p> <p><input type="checkbox"/> Technology Integrators or Software Developers</p>

II. Data & Marketing:

Private Sector / Commercial Companies

Data Brokers / Aggregators

Social Media Platforms

III. Financial & Insurance:

Credit Bureaus or Financial Institutions

Insurance Providers

IV. Healthcare:

Healthcare Providers or Health Information Exchanges

V. Media:

Media or News Organizations

Research, Education, and Nonprofit Entities

Research Institutions / Universities

Educational Institutions

Nonprofit Organizations

Non-Governmental Watchdogs / Advocacy Groups

Individuals and Oversight

Individuals (e.g., data subjects or their authorized representatives)

Auditors / Oversight Bodies

Other/Not Applicable (N/A)

Other (Specify as needed)

	<input type="checkbox"/> N/A (Indicate if no data is shared with or received from any of these categories)
--	--

Section 6: Privacy Training Completion

Fulfills requirement of Subsection 63A-19-401.3(1)(f):

The chief administrative officer of each governmental entity shall prepare a report that includes: **the percentage of the governmental entity's employees that have fulfilled the data privacy training requirements described in Section 63A-19-401.2.**

What percentage of your entity's employees have completed the required privacy training requirements described in Section 63A-19-401.2?

Enter %

Section 7: Non-Compliant Processing Activities (Must be completed by Dec 31, 2027)

Fulfills requirement of Subsections 63A-19-401(2)(a)(iv)(D) and 63A-19-401.3(1)(g):

The chief administrative officer of each governmental entity shall prepare a report that includes: **a description of any non-compliant processing activities identified under Subsection 63A-19-401(2)(a)(iv) and the governmental entity's strategy for bringing those activities into compliance with Part 4 of the Government Data Privacy Act.**

Have any non-compliant processing activities been identified pursuant to Utah Code § 63A-19-401(2)(a)(iv)?

Yes

No

If yes, provide details:

<i>Processing Activity Name</i>	<i>Processing Activity Type</i>	<i>Issues Identified</i>	<i>Strategies for Compliance</i>	<i>Estimated Completion Date</i>

Certification

Certification must be completed by the governmental entity's chief administrative officer.

I, the undersigned, certify that the information provided in this report is accurate to the best of my knowledge.

Name: _____

Signature: _____

Date: _____

EXHIBIT B

CITY OF KEARNS WEBSITE PRIVACY NOTICE

Draft Template – Website Privacy Notice

Disclaimer—

The following document is intended to be a draft website privacy notice template that a governmental entity may use as a baseline in creating its own website privacy notice. An entity that uses the template must revise and refine the template to be specific to the particular entity; this includes reformatting and accounting for any relevant laws, regulations, rules, policies, etc. The template is not legal guidance and should be reviewed and discussed with an entity's legal counsel to determine applicability and compliance. *See Utah Code § 63A-19-402.5.*

Template Option 1 – List Form

**(The website privacy notice or a link to a separate webpage containing the notice should be prominently posted on the homepage of the government website.)*

Website Privacy Notice

[Name of governmental entity] is committed to protecting the privacy of individuals who access its websites. The notice informs those accessing [name of governmental entity] websites about what user data¹ is collected, why it is collected, and how they can update and manage personal data² or user data.

I. Website Operational Information

The [name of governmental entity] is responsible for this website.

The [name of governmental entity] may be contacted by:

Telephone: [contact info of the governmental entity as applicable]
Email: ...

II. Individual's Personal Data and User Data

By contacting the [name of governmental entity] an individual may:

¹ "User data" means any information about a user that is automatically collected by a government website when a user accesses the government website.

(b) "User data" includes information that identifies:

- (i) a user as having requested or obtained specific materials or services from a government website;
- (ii) Internet sites visited by a user;
- (iii) the contents of a user's data-storage device;
- (iv) any identifying code linked to a user of a government website; and
- (v) a user's:

- (A) IP or Mac address; or
- (B) session ID. (Utah Code § 63A-19-101(38)(a) and (b)).

² "Personal data" means information that is linked or can be reasonably linked to an identified individual or an identifiable individual. (Utah Code § 63A-19-101(24)).

- seek access to the individual's personal data or user data;
- request to correct or amend the individual's personal data or user data; or
- if the individual qualifies as an at-risk employee³, request that the individual's personal data be classified as a private record.

III. Data Privacy Ombudsperson

An individual may contact the Data Privacy Ombudsperson to file a complaint about a privacy practice of a governmental entity by using the following contact information:

Email: privacyombudsperson@utah.gov

*(If the website collects user data, the website privacy notice should also include the following information.)

IV. Website User Data

This website may use website tracking technology⁴ to collect user data. Website tracking technology used on this website includes:

- [List/describe any website tracking technology used]
- ...

User data collected on this website includes:

- [List/describe types of user data collected]
- ...

V. Purposes and Uses for User Data

The [name of governmental entity] collects user data for the following purposes:

- [List/describe intended purposes of the user data]
- ...

Uses of user data include:

- [List/describe intended uses of the user data]

³ (a) "At-risk government employee" means a current or former:

- (i) peace officer as specified in Section 53-13-102;
- (ii) state or federal judge of an appellate, district, justice, or juvenile court, or court commissioner;
- (iii) judge authorized by Title 39A, Chapter 5, Utah Code of Military Justice;
- (iv) judge authorized by Armed Forces, Title 10, United States Code;
- (v) federal prosecutor;
- (vi) prosecutor appointed pursuant to Armed Forces, Title 10, United States Code;
- (vii) law enforcement official as defined in Section 53-5-711;
- (viii) prosecutor authorized by Title 39A, Chapter 5, Utah Code of Military Justice; or
- (ix) state or local government employee who, because of the unique nature of the employee's regular work assignments or because of one or more recent credible threats directed to or against the employee, would be at immediate and substantial risk of physical harm if the employee's personal information is disclosed. (Utah Code § 63G-2-303(1)(a)).

⁴ (39) "Website tracking technology" means any tool used by a government website to:

- (a) monitor a user's behavior; or
- (b) collect user data. (Utah Code § 63A-19-101(39)).

- ...

VI. Sharing and Selling of User Data

The classes of persons and entities with whom the [name of governmental entity] shares user data includes:

- [List/describe the classes of persons and entities with whom user data is shared]
- ...

The classes of persons and entities to whom the [name of governmental entity] sells user data includes:

- [List/describe the classes of persons and entities to whom user data is sold]
- ...

VII. Record Series

The user data collected on this website is included in Record Series #_____
(Include hyperlink)

Template Option 2 – Paragraph Form

*(The website privacy notice or a link to a separate webpage containing the notice should be prominently displayed on the homepage of the government website. Depending on how an entity decides to provide the website privacy notice—either on the homepage or a link to a separate webpage—the following language should be revised accordingly.) See Utah Code § 63A-19-402.5.

The (name of governmental entity) is committed to protecting your privacy. To find out more about your privacy interests and what user data may be collected when you visit this website, click here: (include a link to a separate webpage with the website privacy notice).

Website privacy notice listed on separate webpage, as applicable:

Website Privacy Notice

This website is operated by the (name of governmental entity). You may contact the (name of governmental entity) at (contact info for the governmental entity). By contacting the (name of governmental entity) you may:

- access your personal dataⁱ or your user dataⁱⁱ;
- request to correct or amend your personal data or user data; or
- if you qualify as an at-risk employeeⁱⁱⁱ, request that your personal data be classified as a private record.

If you are concerned with the data privacy practices of a governmental entity, you may file a complaint with the Data Privacy Ombudsperson by sending an email to privacyombudsperson@utah.gov.

*(If the website collects user data, the website privacy notice should also include the following information.)

This website uses (*describe the website tracking technology^{iv} used*) to collect (*describe type of user data*). This user data is used to (*describe the intended purposes and uses of the user data*). Your user data may be shared with (*describe the classes of persons and governmental entities with whom the user data is shared with*). Your user data *is/is not* sold to (*describe the classes of persons and governmental entities to whom the user data is sold, if user data is not sold indicate that user data is not sold*). The user data collected is included in Record Series # _____ (*include hyperlink*).

ⁱ "Personal data" means information that is linked or can be reasonably linked to an identified individual or an identifiable individual. (Utah Code § 63A-19-101(24)).

ⁱⁱ "User data" means any information about a user that is automatically collected by a government website when a user accesses the government website. (Utah Code § 63A-19-101(38)).

ⁱⁱⁱ "At-risk government employee" means a current or former:

- peace officer as specified in Section 53-13-102;
- state or federal judge of an appellate, district, justice, or juvenile court, or court commissioner;
- judge authorized by Title 39A, Chapter 5, Utah Code of Military Justice;
- judge authorized by Armed Forces, Title 10, United States Code;
- federal prosecutor;
- prosecutor appointed pursuant to Armed Forces, Title 10, United States Code;
- law enforcement official as defined in Section 53-5-711;
- prosecutor authorized by Title 39A, Chapter 5, Utah Code of Military Justice; or
- state or local government employee who, because of the unique nature of the employee's regular work assignments or because of one or more recent credible threats directed to or against the employee, would be at immediate and substantial risk of physical harm if the employee's personal information is disclosed. (Utah Code § 63G-2-303(1)(a)).

^{iv} (39) "Website tracking technology" means any tool used by a government website to:

- (a) monitor a user's behavior; or
- (b) collect user data. (Utah Code § 63A-19-101(39)).

CITY OF KEARNS

FRANCHISE ORDINANCE

QUESTAR GAS COMPANY

ORDINANCE NO. 2025-O-21

DATE December 8, 2025

AN ORDINANCE GRANTING TO QUESTAR GAS COMPANY d/b/a ENBRIDGE GAS UTAH A NONEXCLUSIVE FRANCHISE FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A NATURAL GAS DISTRIBUTION SYSTEM WITHIN THE CITY OF KEARNS, STATE OF UTAH.

WITNESSETH

WHEREAS, Questar Gas Company d/b/a Enbridge Gas Utah, a Utah corporation, (“**Company**”), is a regulated public utility that provides natural gas distribution service; and

WHEREAS, Company desires to construct, maintain, and operate a natural gas distribution system within the City of Kearns (“**Kearns**”); and

WHEREAS, providing a natural gas distribution system requires the installation, operation, and maintenance of pipelines and other gas transmission appurtenances to be located within or near the public rights-of-way; and

WHEREAS, Kearns, acting pursuant to Utah Code Ann. § 10-8-21, has the authority to regulate natural gas distribution system facilities within its public rights-of-way and to grant to the Company a general utility easement for the use thereof; and

WHEREAS, the Kearns City Council (“**Council**”) has determined that it is in the best interest of the City’s citizens to grant a nonexclusive franchise to Company to use the roads and streets within the City for such purpose; and

WHEREAS, Kearns desires to set forth the terms and conditions by which the Company will use its public rights-of-way; and

WHEREAS, on February 10, 2025, the Council approved a franchise for the Company via Ordinance 2025-O-05, subject to the Company approving the terms of said franchise; and

WHEREAS, after the adoption of Ordinance 2025-O-05, the Company requested some minor changes to the franchise and asked the Council to reapprove the franchise with the Company’s changes, which were acceptable to the Council; and

WHEREAS, The Council deemed Ordinance 2025-O-05 to be void and ordained Ordinance 2025-O-05 repealed and replaced with Ordinance 2025-O-14 to allow for re-approval with the requested minor changes, which was approved on July 14, 2025; and

WHEREAS, the approved franchise agreement was sent to Enbridge Gas Utah for execution, but was not fully executed within the required 60 day period and was considered void by Enbridge Gas Utah who has requested re-approval of the agreement at this time. Due to this issue, the Council has deemed Ordinance 2025-O-14 to be void and ordained Ordinance 2025-O-14 repealed and replaced with Ordinance 2025-O-21 to allow for re-approval of the previously presented franchise agreement.

NOW, THEREFORE, the Kearns City Council ordains as follows that Ordinance 2025-O-14 is repealed and replaced in its entirety with the following ordinance (“**Ordinance**”):

FRANCHISE

SECTION 1. Grant of Franchise and General Utility Easement. Kearns grants to Company a nonexclusive franchise (“**Franchise**”) to construct, maintain, and operate in the present and future roads, streets, alleys, highways, and other public rights-of-way within City limits, including any property annexed or otherwise acquired by Kearns after the effective date of this Franchise, (collectively “**Streets**”) a distribution system for furnishing natural gas to the City and its inhabitants for heating and other purposes. Company will have the right, privilege, and authority to erect, construct, equip, maintain, upgrade, and relocate along, over, and under the Streets a system of mains, pipes, laterals, gas regulation stations, valves, valve boxes, and cathodic protection facilities, and related equipment (collectively “**Gas Facilities**”) as are reasonably necessary for supplying natural gas service in accordance with this Franchise.

SECTION 2. Nonexclusive Franchise. Company’s right to use and occupy the Streets will be nonexclusive. Kearns reserves the right to use the Streets for itself or any other entity that provides service to residences and business located within the City; provided, however, that such use will not unreasonably interfere with Company’s Gas Facilities or Company’s rights as granted within this Franchise.

SECTION 3. Term. This Franchise is granted for an initial term of thirty (30) years. At the expiration of the initial term, the Franchise will continue in effect upon the same terms and conditions for up to two additional terms (each of which is a renewal period) of fifteen (15) years each. Kearns may terminate the Franchise at the end of the initial term, or at the end of any renewal period, by giving Company written notice of the City’s intent to so terminate not less than ninety (90) calendar days before the expiration of the initial term or any renewal period

SECTION 4. Consideration. In consideration of this Franchise, Company will pay to Kearns the sum of \$50.00 upon acceptance of this Franchise and will provide natural gas service in accordance with the terms and conditions of this Franchise.

SECTION 5. Acceptance by Company.

5.1 Unconditional, Written Acceptance of Franchise. Within sixty (60) days after the passage of this Ordinance, Company will file with the City Clerk/Recorder an unconditional written acceptance thereof, declaring its acceptance of the Franchise and its intention to be bound by the Franchise's terms and conditions. Company will use the "Acceptance of Franchise" form provided herein for accepting the Franchise.

5.2 Failure to Accept within 60-Day Acceptance Period. If Company fails to accept the Franchise within the prescribed 60-day acceptance period, this Ordinance and Franchise will be considered null and void.

SECTION 6. City Regulatory Authority. In addition to the provisions contained in this Franchise, Kearns reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety, and welfare of its citizens and their properties, or exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Utah, the laws of Utah, Kearns Municipal Ordinance, or other applicable law or regulation. Company reserves all lawful right to oppose or challenge any such ordinance or regulation as provided by law.

SECTION 7. Plan, Design, Construction, and Installation of Gas Facilities.

7.1 Compliance with City Ordinances. Company will comply with all City ordinances, regulations, and requirements and will pay all applicable excavation fees and charges that are or may be prescribed by Kearns, with respect to the construction, maintenance, and operation of all Gas Facilities.

7.1.1 Conflict. However, these obligations will apply only so long as such ordinances, regulations, requirements, or fees are not preempted by or otherwise in conflict with any applicable statutory or constitutional law, rule, or regulation, or the tariffs approved by regulatory bodies having jurisdiction over Company, including this Franchise and any lawful revisions made and accepted by Company during the term of the Franchise.

7.2 Conformity with Gas Distribution Construction Practices. All Gas Facilities will be constructed in accordance with established gas distribution construction practices and in such fashion as to protect the Gas Facilities from all traffic loads.

7.3 Visual Appearance of Installed Gas Facilities. Without unreasonable additional cost to Company, all Gas Facilities that are installed during the term of the Franchise will be sited to be visually unobtrusive and to preserve the natural beauty and neighborhood aesthetics within City limits.

7.4 Right to Inspect. Kearns will have the right to inspect the construction,

maintenance, and operation of all Gas Facilities to ensure proper compliance with applicable City ordinances, regulations, and requirements.

7.5 Failure to Comply. If Company should fail to comply with the terms of any City ordinance, regulation, or requirement, Kearns will give Company written notice of such non-compliance and the time for correction provided by ordinance or a reasonable time for correction if there is no time frame provided by the applicable ordinance, regulation, or requirement.

7.5.1 Self-Correction. Excluding any correction, modification, or change to the Gas Facilities, and after written notice and failure of Company to make correction, Kearns may, at its sole risk, make such correction itself and charge the cost to Company including any minimum cost provided by ordinance.

7.5.2 Changes or Corrections to Gas Facilities. Kearns will not make, nor request or allow any party other than Company, to make changes or corrections of any kind to Company's Gas Facilities.

7.6 Construction Permit Requirement. Except in the case of an emergency, Company will, prior to commencing new construction or major reconstruction work on Gas Facilities in the Streets, apply for any permit from Kearns as may be required by City ordinances, which permit will not be unreasonably withheld, conditioned, or delayed.

7.6.1 Permit Exception: Emergency Repairs. Notwithstanding the foregoing permit requirement, Company will not be obligated to obtain a permit to perform emergency repairs on its Gas Facilities. For the purpose of this Franchise an emergency will mean a situation requiring immediate attention and remedial action to prevent or abate injuries, loss of life, property, or catastrophic interference with normal activities and operations.

7.7 Minimum Interference. All Gas Facilities will be located, constructed, and installed in such manner as to render the least amount of possible interference with vehicular traffic and public use of the Streets and to cause minimal interference with the rights and reasonable convenience of property owners who adjoin any of the Streets.

7.8 Damage or Alteration to the Streets or Public Property. If Company damages or alters the Streets or public property in any manner while performing any work on its Gas Facilities, Company will (**at its own cost and expense and in a manner reasonably approved by the City**) replace and restore it in as good a condition as existed before the work commenced.

7.8.1 Pre-Approval Requirement. Any repairs or restoration made to

the Streets and public property must be pre-approved in writing by the City. Upon approval from Kearns, all such repairs must be undertaken and completed in such manner as to minimize any undue inconvenience to the City's inhabitants or the public at large.

7.9 Newly Constructed Gas Distribution Lines. In addition to the installation of underground gas distribution lines as provided by applicable state law and regulations, Company will, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed gas distribution lines underground as may be required by City ordinance.

7.10 Right to Excavate. Company will have the right to excavate the Streets subject to reasonable conditions and requirements of the City. Before installing new underground pipelines and appurtenances, or replacing existing pipelines and appurtenances, Company will first notify Kearns of such work by written notice and will permit the City, **at its own expense** (comprised of a pro rata share of the trenching costs), to share the trench of Company to lay its own pipeline therein, provided that such action by the City will not unreasonably interfere with Company's Gas Facilities or delay project completion.

7.10.1 Monument Preservation Permit Requirement. Pursuant to Utah Code Ann. § 17-23-14 and Chapter 14.17 of the Kearns City Code of Ordinances, if Company finds it necessary to disturb a survey monument for any non-emergency reason, Company will notify the County Surveyor and obtain a Monument Preservation Permit at least five business days prior to the disturbing, damaging, moving, removing, covering, resurfacing, roto-milling, or destroying of any existing public survey monument(s).

7.10.2 Emergency Exception. Should any monument be disturbed absent such a permit due to an emergency circumstance that poses a threat to public health or safety, such as outage restoration or similar unplanned activities, a Monument Preservation Permit must be obtained after the fact.

7.10.3 Construction of New or Replacement Survey Monuments. New survey monuments, or replacement survey monuments, will be constructed in accordance with the Monument Preservation Permit issued by the Salt Lake County Surveyor's office. Non-compliance with this requirement is subject to penalties under Utah Code Ann. § 17-23-15 and 76-8-415.

7.10.4 Pipelines, Manholes, and Appurtenances. Pipelines, manholes, and appurtenances will be designed, located, or adjusted during construction to prevent interference or conflict with the permanent location of existing Survey Monuments.

7.11 Written Notice Requirement. Before commencing any street improvements or other work within the Streets that may affect Company's Gas Facilities, Kearns will give reasonable, written notice to Company.

SECTION 8. Relocation of Gas Facilities.

8.1 Right to Require Relocation of Gas Facilities. Upon reasonable, written notice, Kearns may require Company to remove, relocate, and reinstall (collectively "Relocation") its Gas Facilities located in, on, along, over, across, through, or under any of the Streets. After receipt of such written notice, Company will diligently begin such Relocation of its Facilities as may be reasonably necessary to meet Kearns' requirements.

8.2 Payment of Relocation Costs. The Relocation of Gas Facilities by Company will be at no cost to Kearns if: (i) the Gas Facilities have been installed pursuant to this or any other Company franchise and not pursuant to a property or other similar right, including, but not limited to, a right-of-way, grant, permit, or license from a state, federal, municipal, or private entity; and (ii) the City provides a new location for the Gas Facilities pursuant to paragraph 8.3 below.

8.2.1 Payment of Relocation Costs Exceptions.

8.2.1(a): Company will not be responsible for any costs associated with an authorized Kearns project that is not attributable to Company's Gas Facilities in the Streets. All such costs will be allocated among all utilities or other persons whose facilities or property are subject to Relocation due to an authorized City project.

8.2.1(b): Company will not be obligated to pay the cost of any Relocation that is required or made a condition of a private development. If the Relocation of Gas Facilities is caused directly or otherwise by an identifiable development of property in the area, or is made for the convenience of a customer, Company may charge the expense of Relocation to the developer or customer. For example, Company will not be required to pay Relocation costs in connection with a road widening or realignment where the road project is made a condition of or caused by a private development.

8.3 Commencement of Relocation Work. Within a reasonable time after receiving written notice from Kearns, Company will promptly commence the requested Relocation of its Gas Facilities. Before relocating the Gas Facilities, Kearns will, with the assistance and consent of Company, identify a reasonable alignment for the relocated Gas Facilities within the Streets.

8.4 No Additional Payment. Following the Relocation of any Gas Facilities, Company may maintain and operate such Gas Facilities in the new location within City limits without additional payment.

8.5 Reimbursement of Relocation Costs. If a City Relocation project is funded by federal or state monies that include an amount allocated to defray the cost of relocating Gas Facilities, then Kearns will compensate Company up to the extent of such amount for any Relocation costs mandated by the project to the extent that the City actually receives or is otherwise authorized to direct or approve payment of such federal or state funds; however, Kearns will ensure that receipt of compensation from federal or state sources will not restrict or otherwise obligate Company's ownership of the Gas Facilities in any way.

SECTION 9. Subdivision Plat Notification. Before Kearns approves any new subdivision and before recordation of a plat that impacts or could impact the Gas Facilities, the City will obtain Company's approval of Gas Facilities, including underground facilities to be installed by the developer, and associated rights-of-way depicted on the plat. A copy of the plat will be mailed for approval to Company:

Enbridge Gas Utah
Attn: Planning
333 South State Street
Salt Lake City, Utah 84111

SECTION 10. Annexation.

10.1 Extension of City Limits. Upon the annexation of any territory to the City, the rights granted under this Franchise will extend to the annexed territory to the extent the City has such authority. All Gas Facilities owned, maintained, or operated by Company pursuant to a franchise agreement and located within any public rights-of-way of the annexed territory will thereafter be subject to all the terms and conditions of this Franchise.

10.2 Notice of Annexation. When any territory is approved for annexation to the City, Kearns will, not later than ten (10) working days after passage of an ordinance approving the proposed annexation, provide by certified mail to Company: (a) each site address to be annexed as recorded on county assessment and tax rolls; (b) a legal description of the proposed boundary change; and (c) a copy of the City's ordinance approving the proposed annexation. The notice will be mailed to:

Enbridge Gas Utah
Attn: Annexations
333 South State Street
Salt Lake City, Utah 84111

With copies to:

Enbridge Gas Utah
Attn: Office of the General Counsel
333 South State Street
Salt Lake City, Utah 84111

City of Kearns by and through its agent
the Greater Salt Lake Municipal Services District
Attn: Planning and Development Services
860 Levoy Drive, Suite 300
Taylorsville, Utah 84123

SECTION 11. Assignment. Company may assign or transfer its rights and obligations under the Franchise, without the City's consent, to any parent, affiliate, or subsidiary of Company, to any entity having fifty percent (50%) or more direct or indirect common ownership with Company, or to any successor-in-interest or transferee of Company having all necessary approvals, including those from the Utah Public Service Commission or its successor, to provide utility service within Kearns's municipal limits. Additionally, Company may assign, mortgage, pledge, hypothecate, or otherwise transfer its interest in this Franchise, without the City's consent, to any financing entity, or agent on behalf of any financing entity to whom Company: (1) has obligations for borrowed money or in respect of guaranties thereof; (ii) has obligations evidenced by bonds, debentures, notes, or similar instruments; or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guaranties thereof. Under all other circumstances, excluding the operation of law, Company will not transfer, assign, or delegate any of its rights or obligations under the Franchise to another entity without the City's prior written approval, which approval will not be unreasonably withheld, conditioned, or delayed. Inclusion of the Franchise as an asset of Company subject to the liens and mortgages of Company will not constitute a transfer or assignment requiring the City's prior written consent.

SECTION 12. Information Exchange. Upon request by either Kearns or Company, as reasonably necessary, Company and the City will meet for the purpose of exchanging information and documents regarding construction and other similar work within City limits, with a view towards coordinating their respective activities in those areas where such coordination may prove mutually beneficial. Any information received by Kearns from Company that contains or relates to Company's confidential or proprietary information, including but not limited to information regarding future capital improvements that may involve land acquisition, will be treated with confidentiality upon request to the extent that the City may lawfully do so.

SECTION 13. Terms of Service. Company will furnish natural gas service without preference or discrimination among customers of the same service class at reasonable rates in accordance with all applicable tariffs approved by and on file with regulatory bodies having jurisdiction over Company, including revisions to such tariffs made during the term of the Franchise, and in conformity with all applicable constitutional and statutory requirements. Company may make and enforce reasonable rules and regulations in the conduct of its business,

may require its customers to execute a gas service agreement as a condition to receiving service, and will have the right to contract with its customers regarding the installation and operation of its Gas Facilities. To secure safe and reliable service to the customers, and in the public interest, Company will have the right to prescribe the sizes and kinds of pipes and related Gas Facilities to be used and will have the right to refuse service to any customer who refuses to comply with Company's rules and regulations.

SECTION 14. Taxes and Fees. Company acknowledges that the City has levied a Municipal Energy Sales and Use Tax ("MET") on the sale or use of the delivered value of taxable energy within the City, pursuant to the Municipal Energy Sales and Use Tax Act (Utah Code § 10-1-301 *et seq.*) (the "Act"). To the extent consistent with the Act and City Ordinances, Company shall collect the MET in the amount levied, as it may be adjusted during the term of this Franchise and pay said tax directly to the City.

Nothing in this Franchise shall affect the City's right, under the Act, or any other applicable law then in effect, at any time hereafter to prospectively impose upon, charge, collect a municipal energy sales and use tax on the sale or use of taxable energy supplied by or through Company within the City, or to impose, charge, or collect any lawful fee, tax, license fee, license tax, franchise fee, or similar charge, or any combination or any of the foregoing provided the City is or becomes legally authorized to do so. If the Act is repealed, invalidated, or the maximum allowable rate of the MET is reduced, and if said act is not superseded by a law imposing a substantially equivalent tax, then Company shall pay to the City a franchise fee in an amount equal to the MET rate imposed at the time of the repeal, invalidation, or reduction in the maximum allowable MET rate, effective on or after the day of the repeal, invalidation, or reduction.

SECTION 15. Indemnification. Kearns will in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the construction, operation, or maintenance by Company of its Gas Facilities. Company will indemnify, defend, and hold Kearns, its agents, officers and employees, harmless from and against any and all third-party claims, demands, liens, liabilities, damages, actions, and proceedings arising from the exercise by Company of its rights under this Franchise, including its operations within City limits, and Company will pay the reasonable, documented cost of defense plus the City's reasonable attorney fees. Kearns will: (a) give prompt written notice to Company of any claim, demand, or lien with respect to which the City seeks indemnification under this Franchise; and (b) permit Company to assume the defense of such claim, demand, or lien. If such defense is not assumed by Company, Company will not be subject to liability for any settlement made without its consent. Notwithstanding any provision to the contrary, Company will not be obligated to indemnify, defend, or hold Kearns harmless to the extent that any underlying claim, demand, lien, liability, damage, action, and proceeding arises out of, or in connection with, any negligent or willful act or omission of the City or any of its agents, officers, or employees.

SECTION 16. Insurance. Company will responsibly self-insure or maintain insurance to cover its obligations and liabilities as set forth in Section 15 of this Franchise, in lieu of any insurance as may be required in any City ordinances.

SECTION 17. Waiver of Surety Bond Requirement. If any City ordinance requires Company to post a surety bond, that section of the ordinance is expressly waived.

SECTION 18. Notices. Unless otherwise specified herein, all notices from Company to Kearns pursuant to or concerning this Franchise will be delivered to the following addresses, which the Parties may update from time to time in writing:

City of Kearns by and through its agent
the Greater Salt Lake Municipal Services District
Attn: Planning and Development Services
2001 South State Street #N3-600
Salt Lake City, Utah 84190

Unless otherwise specified herein, all notices from Kearns to Company pursuant to or concerning this Franchise will be delivered to:

Enbridge Gas Utah
Attn: Director-Construction, Design and Capital Project Management
333 South State Street
Salt Lake City, Utah 84111

If Kearns or Company desires to use a different mailing address under this Section 15 of the Franchise, the party requesting such change must provide written notice to the other party.

SECTION 19. Amendment. At any time during the term of this Franchise, Kearns or Company may propose amendments to this Franchise by giving thirty (30) days written notice to the other party of the proposed amendment(s) desired, and both parties thereafter, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendment(s). No amendment or amendments to this Franchise will be effective until mutually agreed upon by Kearns and Company and formally adopted as an ordinance amendment, which will be accepted in writing by Company.

SECTION 20. Automatic Termination. Upon expiration of the second renewal period under Section 3 above, the Franchise will automatically terminate.

SECTION 21. No Waiver. Neither Kearns nor Company will be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or any of its officers, employees, or agents.

SECTION 22. Severability and Effect of Invalidity. If any section, sentence, paragraph, term, or provision of this Franchise is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof, or unconstitutional, illegal, or invalid by any court of common jurisdiction, such portion will be deemed a separate, distinct, and independent provision and such determination will have no effect on the validity of any other section, sentence, paragraph, term, or provision of

this Franchise, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

SECTION 23. Effective Date. This Ordinance and Franchise will become effective upon the date of acceptance by Company as established above in Section 5.

[execution on following page]

APPROVAL AND ADOPTION OF ORDINANCE NO. 2025-O-21

APPROVED and ADOPTED this 8th day of December 2025.

KEARNS CITY COUNCIL

By: _____
Kelly Bush, Mayor

ATTEST

Dian Baun, Recorder

VOTING

Mayor Bush voting _____
Council Member Butterfield voting _____
Council Member Peterson voting _____
Council Member Schaeffer voting _____
Council Member Snow voting _____

(Complete as Applicable)

Date of publication: _____

Effective date of ordinance: _____

**SUMMARY OF
CITY OF KEARNS ORDINANCE NO. 2025-O-21**

City of Kearns Ordinance No. 2025-O-21 grants a nonexclusive franchise ("Franchise") to Questar Gas Company d/b/a Enbridge Gas Utah to operate and maintain a gas distribution system in City of Kearns; setting forth terms and conditions accompanying the grant of the Franchise; providing for City of Kearns regulation and administration of the gas distribution system; and prescribing penalties for violation of the Franchise's provisions.

A copy of Ordinance No. 2025-O-21 is available in the office of the Kearns City Recorder, located at:

Greater Salt Lake Municipal Services District
Attn: Municipal Clerk/Recorder
860 Levoy Drive, Suite 300
Taylorsville, Utah 84123

KEARNS CITY COUNCIL

By _____
Kelly Bush, Mayor

ATTEST (SEAL)

By _____
Diana Baun, Recorder

VOTING

Mayor Bush	voting	_____
Council Member Butterfield	voting	_____
Council Member Peterson	voting	_____
Council Member Schaeffer	voting	_____
Council Member Snow	voting	_____

ACCEPTANCE OF FRANCHISE

This is to certify that Questar Gas Company d/b/a Enbridge Gas Utah (“**Franchisee**”) accepts the nonexclusive franchise (“**Franchise**”) to construct, maintain, and operate a gas distribution system in, under, above, and across the present and future public rights-of-way in the City of Kearns, State of Utah, as evidenced by Ordinance No. 2025-O-21 and adopted by the City of Kearns Council on December 8, 2025. Franchisee accepts the Franchise as approved and agrees that it will be bound by and observe and carry out the terms and conditions of the Franchise.

Franchisee designates the following representative to receive and respond to issues in connection with the Franchise, and such other office as Franchisee may designate by written notice to the City of Kearns:

Enbridge Gas Utah
Attn: Franchise Manager
333 South State Street
Salt Lake City, Utah 84111

With copy (except for invoices) to:

Enbridge Gas Utah Legal Department
Attn: Network Legal Team
333 South State Street
Salt Lake City, Utah 84111

Dated this _____ day of _____, 2025.

QUESTAR GAS COMPANY d/b/a
ENBRIDGE GAS UTAH

By its _____

MAGNA MOSQUITO ABATEMENT BOARD OF TRUSTEES

TRUSTEES NAME/ADDRESS	PHONE # EMAIL	DATE APPOINTED	DATE CURRENT TERM ENDS
Jamie White 8253 W Joseph Dr Magna 84044 Appointment made by Salt Lake County	801-859-6122 whijam@hotmail.com	10/2021	12/31/2028
Joe Pereira 8250 W Joseph Dr Magna 84044 Appointment made by Salt Lake County	801-898-7527-cell joepereira1006@gmail.com Kristen-801-898-1704	11/25/2003	12/31/2028
Ben Anderson 5247 W Sunshine Dr West Valley, 84120 Appointment made by West Valley City	801-831-8730 buffafox@gmail.com	1/1/2025	12/31/2027
Audrey Pierce 8470 W Magna Main St. Unit #394 Magna 84044 Appointment by Magna Town Council	801-403-9721 apierce@magna.utah.gov	1/1/2020	12/31/2025
Tina Snow 5977 S Park Wood Dr Kearns 84118 Appointment by Kearns Metro	801-965-9405 801-979-9457-cell Grlsnow40@gmail.com	6/2017	12/31/2028



December 5, 2025

Ms. Kelly Bush
Kearns City Mayor
4250 W 5415 S
Kearns, Utah 84118

Mayor Bush,

Mrs. Tina Snow is currently serving her third term as a Trustee for the Magna Mosquito Abatement District (MMAD). Mrs. Snow's term of office expires on January 1, 2028

We have sincerely appreciated Mrs. Snow on our board. As a board member for the past 8 years Mrs. Snow has learned what a mosquito abatement district is, how we operate and how we protect the public from mosquito-borne disease. She has been an excellent example of what a board member should be. She attends all board meetings and always asks relevant questions pertaining to the needs of the community that Magna Mosquito Abatement District serves.

Mrs. Snow has been a valuable resource in helping our district navigate the needs of Kearns City and has expressed her interest in continuing as a board member for the remainder of her term.

Under Utah Code Title 17B-1-301-307, Kearns City has authority to appoint a Trustee to serve for a four-year term beginning the second day of January of the year appointed. With Mrs. Snow in the middle of her term, Kearns has the authority to simply allow Mrs. Snow to continue as an MMAD board member, or to appoint someone else of your choosing. If you choose someone else, again, according to Utah Code, that individual will fill the remainder of Mrs. Snow's term as a midterm appointment.

We would sincerely appreciate you allowing Mrs. Snow to continue serving Kearns and Magna Mosquito Abatement District as a representative of both.

Your prompt consideration of this appointment will be appreciated.

Thank you,

Ryan Lusty

Ryan Lusty
District Manager
Magna Mosquito Abatement District