

**CITY OF SOUTH JORDAN  
CITY COUNCIL MEETING AGENDA  
CITY COUNCIL CHAMBERS  
TUESDAY, FEBRUARY 03, 2026 at 6:30 p.m.**



Notice is hereby given that the South Jordan City Council will hold a City Council meeting at 6:30 p.m. on Tuesday, February 3, 2026. The meeting will be conducted in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the meeting. The agenda may be amended, and an executive session may be held at the end of the meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, the City intends to provide virtual access via Zoom for phone and video conferencing; however, virtual access is not guaranteed and may be limited by technical issues or connectivity constraints. Individuals may join via phone or video, using Zoom. In the event the Meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the Meeting and, if needed, end virtual access to the Meeting. Reasons for removing an individual or ending virtual access to the Meeting include, but are not limited to, the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and any other action deemed inappropriate.

Please note that attendees joining virtually or by phone may not comment during public comment or a public hearing; to comment, individuals must attend in person or submit written comments prior to the meeting. To ensure comments are received, please submit them in writing to City Recorder Anna Crookston at [acrookston@sjc.utah.gov](mailto:acrookston@sjc.utah.gov) by 3:00 p.m. on the day of the meeting.

The ability to participate virtually depends on the individual's internet connection. Instructions on how to join virtually are provided below.

**Join South Jordan City Council Meeting Virtually:**

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://ut-southjordan.civicplus.com/241/City-Council>.

**Regular Meeting Agenda: 6:30 p.m.**

**A. Welcome, Roll Call, and Introduction:** By Mayor Pro Tempore, Jason McGuire

**B. Invocation:** By Council Member, Kathie Johnson

**C. Pledge of Allegiance:** By Assistant City Manager, Don Tingey

**D. Minute Approval:**

[D.1.](#) January 6, 2026 City Council Study Meeting

[D.2.](#) January 6, 2026 City Council Meeting

**E. Mayor and Council Reports: 6:35 p.m.**

**F. Public Comment: 6:50 p.m.**

This is the time and place on the agenda for any person who wishes to comment. Any person or group wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone, and giving their name and address for the record. Note, to participate in public comment you must attend City Council Meeting in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council Meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda.

**G. Presentation Item: 7:00 p.m.**

G.1. Herriman High Chinese New Year Celebration.

**H. Public Hearing Items: 7:20 p.m.**

H.1. **Resolution R2026-04**, Adopting City-Wide Policy 210-01 Purchasing Policy. RCV  
(By City Manager, Dusitn Lewis)

H.2. **Ordinance 2026-03**, Amending Chapters 16.36.090 (Monument Signs), 17.60.020 (Development and Design Standards in the C-N Zone), 17.72.080 (P-C Zone Plan), and 17.130.130.030 (Prohibitions in the ADU Floating Zone) of the South Jordan Municipal Code to clarify Development Standards. RCV (By Long-Range Planner, Joe Moss)

**I. Staff Reports and Calendaring Items: 7:45 p.m.**

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH     )  
: §  
COUNTY OF SALT LAKE    )

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at [www.sjc.utah.gov](http://www.sjc.utah.gov). Published and posted January 30, 2026.

SOUTH JORDAN CITY  
CITY COUNCIL STUDY MEETING

JANUARY 6, 2026

**Present:** Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistance City Manager Jason Rasmussen, Assistant City Manager Don Tingey, City Attorney Ryan Loose, Police Chief Jeff Carr, Director of Administrative Services Melinda Seager, Director of Human Resources Teresa Robinson, Fire Chief Chris Dawson, Director of Recreation Janell Payne, CFO Sunil Naidu, Director of Planning & Economic Development Brian Preece, Director of Engineering/City Engineer Brad Klavano, Director of Public Works Raymond Garrison, PIO/Communication Manager Rachael Van Cleave, CTO Matthew Davis, Senior System Administrator Phill Brown GIS Coordinator Matt Jarman, City Recorder Anna Crookston

**Absent:** Council Member Tamara Zander

**Other (Electronic) Attendance:**

**Other (In-Person) Attendance:**

4:35 P.M.  
REGULAR MEETING

**A. Welcome, Roll Call, and Introduction - By Mayor Dawn Ramsey**

Mayor Ramsey welcomed everyone present and introduced the meeting.

**B. Invocation – By Council Member, Patrick Harris**

Council Member Harris offered the invocation.

**C. Mayor and Council Coordination**

Mayor Ramsey noted that the council had a busy period ahead with the upcoming legislative session and that calendaring items would be addressed later.

**D. Discussion/Review of City Council Meeting**

**Action Item:**

- Resolution R2026-01, Proclaiming January 16, 2026 as Religious Freedom Day.

**Public Hearing Item:**

- Ordinance 2026-01, Vacating a portion of Rosary Way right-of-way east of Kitty Hawk Drive.

Mayor Ramsey reviewed the agenda for the regular meeting, explaining that it was brief and could be completed in a short amount of time. Agenda items included approval of meeting minutes, the annual Religious Freedom Day resolution, and consideration of a small right-of-way vacation in the Daybreak area.

#### **E. Discussion Items:**

##### **E.1. Discussion of boards/committee appointments. (By City Manager, Dustin Lewis)**

City Manager Dustin Lewis explained that the purpose of the discussion was to review board and committee assignments for 2026, as this was the first meeting of the year with newly re-elected council members. He stated that the intent was not to require changes but to confirm assignments so staff could update records and finalize the list for the year. He distributed copies of the current assignments for council reference (Attachment A). City Manager Lewis reviewed planning commission appointees and noted that their terms run concurrently, stating that no changes were needed under the current structure. He reviewed appointments with the Senior Advisory Committee and the Arts Council. He acknowledged that the Historic Committee remained listed, explaining that although changes to that committee had been discussed earlier in 2025, the related code amendments had not yet been adopted. He stated that the committee would be addressed again in a future agenda item and removed once those changes are approved, with consideration given to transitioning the remaining members. He explained that, unless otherwise directed, staff would assume the council wished to keep current assignments. He then reviewed an alphabetized list of boards and committees (Attachment A). He noted that the South Valley Chamber Board had requested rotation of council representation and asked the council to consider a reassignment. He provided details on meeting frequency and format. After discussion, he confirmed that Council Member Harris would assume the assignment and stated that staff would update and redistribute the revised committee list.

##### **E.2. Annual training update. (By City Attorney, Ryan Loose)**

City Attorney Ryan Loose provided the annual training update and thanked council members for submitting required training documentation. He explained that the update was intended to determine council preference for completing required training in 2026. He outlined the required training areas, including open meetings, ethics, land use, and fraud, and noted that many of these requirements are routinely met through participation in external boards, commissions, conferences, and association meetings. He presented several options for meeting training requirements, including continuing the practice of submitting certificates from outside training, scheduling a formal work session, or using a hybrid approach. He recommended a flexible approach that would minimize time spent in work session meetings while still ensuring compliance. Council members discussed preferences, and general agreement was reached to continue submitting certificates throughout the year, with staff tracking completion and following up individually if needed. City Attorney Loose explained that certificates for 2026 would be distributed and tracked by staff, with reminders provided later in the year if any requirements remained outstanding. He emphasized that the goal was to make the process efficient while ensuring statutory compliance.



**Council Member McGuire motioned to adjourn the January 6, 2026, City Council Study Meeting. Council Member Johnson seconded the motion. Vote was 4-0, unanimous in favor; Council Member Zander was absent from the vote.**

**ADJOURNMENT**

The January 6, 2026 City Council Study Meeting adjourned at 4:59 p.m.

UNAPPROVED

Committee / Board / Assignment	Current Appointment(s)	Process
ARC - Architectual Review Committee	Kathie Johnson	Council decision
Art's Council	Jason McGuire	Council decision
Association of Municipal Councils	Don Shelton	Council decision
Audit Committee	Mayor Ramsey, Don Shelton, Patrick Harris	
Compensation Committee	Mayor Ramsey, Don Shelton, Patrick Harris	
COG - Council of Governments	Mayor Ramsey, Patrick Harris	Automatic for Mayor
COM - Conference of Mayors	Mayor Ramsey	Automatic for Mayor
Historic Committee	Patrick Harris	Assigned by City Manager
Jordan Coalition (JSD)	Mayor Ramsey	Mayor only
JVWCD Executive Committee	Mayor Ramsey	Appointed by Governor
JVWCD Conservation Committee	Mayor Ramsey	Appointed by Governor
LPC - Legislative Policy Committee (ULCT)	Mayor Ramsey, Don Shelton, Jason McGuire, Kathie Johnson	Council decision
Mosquito Abatement Board	Kathie Johnson	Council decision
Senior Advisory Committee	Don Shelton	Council decision
South Valley Chamber Board	Tamara Zander	Council decision
Jordan Basin Sewer Board	Patrick Harris	Council decision
TEC - Taxing Entitiy Committee - Board	City Manager Lewis, Brian Preece	
TEC - Taxing Entitiy Committee - Chair	Brian Preece	
Trans Jordan Board	ACM Rasmussen, Ray Garrison	Council decision
WFRC Technical Advisory Committee	Brad Klavano, Jeremy Nielson	Council decision
Western Growth Coalition		
Youth Council	Kathie Johnson	Council decision
Jordan River Commission	Don Shelton	Council decision

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

JANUARY 6, 2026

**Present:** Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Don Shelton, Council Member Jason McGuire, City Manager Dustin Lewis, Assistance City Manager Jason Rasmussen, Assistant City Manager Don Tingey, City Attorney Ryan Loose, Police Chief Jeff Carr, Director of Administrative Services Melinda Seager, Director of Human Resources Teresa Robinson, CFO Sunil Naidu, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Director of Planning & Economic Development Brian Preece, Director of Engineering/City Engineer Brad Klavano, Director of Public Works Raymond Garrison, PIO/Communication Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, City Recorder Anna Crookston

**Absent:** Council Member Tamara Zander

**Other (Electronic) Attendance:** Brown & Seelye Attorneys

**Other (In-Person) Attendance:** Elena Barron, Grant Howarth

7:29 P.M.  
REGULAR MEETING

**A. Welcome, Roll Call, and Introduction - By Mayor Dawn R. Ramsey**

Mayor Ramsey welcomed everyone present and introduced the meeting.

**B. Reading – By Resident, Lorri Ann Arthur**

Lorri Ann Arthur offered the following reading, I grew up watching a great comedian as well as a statesman, Mr. Red Skelton. I would like to share his words, delivered in 1969, which have resonated in my soul for over six decades. ‘I, me, an individual, a committee of one, pledge and dedicate all my worldly goods to give, without self-pity, allegiance, my love, and my devotion to the flag, our standard. Oh, Glory, a symbol of freedom. Wherever she waves, there is respect because of your loyalty that has given her a dignity that shouts freedom. That freedom is everyone’s job. Of the United, this means we all have come together, States; individual communities that have united into forty-eight great states, now fifty, individual communities with pride, dignity, and purpose. All divided by imaginary boundaries, yet united in common purpose and love of country. To America, and to the Republic; a state in which sovereign power is vested in representatives chosen by the people to govern, and government is the people. It is from the people to the leaders, not from the leaders to the people. For which it stands; one nation, meaning so blessed by God, indivisible, incapable of being divided, with liberty, which is freedom; the right and power to live one’s own life without threats, fear, or retaliation; and justice, the principle or quality of dealing fairly with others. For all, which means boys and girls, it is as much your country

as it is mine. The Pledge of Allegiance, under God. Wouldn't it be a pity if someone said that is a prayer, and so it would be eliminated from our schools?' Rest in peace, our beloved friend."

**C. Pledge of Allegiance – By Assistant City Manager, Jason Rasmussen**

Assistant City Manager Rasmussen led the audience in the Pledge of Allegiance.

**D. Minute Approval:**

- D.1. November 18, 2025 City Council Study Meeting
- D.2. November 18, 2025 City Council Meeting
- D.3. December 2, 2025 City Council Study Meeting
- D.4. December 2, 2025 City Council Meeting

**Council Member McGuire motioned to approve the November 18, 2025 City Council Study Meeting; November 18, 2025 City Council Meeting; December 2, 2025 City Council Study Meeting; December 2, 2025 City Council Meeting as published. Council Member Harris seconded the motion. Vote was 4-0, unanimous in favor; Council Member Zander was absent from the vote.**

**E. Mayor and Council Reports:**

Council Member Don Shelton reported that he had recently met with the Executive Director of the Jordan River Commission and participated in a meeting of the Legislative Policy Committee during the past month. He stated that these were the primary activities he recalled for his report.

Council Member Patrick Harris reported on recent activities, including participation in council-related events and a meeting with the Jordan Basin Sewer District. He stated that operations were proceeding as expected and that no issues had been identified. He also noted ongoing interactions with residents and neighbors and described the past month as productive.

Council Member Kathie Johnson reported that she met with the Youth Council and stated that they held a productive Christmas activity.

Council Member Jason McGuire expressed appreciation to city staff and volunteers for their work on the Light the Night event, noting it was a successful family-oriented activity that attracted residents from South Jordan as well as surrounding communities. He stated that the event showcased the city's ability to host high-quality seasonal programming and thanked those involved in its planning and execution. He also reported attending the Giving Machine debut in South Jordan with other council members and thanked community partners, including The Church of Jesus Christ of Latter-day Saints and the Larry H. Miller Group, for their support. He noted that the event helped activate the downtown Daybreak area and encouraged charitable giving and expressed hope that the city would be able to host the event again in future years. Additionally, he reported attending a holiday event hosted by the city's state legislative delegation, including Representatives and Senators. He stated that the event provided an opportunity to strengthen

relationships with state leaders and engage in early discussions ahead of the upcoming legislative session regarding issues that may impact the city and its residents.

Council Member Harris read a statement on behalf of Council Member Tamara Zander, who was unable to attend the meeting due to a personal milestone. The message extended congratulations to Mayor Dawn R. Ramsey, Council Member Don Shelton, and Council Member Jason McGuire on their re-election. Council Member Zander expressed appreciation for the opportunity to serve alongside them, noting their integrity, commitment, and respect for public service, and stated her gratitude for working with leaders dedicated to the residents and future of South Jordan City.

Mayor Ramsey provided an overview of recent community events, noting participation in various school and city activities in December. She highlighted South Jordan's first Hanukkah celebration, which was well attended and part of an effort to expand Hanukkah celebrations beyond Salt Lake City. Additionally, she briefly reported on her attendance at the Colorado River Water Users Conference alongside the Jordan Valley Water Conservancy District and representatives from the seven Western states. She discussed the challenges facing water management in the region, emphasizing the importance of the Colorado River to South Jordan's water supply, as the city relies entirely on water purchased from the district, with 70% sourced from the Colorado River and its tributaries. Mayor Ramsey noted that the existing cooperative agreement among the states expires in 2026, and highlighted ongoing efforts to reach a new agreement, stressing the complexity of water issues and the need for conservation.

#### **F. Public Comment:**

Mayor Ramsey opened the public comment portion of the meeting.

**Elena Barron (Riverton City Resident)** - I am not from your city; I am from Riverton City. The reason I am here is because on December 24, at approximately 6:00 or 6:30 p.m., a car hit my vehicle and did not stop. I followed the driver because I was not going to let her leave. She drove about half a mile, and we stopped at a pharmacy. She became nervous and started yelling, so I called the police. She asked me not to call the police because she wanted to pay me, but I told her we needed to call the police. When I was on the phone, the police officer told me she could hear the other driver screaming and yelling and advised me to return to my car so nothing would happen. I did so, and later the officer came to speak with me after completing the paperwork. This involved the South Jordan Police Department, which is why I am here. The officer told me it was the other driver's fault, that I had the right to follow her, and that she would receive a ticket. She also stated the driver did not have insurance and did not have the right to drive. This can happen to any of us because people drive without insurance. I have also seen situations where police allow uninsured drivers to leave. How do we know that person will not do it again? It feels like they are laughing in our faces. My brother experienced the same thing. This has to stop, or you need to figure it out. Car insurance is the issue. I am the victim, not the person who hit me, yet my insurance went up. The same thing happened when my car was stolen from my driveway. Young people, about 25 or 30 years old, used my new truck to steal from people, including firearms and businesses. The police pursued them, and this happened about two years ago. You may have seen it on the news. The police caught them and called me at two or three in the morning, telling me they had my truck and I could come get it. There was no way I was going to pick it up in that condition. However,

through all the confusion, the insurance company listed me as the driver. The police completed their report incorrectly, and my insurance increased significantly because of it, even though I had nothing to do with it. My question is whether the city is involved in this. If people do not have insurance, they should not be driving. She added that she can go and search and take her time. She stated that she is a grandmother and emphasized that they have been affected because of insurance issues. She expressed concern that some people do not understand or follow the rules. She noted that she has respect for the police department but feels that sometimes the officers do not enforce the law fully and then return the car. She questioned what would happen if that person drives the car again with the same insurance and hits someone else and asked when these issues will stop.

Mayor Ramsey thanked Ms. Barron and clarified that the issue does not lie with the city. She explained that any stronger authority for the police department would require action by the state legislature to pass laws granting such powers.

Ms. Barron added that if she were a police officer, she would grab them and take the car back because she feels these people do not listen to the authorities.

Mayor Ramsey explained that changing state law would be required to address the issue. She noted that many legislators were present at the meeting and expressed optimism about the upcoming legislative session, though it might be too late to introduce a bill this year. She offered to personally contact the legislators to share Ms. Barron's story and concerns, acknowledging that her points are valid and promising to communicate them to lawmakers who have the authority to act. She noted that, depending on where she lives in Riverton, her state representatives could include Candice Pierucci, Tracy Miller, or other legislators representing the area.

Ms. Barron explained that she was told to come to this meeting by the South Jordan Police Department and wanted to know who is in charge and where to go. She added that many people stay quiet in situations like this, but she is not a quiet person and believes she has the right to speak.

Mayor Ramsey suggested that staff obtain Ms. Barron's contact information to determine her legislative district. She stated that they would connect her with her legislators so she could speak with them directly, noting that the legislators are the ones with the authority to pass any necessary laws.

Ms. Barron stated that she has many ideas and asked how she can help. She suggested involving the insurance industry or requiring a visible symbol or marker on vehicles to show proof of insurance, noting that people without insurance would not have that indicator.

Mayor Ramsey stated that she appreciates Ms. Barron's input. She asked for her contact information so staff could determine her legislative district and connect her with her state legislator. She explained that state lawmakers are the ones with the authority to introduce and pass any bill to address her concerns, and that she should communicate directly with them, as the city does not have the authority to make those changes.

Ms. Barron expressed hope that action will be taken, noting that she was not expecting a large turnout and had simply planned to attend a meeting to explain the problem. She congratulated

those present and encouraged them to take meaningful action, not only for South Jordan but broadly. She concluded by thanking everyone.

Mayor Ramsey closed the public comment portion of the meeting.

### **G. Action Item:**

- G.1. Resolution R2026-01, Proclaiming January 16, 2026 as Religious Freedom Day in the City of South Jordan. (By City Manager, Dustin Lewis)

City Manager Dustin Lewis presented a resolution for council consideration to designate January 16 as Religious Freedom Day, similar to resolutions passed in previous years. He provided background, noting that this observance has been promoted annually through the efforts of citizen Grant Howarth. The resolution recognizes the importance of every individual's right to practice religion freely. City Manager Lewis also noted that, following South Jordan's example, other cities including Draper City and Herriman City are adopting or considering similar resolutions. He encouraged the council to approve the resolution and offered to answer any questions.

Mayor Ramsey read Resolution R2026-01 (Attachment A).

**Council Member Johnson motioned to approve Resolution R2026-01, Proclaiming January 16, 2026, as Religious Freedom Day in the City of South Jordan. Council Member Harris seconded the motion. Vote was 4-0, unanimous in favor; Council Member Zander was absent from the vote.**

### **H. Public Hearing Item:**

- H.1. Ordinance 2026-01, Vacating a portion of Rosary Way right-of-way east of Kitty Hawk Drive. (By Director of Planning & Economic Development, Brian Preece)

Director of Planning & Economic Development Brian Preece introduced the item regarding the vacation of Rosary Way right-of-way, located near 11300 South Kitty Hawk Drive. The applicant is Larry H. Miller Real Estate, and the property owner is the Catholic Diocese of Salt Lake City. He explained that the right-of-way originally ran through the middle of the property as shown on the map (Attachment B), but the Diocese plans to purchase the property for a church, priest housing, and other uses, and requested to move the right-of-way to a new location. A plat reflecting this change is currently under review and approval. Staff recommended that the council approve the vacation of the right-of-way.

Mayor Ramsey opened the public hearing for Ordinance 2026-01. There were no comments. Mayor Ramsey closed the public hearing.

**Council Member Shelton motioned to approve Ordinance 2026-01, Vacating a portion of Rosary Way right-of-way east of Kitty Hawk Drive. Council Member McGuire seconded the motion.**

**Roll Call Vote**

**Council Member Shelton - Yes**

**Council Member McGuire - Yes**

**Council Member Harris - Yes**

**Council Member Johnson - Yes**

**Council Member Zander - Absent**

**The motion passed with a vote of 4-0 in favor; Council Member Zander was absent from the vote.**

Mayor Ramsey noted that the ordinance was approved and thanked staff. She added that the proposed Catholic Church will be the first in South Jordan and expressed her anticipation of welcoming the church to the city.

**I. Staff Reports and Calendaring Items:**

City Manager Dustin Lewis provided several reminders for upcoming events. He noted the budget meeting scheduled for the following evening at 5:00 p.m., with light refreshments available prior to the session. He also reminded the council that the Legislative Policy Committee meetings will resume on January 12 at noon and highlighted the State of the City event on January 13 at 7:00 p.m. at the ballpark, encouraging attendance. He concluded his report, noting that no additional updates were received from other directors.

**Council Member Johnson motioned to adjourn the January 6, 2026 City Council Meeting. Council Member Shelton seconded the motion. Vote was 4-0, unanimous in favor; Council Member Zander was absent from the vote.**

**ADJOURNMENT**

The January 6, 2026 City Council Meeting adjourned at 8:03 p.m.



**RESOLUTION R2026-01****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, PROCLAIMING JANUARY 16, 2026 AS RELIGIOUS FREEDOM DAY IN THE CITY OF SOUTH JORDAN.**

**WHEREAS**, the United States Congress in 1992 set aside January 16th as “Religious Freedom Day” to honor the passage of the Virginia Statute for Religious Freedom in 1786; and

**WHEREAS**, Religious Freedom Day has been recognized by presidential and State proclamations annually; and

**WHEREAS**, many of the first immigrants to our nation came to these shores motivated by their desire for religious liberty so that they could worship according to the dictates of their own consciences and our forefathers saw fit to protect and support freedom of religion by establishing it in the first amendment of the United States Constitution; and

**WHEREAS**, those of faith, and those of no faith, have common goals of unity, love, service, mutual civility, and a desire to live true to belief and conscience; and

**WHEREAS**, we seek mutual respect and fairness to all; and

**WHEREAS**, the right to exercise one's own individual conscience is a critical and essential element in the fabric of American culture and history which serves as a beacon of freedom in the world and we recognize one's faith is core to an individual's identity and humanity; and

**WHEREAS**, we invite others to defend freedom of religion, including the long standing Religious Freedom Restoration Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1.** The City Council recognizes the religious freedom of all residents of the City of South Jordan, commemorates the enactment of the Virginia Statute for Religious Freedom on January 16, 1786, and declares January 16th each year as “Religious Freedom Day” in the City of South Jordan.

**SECTION 2. Effective Date.** This Resolution shall become effective immediately upon passage.

:  
[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS 6 DAY OF January, 2026 BY THE FOLLOWING VOTE:

YES NO ABSTAIN ABSENT

Patrick Harris  
Kathie Johnson  
Donald Shelton  
Tamara Zander  
Jason McGuire

<u>X</u>	___	___	___
<u>X</u>	___	___	___
<u>X</u>	___	___	___
___	___	___	<u>X</u>
<u>X</u>	___	___	___

Mayor:

*Dawn R. Ramsey*  
Dawn R. Ramsey

Attest:

*Anna Crawford*  
City Recorder

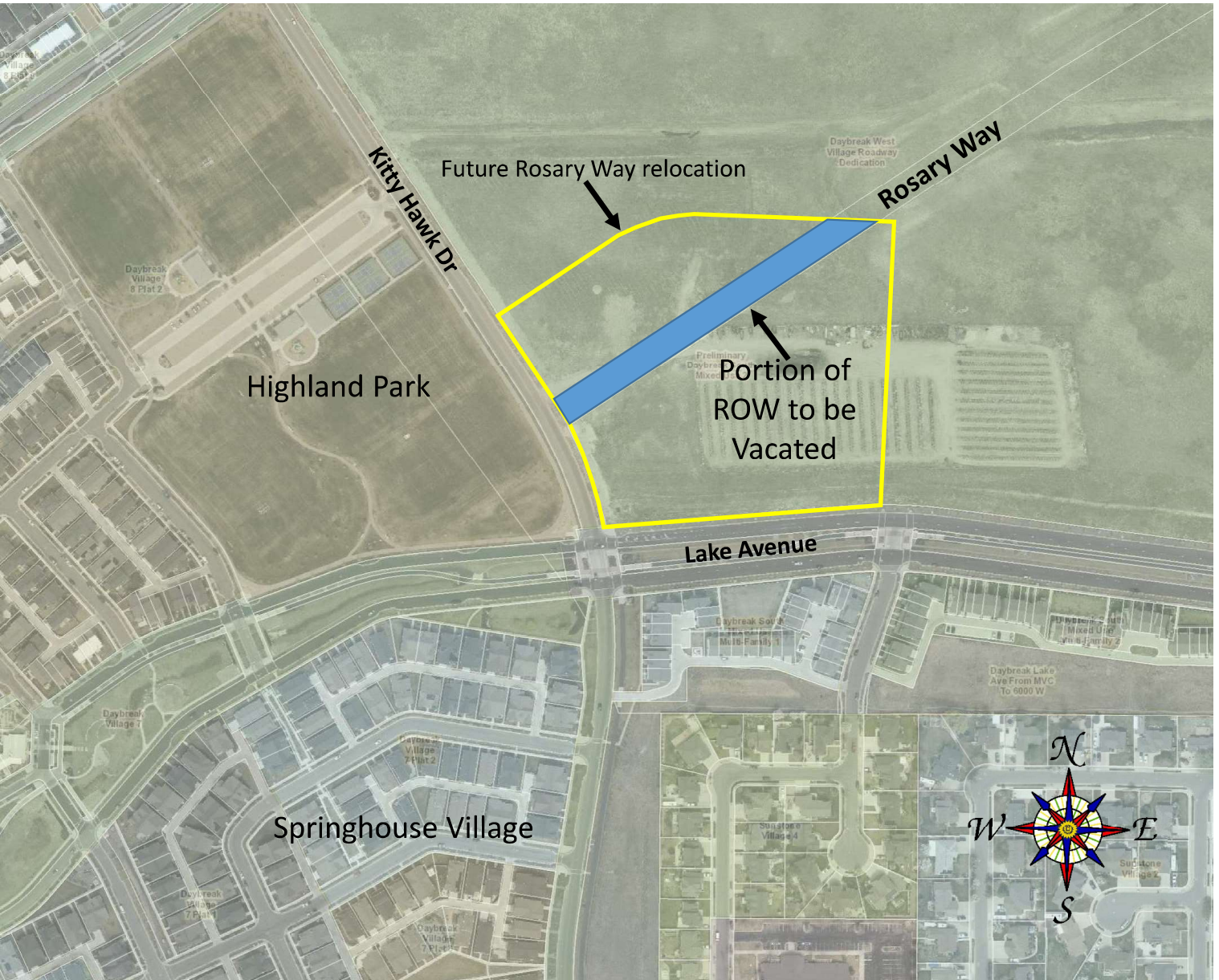
Approved as to form:

*Ryan W. Loose*  
Ryan W. Loose (Dec 30, 2025 08:26:40 MST)

Office of the City Attorney



# ATTACHMENT B



## RESOLUTION R2026 - 04

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING CITY-WIDE POLICY 210-01 PURCHASING POLICY.

**WHEREAS**, Utah Code Annotated §10-7-86 allows the City Council to adopt any or all of the provisions of the Utah Procurement Code; and

**WHEREAS**, the South Jordan City Council has adopted an ordinance, codified in the South Jordan Municipal Code §3.04.020, which requires all City procurements be conducted in accordance with the rules and regulations adopted by the City Council; and

**WHEREAS**, the City Council previously adopted procurement rules and regulations by resolution in the form of a Purchasing Policy, the last revision of which was adopted in 2022 via Resolution R2022-41; and

**WHEREAS**, City staff recommends renumbering the entirety of the Purchasing Policy so that it is compatible with the City's Municipal Code codifier, and making minor updates as shown in the attached Purchasing Policy to clarify a few provisions of the policy; and

**WHEREAS**, the South Jordan City Council finds it in the best interest of the City to adopt the renumbered City-Wide Policy 210-01 Purchasing Policy, with the draft updates that are underlined, in place of the previously adopted version of this policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1. Adoption of City-wide Policy 210-01.** The City of South Jordan City-wide Policy 210-01 Purchasing Policy, attached, is hereby adopted and replaces all prior versions of this Policy.

**SECTION 2. Effective Date.** This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

  
\_\_\_\_\_  
Office of the City Attorney

## **POLICY 210-01 PURCHASING POLICY**

### **A. PURPOSE**

This Policy establishes operational policies for the City's purchasing process which assure the community that goods and services required to support the operation of City government are procured in a manner consistent with provisions of the City's Code, State Code and Administrative Rules, and Federal laws where applicable. The City is committed to fairness and equal opportunity with integrity and openness that results in the best value for the City. The statements contained in this policy represent the basic intentions and goals of the City. Nothing in this statement shall create rights or interests in third parties, impose obligations upon, or create causes of action against the City, its officers, agents, or employees. Failure to follow the procedures set forth herein may be remedied by a City Council determination, as defined by this policy, unless otherwise provided by law.

### **B. RESPONSIBILITY**

Department Directors, the Purchasing Officer, Finance, and the Office of the City Manager are responsible for compliance with this policy.

### **C. DEFINITIONS**

1. *Addendum or Amendment* - any written modification or revision to any bid document or contract document.
2. *Bid* - unless otherwise specified, represents all forms of solicitation including, but not limited to, Request for Quote (RFQ), Invitation for Bid (IFB), Request for Proposal (RFP), and Request for Statement of Qualifications (RFSQ).
3. *Competitive Sealed Bidding* - a process in which vendors are invited to submit formal sealed bids to provide a designated product or to complete a designated project in accordance with specifications provided by the City.
4. *Commodity* - goods or services.
5. *Contract* - all types of City agreements, regardless of what they may be called, for the purchase or disposal of real or personal property or services.
6. *Cooperative Procurements* - the combining of requirements for two or more purchasing units outside the City, in order to obtain the benefits of volume purchases and/or reduction in administrative efforts and costs.
7. *Emergency Purchase* – a purchase that must be made quickly that would not be practical to go through the procurement process. Failure to anticipate a need or situation created by improper planning or negligence is not to be considered an emergency.
8. *Declared Emergency* - emergency or disaster situation where the need for response exceeds all capabilities. A condition that requires emergency assistance to save lives and/or to protect property, public health and safety, and to reduce the threat and

effects of a disaster. A Declaration of Emergency is necessary to access specified extraordinary powers considered necessary to prevent, respond to or alleviate the effects of the Emergency or Disaster.

9. *Good* - a tangible product that is not money or real estate. The term “Good” shall be interchangeable with the terms “Supply,” “Merchandise,” “Product,” “Material,” “Item,” “Personal Property,” etc., for the purpose of this policy.
10. *Immaterial Error* - an irregularity or abnormality that is a matter of form that does not affect substance, or an inconsequential variation from a requirement of a solicitation that has no, little, or trivial effect on the procurement process and that is not prejudicial to other vendors.
11. *Informal Quote* – A process in which requests for a quote are sent directly to vendors to obtain pricing by any authorized buyer for the City.
12. *Insufficient Response* -
  - a. Where one (1) or less response is received to any Invitation for Bid (IFB), Request for Proposal (RFP), or Request for Statement of Qualifications (RFSQ).
  - b. Where two (2) or less quotes are received in response to a Request for Quotes.
13. *Invitation for Bid (IFB)* - a solicitation process where bids are solicited from potential vendors. The term “*Invitation for Bid*” shall be interchangeable with the term “*Request for Bid*” for the purpose of this policy.
14. *Professional Services* - means labor, effort, or work that requires an elevated degree of specialized knowledge and discretion, including but not limited to labor, effort, or work in the field of:
  - a. Accounting;
  - b. Architecture;
  - c. Artistic endeavors;
  - d. Construction design and management;
  - e. Engineering;
  - f. Financial services;
  - g. Information technology;
  - h. Insurance;
  - i. Law;
  - j. Lobbying;
  - k. Medicine;



- l. Mental Health Services;
  - m. Underwriting.
15. *Project Manager (PM)* - the City employee, designated by a Department Director, who is in charge of managing a specific purchase.
  16. *Protestor* – One who has standing to file a protest to challenge the award or proposed award of a contract for the procurement of goods and services.
  17. *Purchasing* - the process of buying, procuring, renting, leasing, or otherwise acquiring any commodity. The term “Purchasing” shall be interchangeable with the term “Procurement” for the purpose of this policy. It also includes all functions that pertain to the obtaining of any commodity, including:
    - a. Description of requirements;
    - b. Selection and solicitation of bids, proposals, qualifications, or quotes;
    - c. Preparation and award of contract; and
    - d. All phases of contract administration.
  18. *Purchasing Coordinator* - an authorized employee of the City who facilitates the City’s purchasing functions.
  19. *Purchasing Committee* - a committee appointed to perform the duties as specified in this Policy.
  20. *Purchasing Officer* - the Chief Financial Officer (CFO), or designee, of the City who oversees the City’s purchasing functions and ensures purchases align with this policy.
  21. *Purchasing Tools* - the City’s preferred methods of advertising and hosting solicitations.
  22. *Related Party* - any party, whether an individual, corporation, partnership, association, limited liability company, or any other form of business association or other entity whatsoever related to any vendor by blood, marriage, ownership, or contract within the first degree of consanguinity, through which the party has a relationship of ownership, or other interest with the vendor, so that the party will actually, or by effect, receive or control a portion of the benefit or profit.
  23. *Request for Information (RFI)* - a solicitation process where written information, comments, or suggestions are requested from potential vendors. An RFI is not a bid process resulting in a purchase or contract.
  24. *Request for Proposal (RFP)* - a solicitation process where proposals are solicited from potential vendors.
  25. *Request for Quote* - a solicitation process where signed quotes are obtained from potential vendors.



26. *Request for Statement of Qualifications (RFSQ)* - a solicitation process where qualifications are solicited from potential vendors.
27. *Responsible Bidder* - a vendor who has the capability in all respects to fully perform the agreement requirements and is determined to have the experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance. The term "*Responsible Bidder*" shall be interchangeable with the term "*Responsible Vendor*" for the purpose of this policy.
28. *Responsive Bidder* - a vendor who has submitted a bid which conforms in all material respects, including exceptions, to the requirements set forth in the RFQ, IFB, RFP, or RFSQ.
29. *Separation of Cost Method* - process of evaluating RFPs where cost is evaluated separately from the rest of the criteria established in the RFP.
30. *Sole Source Procurement* - a situation where a service, product, or requirement is available only from a single vendor. Examples of circumstances which may necessitate sole source purchase include:
- a. The City needs a supply or service of a unique or specialized nature and only one known vendor is available to meet the need.
  - b. Specific parts, accessories, equipment, materials, services, proprietary commodities, or other commodities are necessary to meet the City's needs and there are no comparable commodities available.
31. *Service* – any effort, labor, or work performed that is beneficial to the City. It includes Professional Services but does not include labor, effort, or work provided under an employment agreement.
32. *Specification* - any description of the physical or functional characteristics or nature of a commodity. It may include, but is not limited to, a description of any requirement for inspecting, testing, or preparing a commodity for delivery.
33. *Standing* - to have suffered an injury or harm or to be about to suffer imminent injury or harm, if:
- a. The cause of injury or harm is:
    - (1) An infringement of the protestor's own right and not the right of another person who is not a party to the purchase; and
    - (2) Reasonably connected to the City's conduct; and
    - (3) The sole reason the protestor is not considered, or is no longer considered, for an award of a contract for the purchase that is the subject of the protest; AND

- b. The protestor has the legal authority to file the protest on behalf of the actual or prospective bidder or prospective contractor involved in the procurement that is the subject of the protest.

34. *Substantial Savings* – savings of considerable size or amount of value and/or time.

35. *Vendor* - any person or entity who does business with the City or is seeking to enter into a contract with the City, other than as an employee or volunteer, whether by purchasing, selling, constructing, or providing services or commodities. This includes a bidder, offeror, or approved vendor. The term “*Vendor*” shall be interchangeable with the terms, “*Bidder*,” “*Provider*,” “*Contractor*,” “*Consultant*,” etc., for the purpose of this policy.

#### D. OVERSIGHT AND DUTIES

##### 1. PURCHASING COMMITTEE

- a. *Authority*: The purpose of the Purchasing Committee is to provide guidance and oversight over the purchasing policy and processes. The Purchasing Committee will have specific authority in the following instances:
  - (1) Review and recommend any proposed changes to the current policy to the City Manager. These recommendations will be required to be approved by the City Council before taking effect.
  - (2) Review written protests and issue written determinations.
  - (3) Review internal disputes when Department Directors disagree with either the Purchasing Coordinator or the Purchasing Officer’s interpretation of this Purchasing Policy. Departments may appeal the decision by sending written documentation to the Purchasing Coordinator describing the specific dispute, clarification sought, and any support. The written documentation will be forwarded to the Purchasing Committee along with an explanation from the Purchasing Coordinator.
  - (4) Approve contracts exceeding five (5) years in any sequence of renewal options. The approval must be in writing.
  - (5) Perform other specific duties or authority as described elsewhere in this policy.
- b. *Duties*: The Purchasing Committee will be a standing committee that will determine the processes for performing the duties established in this policy.
- c. *Composition*: The Purchasing Committee shall comprise three (3) members. Additional members shall be appointed by the City Manager on a permanent or as-needed basis. Membership shall include one member from the following Departments:

- (1) One (1) member from the Office of the City Attorney, appointed by the City Attorney.
  - (2) One (1) member from the Office of the City Manager, appointed by the City Manager.
  - (3) One (1) member from the Finance Department, appointed by the Chief Financial Officer/Budget Officer.
  - d. *Replacement:* If the appointed member is no longer available to serve on the committee, the responsibility to serve falls on the City Attorney, City Manager, and CFO/Budget Officer respectively, until a replacement is appointed.
2. **PURCHASING OFFICER** - The role of the Purchasing Officer is to oversee the City's procurement system.
- a. Identify and remediate any issues of non-compliance with the Department Directors.
  - b. Select and approve purchasing tools.
  - c. Resolve dispute between the Purchasing Coordinator and the Department Directors.
3. **PURCHASING COORDINATOR** - The role of the Purchasing Coordinator is to facilitate processes within the City's procurement system.
- a. Coordinates purchasing processes with Departments.
  - b. Clarifies, explains, applies, and ensures compliance with City policies and ordinances.
  - c. Reports potentially non-compliant purchases to the Purchasing Officer.
4. **DEPARTMENT DIRECTOR** - The role of the Department Director is to oversee the department's procurement.
- a. Determines the method of purchasing is consistent with City policies and ordinances prior to the purchase being made.
  - b. Ensures purchases are made in a fiscally responsible manner.
  - c. Investigates non-compliant purchases within the Department. Determines disciplinary action for failure to follow this policy according to the guidelines established in the City's Employee Handbook.
5. **PROJECT MANAGER** - The role of the Project Manager is to procure commodities following the City's procurement policy and procedures.

- a. Work with the Department Director or designee and Purchasing Coordinator to determine the method of purchasing consistent with this policy prior to the purchase.
- b. Oversee the content needed to prepare City documents such as RFQs, IFBs, RFQs, RFSQs, or RFIs.

## E. PROCUREMENT GUIDELINES

### 1. MONETARY LIMITS

- a. This policy establishes the following monetary limits and methods of competitive purchasing. Except as otherwise allowed by this policy in *Section 7. Non-Competitive Purchasing Processes*, the City shall conform to the following limits:
  - (1) Small Purchases between \$0 and ~~\$4,999.99~~\$9,999.99 - may be made with the Department Director's approval, with or without competitive sealed bids, proposals, or quotes. However, it is recommended that Departments take reasonable steps to assure fair pricing.
  - (2) Purchases between ~~\$5,000.00~~ \$10,000.00 and \$49,999.99 - shall be made only after:
    - (A) Soliciting and receiving at least ~~two~~ three (2 3) Requests for Quotes, or
    - (B) Completing the competitive sealed bidding process, or
    - (C) Completing a non-competitive purchasing ~~process~~ memo as allowed under this policy.
  - (3) Purchases of or exceeding \$50,000.00 - shall be made only after completing an IFB or other competitive sealed bidding process.
- b. Subdividing contracts, purchases, or professional services for the purpose of evading the requirements for Request for Quotes or competitive sealed bidding is prohibited.
  - (1) Recurring purchases that exceed a cumulative \$50,000.00 in a twelve (12) month fiscal period shall be made only after completing the competitive Request for Quote process or sealed bidding process.
  - (2) It is recommended Departments take steps to anticipate and track recurring miscellaneous purchases to ensure policy compliance.

### 2. DURATION OF BID

- a. The bid period for IFBs, RFPs, and RFSQs shall be no less than five (5) business days, unless otherwise required by State or Federal law. Bid periods should take

into account the overall size and complexity of the project, the project schedule, and the current bidding climate.

- b. The question and answer period shall not close less than 24 hours prior to the bidding deadline.
- c. If an addendum is released, the bid shall not close within 48 hours or two business days of the addendum being released and may require an extension of the bidding deadline.

### 3. COMPETITIVE SEALED BIDDING AND PROPOSALS

- a. Any purchase may go through the competitive sealed bidding method, but purchases of \$50,000.00 or more are required to go through the competitive sealed bidding process unless it's a non-competitive purchase.
- b. Contracts or agreements made for purchases of goods or services or other commodities exceeding \$50,000.00 shall only be made after soliciting bids or proposals from potential vendors in fair and open competition, using the City's preferred purchasing tools.
- c. Bids and proposals shall be received in a sealed manner and not opened until the time established in the formal solicitation. This is done electronically if the City's preferred purchasing tool allows.

### 4. BIDDING GUIDELINES

- a. The following additional bidding guidelines apply to all RFQs, IFBs, RFPs, and RFSQs released by the City:
  - (1) *Receipt of Bids* - Bids, proposals, and quotations shall not be accepted or received after the time set in the bid documents.
  - (2) *Withdrawal of Bids* - Bids or proposals may be revised, modified, or withdrawn by the potential vendor at any time prior to opening. Any such revision, modification, or withdrawal shall be in writing and given to the Purchasing Coordinator or follow the process allowed by the City's preferred purchasing tool. After the bids are opened, they shall be irrevocable for the period specified in the bid documents. Correction or withdrawal of erroneous bids after opening, or cancellation of awards or contracts based on such bid mistakes, shall not be permitted except as authorized elsewhere in this policy or as stated in the bid documents.
  - (3) *Relief Due to Computation Error* - Any potential vendor who seeks to withdraw or modify a bid because of computational error shall notify the Purchasing Coordinator no later than 24 hours following the bid closing, unless specified otherwise in the bid documents. The potential vendor shall provide worksheets and other information as appropriate or required by the City to substantiate the claim of inadvertent error.

Failure to do so may bar such relief. The decision(s) to permit corrections or withdrawals of bids after the bid has been opened will be made by the Department Director, upon consultation with the Purchasing Coordinator.

- (4) *Immaterial Errors* - The Department Director, in consultation with the Purchasing Coordinator, may allow a vendor to correct an immaterial error in response to a solicitation process but may not allow a vendor to do any of the following after the bid has closed:
- (A) Correct any deficiency, inaccuracy, or mistake in a solicitation response that is not an immaterial error;
  - (B) Correct incomplete submission of documents required in the solicitation;
  - (C) Correct a failure to submit a timely solicitation response;
  - (D) Substitute or alter a required form or other document specified in the solicitation;
  - (E) Remedy a cause for a vendor being considered to be not responsible or a solicitation response not responsive; or
  - (F) Correct a defect or inadequacy resulting in a determination that a vendor's solicitation response does not meet the mandatory minimum requirements or evaluation criteria.

Immaterial errors may be corrected by a vendor if responses are received within the timeline specified by the Department Director. Written documentation supporting the reason to allow the correction will be sent by the Department Director to the Purchasing Coordinator and placed in the purchasing file.

- (5) *Tie Bids/Proposals/Quotes* - In the event two or more bids, proposals, or quotes are equal in evaluation criteria or price, and are submitted by responsive and responsible vendors, the Department Director, after consultation with Project Manager and the Purchasing Coordinator, may negotiate with the bidders and obtain the best bid possible.
- (6) *Clarifying Information* – After a bid has closed, the Purchasing Coordinator or Department Director may at any time make a written or verbal request to a vendor to clarify information contained in a responsive solicitation response. Vendors shall respond in writing or verbally within the time frame established by the Purchasing Coordinator or Department Director. A vendor's response to a request for clarification under this policy:

- (A) May only explain, illustrate, or interpret the contents of the vendor's original solicitation response;
- (B) May not be used to address criteria or specifications not contained in the vendor's original solicitations response; and
- (C) May not be used to correct a deficiency, inaccuracy, or mistake in a solicitation's response that is not an immaterial error as identified elsewhere in this policy.

Any information requested and received must be made part of the purchasing file.

- (7) *Non-Disclosure and Conflict of Interest Requirement* - All participants involved in the selection and awarding process of any RFP or RFSQ must sign a Non-Disclosure and Conflict of Interest Agreement specific to the RFP or RFSQ. This form is in addition to any general non-disclosure agreements and conflict of interest disclosures required by the City.
- (8) *Non-Responsive Bids* - The Department Director, in consultation with the Purchasing Coordinator, may reject any bid or proposal which is materially non-responsive to the requirements set forth in the bid documents. The rejection reason shall be made part of the purchasing file.
- (9) *Cancellation and Rejection of Bids* - An RFQ, IFB, RFP, or RFSQ may be canceled at any time or may be rejected in whole or in part as specified in the solicitation if it is in the best interest of the City. Any cancellations or rejections can be made at the reasonable discretion of the Department Director responsible for the purchase, upon consultation with the Purchasing Coordinator. The cancellation reason shall be made part of the purchasing file.

Any RFQ, IFB, RFP, or RFSQ, may be cancelled prior to the award at the City's discretion. If the City decides after cancellation to re-solicit a bid, the re-solicitation shall not be for the purpose of directing the award to a particular vendor.

- (10) *Right to Disqualify* - The City reserves the right to disqualify any vendor or subcontractor as stated in this policy. The City also reserves the right to review and consider all subcontractors individually when hired by a general contractor and consider their qualifications as outlined in this policy. The City reserves the right to deny any or all bids with or without cause. All disqualifications will be approved by Department Director, upon consultation with the Purchasing Coordinator.

(11)*Determination of a Non-Responsible Vendor* - Written determination of a non-responsible vendor shall be made in accordance with this section. The unreasonable failure of a vendor to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the vendor's bid or offer. After reasonable notice to the person(s) involved, the Department Director or project manager, in consultation with the ~~Office of the~~ City Attorney and the Purchasing Coordinator, may disqualify a vendor from consideration for the award of a contract. The determination of non-responsibility shall be made in writing to the Purchasing Coordinator and will be made part of the purchasing file.

(12)*Confidential Information* – If a contractor or vendor believes any information in a proposal or bid should be held confidential for business reasons, the contractor or vendor must submit a written claim of business confidentiality for that particular information with reasons supporting the claim. Otherwise, all information submitted in a proposal becomes public information and may be requested in accordance with the Government Records Access and Management Act (GRAMA).

(13)*Ineligibility* - In addition to all other remedies permitted by law, the Department Director, in consultation with the Purchasing Coordinator may declare a potential vendor ineligible to bid on City purchases and public service contracts for a period not to exceed three (3) years in circumstances identified in this Section. In such circumstances, the Department Director must submit written support for the determination of ineligibility to the Purchasing Coordinator. The City shall take all reasonable steps to declare a potential vendor ineligible before a bid/proposal is submitted but may declare a potential vendor ineligible after a bid has been submitted. A potential vendor can be declared ineligible for any of the following grounds:

- (A) Two or more claims of computational errors in bid submissions within a two (2) year period;
- (B) An unjustified refusal to provide or execute contract documents;
- (C) Unsatisfactory performance of a contract;
- (D) Unjustified refusal to perform or complete contract work or warranty performance;
- (E) Unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;
- (F) Conviction under state or federal statutes for fraud or bribery;



- (G) Theft, falsification, or destruction of records;
- (H) Receiving stolen property or any other similar crimes;
- (I) Offense indicating a lack of business integrity which would directly affect the reliability and credibility of the performance of such a vendor with future contracts with the City;
- (J) Not a responsible bidder or vendor.

## F. COMPETITIVE PURCHASING PROCESSES

### 1. Request for Information (RFI)

- a. A Request for Information is a solicitation method which can be used to obtain information, comments, or suggestions from potential bidders or vendors before issuing an Invitation for Bid (IFB), Request for Proposal (RFP), or Request for Statement of Qualifications (RFSQ). An RFI can be useful in order to prepare to issue an IFB, RFP, or RFSQ for an unfamiliar or complex purchase or in other instances as identified in this section. Each RFI will be released through the City's preferred purchasing tool for any specified period of time determined reasonable to gather the requested information.
- b. An RFI is NOT a purchasing process and may not be used to:
  - (1) Solicit cost, pricing, or rate information;
  - (2) Negotiate fees;
  - (3) Make a purchase; or
  - (4) Enter into a contract.
- c. A response to an RFI is not an offer and may not be accepted to form a binding contract.
- d. An RFI may seek a wide range of information including but not limited to:
  - (1) Availability of a purchasing commodity;
  - (2) Delivery schedules;
  - (3) Industry standards and practices;
  - (4) Product specifications;
  - (5) Training;
  - (6) New technologies;
  - (7) Capabilities of potential vendors of a purchasing commodity; and
  - (8) Alternate solutions.

- e. The City may use the information obtained through the RFI process in other bid processes required by this policy. The information may not be used as an alternative to following this policy.

## 2. Informal Quote

- a. Any purchase between \$0 and \$9,999.99 may be made utilizing the Informal Quote process. Informal Quotes are not required but encouraged to ensure competitive pricing is received by the City. Requests for Informal Quotes should be sent to three vendors via phone call, email, fax, or any other method to obtain pricing by any authorized buyer for the City. Documentation is not required by the Purchasing Coordinator, but the department should keep records as needed to support the purchase, including Department Head approval of the purchase.

## 3. Request for Quote (RFQ)

- a. Any purchase between \$10,000.00 and \$49,999.99 shall be made utilizing this Request for Quote process, other competitive bidding option, or non-competitive process as allowed under this policy. A Request for Quote must comply with the following policies and procedures:

(1) All Requests for Quotes will be solicited by or in coordination with the Purchasing Coordinator via email to the vendor or submission through the City's preferred purchasing tool.

~~(1) (2)~~ A Request for Quote must be sent to a minimum of three (3) vendors with the request that the vendor send a written quote with pricing by the time frame identified in the solicitation. Requests for quotes must be sent by either the Purchasing Coordinator or the project manager in coordination with the Purchasing Coordinator.

~~(2) (3)~~ A minimum of three (3) quotes are required to be received by the established time frame or the purchase must go through the competitive sealed bidding process, or other process allowed for elsewhere in this policy.

~~(3) (4)~~ A public notice for a Request for Quote is not required.

~~(4) All Requests for Quotes will be solicited by the Purchasing Coordinator via email to the vendor or submission through the City's preferred purchasing tool.~~

(5) Selection and awarding will be based on the vendor with the lowest cost, who is responsive to requirements in the Request for Quote documents without material exception, and who is responsible and capable of providing the commodities or services to be purchased.

(6) All documentation for Requests for Quotes must be submitted to the Purchasing Coordinator prior to awarding the quote.

(7) The received quote(s) shall be signed by an individual who has the authority to bind the company (vendor) to pricing submitted.

(8) Quote documentation will be attached to a Purchase Order or Contract.

#### **4. Invitation for Bid (IFB) or Request for Bid (RFB)**

- a. Invitation for Bid (IFB) may be used when lowest price is the primary factor for awarding a bid. Each IFB shall be commenced by the Purchasing Coordinator or designee, and must include specifications and all contractual terms and conditions applicable to the purchase. An IFB shall be submitted through the City's preferred purchasing tool. A minimum of two responses is required.
- b. Specifications should seek to promote the overall economy and best use for the purposes intended, encourage competition, and shall not be unduly restrictive.
- c. Evaluation Process is limited to cost, determination of responsiveness and compliance with the specifications and conditions specified in the bid documents, and the responsibility of the potential vendor.

(1) Negotiations are not permitted.

(2) This method does not permit comparison of the relative specifications of competing potential vendors, but only comparison to the specifications contained in the bid documents, unless explicitly stated in the IFB.

- d. Awards - shall be made to the potential vendor offering the lowest cost who is responsive to the requirements of the bid documents, without material exception, and who is responsible and capable of providing the commodity or commodities to be purchased.

#### **5. Request For Proposal (RFP)**

- a. A Request for Proposal can be used whenever detailed specifications cannot be determined, whenever several possible methods may satisfy the City's requirements, or whenever the nature of the requirements is such that subjective evaluation of criteria other than cost is necessary, or when the Purchasing Coordinator and Department Director determine it is in the best interest of the City. An RFP shall be submitted through the City's preferred purchasing tool.
- b. Specifications - This method can be utilized when definite specifications cannot be determined in advance, when a scope of work is required which makes

comparison of competing proposals relative to each other appropriate, or when it is in the interest of the City to have a vendor design a public improvement. Specifications shall seek to promote the overall economy and best use for the purposes intended, encourage competition, and shall not be unduly restrictive.

- c. Objective and subjective criteria may be used in the evaluation of competing proposals. Within the RFP it shall state the relative importance of cost and other evaluation factors (experience, qualifications, references, etc.), including the quantitative basis (weight of each factor) for evaluation.
- d. Separation of Cost Requirement - Any Request for Proposal where the contract or purchase is reasonably expected to cost \$50,000.00 or more is required to be evaluated on basis of cost separately. Cost is to be evaluated separately by an independent person (separate) from the Selection Committee or after the Selection Committee has evaluated all other criteria.
  - (1) The Purchasing Coordinator will evaluate cost by using a pre-determined cost formula. The weight assigned to cost must be clearly specified in the RFP.
  - (2) Each member of the Selection Committee and the Purchasing Coordinator should take all reasonable steps to restrict any information relating to cost, or the scoring of the cost of a proposal until after the Selection Committee submits its final recommended scores and all other criteria to the Purchasing Coordinator.
- e. Evaluation Process - Determination of responsiveness and compliance with the specifications and conditions specified in the bid documents and of the responsibility of the potential vendor.
  - (1) All RFP evaluations/awards shall be made by a selection committee comprising no less than four (4) members selected by the project manager.
  - (2) No criteria may be used in an RFP evaluation that was not set forth in the RFP.
  - (3) Discussions are permitted with responsive and responsible vendors who submitted proposals determined to have a reasonable chance of being selected, in order to clarify and assure full understanding of and conformance to the solicitation requirements.
  - (4) Revisions and modifications are permitted at the request of the City with responsive and responsible vendors who submitted proposals.
  - (5) Information taken from proposals received may be disclosed consistent with City policy and applicable laws.

- f. Awards shall be made to the highest scoring responsive and responsible vendor based on the criteria established in the RFP documents.

- (1) A recommendation memo and all documentation must be sent to the Purchasing Coordinator prior to award and placed in the purchasing file.

#### 6. Request for Statement of Qualifications (RFSQ)

- a. A Request for Statement of Qualifications is used when deemed appropriate by the City. Potential vendors may be pre-qualified for particular types of supplies, services, and construction. An RFSQ shall be submitted through the City's preferred purchasing tool. Qualified vendors will receive notice and opportunity to submit competitive pricing to the City when the City requires the goods or services the vendor is qualified for. Non-qualified vendors will not be considered.
- b. Specifications:
  - (1) RFSQs shall not include any items regarding cost, pricing, or hourly rates.
  - (2) RFSQs shall include the following:
    - (A) Factors related to the particular types of supplies, services, and construction deemed necessary;
    - (B) Time frame of the pre-qualification, specific expiration date of the pre-qualification, and any options for renewal;
    - (C) Specific requirements or qualifications that a potential vendor must possess to be considered qualified;
    - (D) Any limitation to the number of potential vendors the City may pre-qualify; and
    - (E) Information regarding the selection process.
- c. Evaluation Process – Determination of responsiveness and compliance with the specifications and conditions specified in the bid documents, and of the responsibility of the potential vendor.
  - (1) All evaluations/awards will be made by a selection committee of no less than four (4) individuals selected by the project manager.
  - (2) No qualification or criteria may be used in the evaluation process that is not identified in the RFSQ.
- d. Selection - The selection process will be based on a vendor's responsiveness to the qualifications set forth in the RFSQ. Vendors will be determined to be

qualified vendors or will be placed on an approved vendor list as specified in the RFSQ.

- (1) A recommendation memo from the ~~selection committee~~ project manager
- (2) \_and all documentation must be sent to the Purchasing Coordinator prior to award and placed in the purchasing file.

e. Selection Process

- (1) RFSQs may be followed by an IFB or RFP released to qualified vendors through the City's preferred purchasing tool unless otherwise stated below.
- (2) Approved Vendor Lists: If explicitly stated in the RFSQ the City may decide to establish a fair and equitable system that allows for equal opportunity among qualified vendors if in the best interest of the City. Examples include but are not limited to:
  - (A) Request for Quotes;
  - (B) A random selection, or as otherwise designed and designated in the RFSQ;
  - (C) A random selection from the pool of pre-qualified contractors for emergency purchases.
- (3) An RFSQ and selection of qualified vendors does not constitute an exclusive agreement that would prevent the City from submitting an IFB or RFP to any and all potential vendors if in the City's best interest.
- (4) Except as noted above, all other bid guidelines and processes set forth in this policy apply to the prequalification process.
- (5) Vendors shall either be continually allowed to qualify for an approved vendor list or a new RFSQ will occur at least every 18 months.

**G. NON-COMPETITIVE PURCHASING PROCESSES**

The competitive purchasing requirements of this policy need not be followed in the following circumstances:

1. *Gift or Bequest* - In complying with the terms and conditions of any gift or bequest to the City, if such action is approved by the City Manager in writing and is otherwise consistent with law, the Department may procure without competitive bids.
  - a. The Department must attach copy of City Manager's approval to the requisition or contract.
2. *Federal or State Funds* - In cases where federal or state funds/grants are being used and federal or state purchasing laws or procedures govern the types of goods or services

being procured, the City shall follow the applicable federal or state purchasing law or procedures in lieu of the procedures set forth in this policy.

- a. The federal or state fund/grant documentation and proof of compliance (quotations, ads, language, Davis-Bacon, minority- or women-owned businesses, etc.) must be included with the requisition or contract.
3. *State Contract* - The Department Director may procure without competitive bids any supplies or services which are the subject of contracts with the State, as set forth in Utah Statute.
- a. The State contract number and information for the purchase shall be included in the requisition and sent to the Purchasing Coordinator prior to the purchase.
  - b. The Department Director must make sure that the purchase complies with all aspects and terms stated within the State contract, as failing to follow the instructions will void the use of the State contract.
  - c. In the event that a State contracted vendor is unable to fulfill the contract in a reasonable time frame, the Department Director may purchase from another potential vendor willing to honor all aspects of the State contract. All of the following provisions must be followed before the City can purchase using a State Contract:
    - (1) Written documentation must be obtained and sent to the City Purchasing Coordinator from the State Purchasing Coordinator over the contract confirming the delay and any suggestions made for purchasing through the existing contract or another existing contract;
    - (2) Written documentation must be obtained and sent to the City Purchasing Coordinator from the potential vendor willing to honor and accept all conditions of the state contract signed by an individual authorized to bind the company to the agreement;
    - ~~(3) If a vendor offers a commodity at a price less than a vendor with a state contract, the purchase can be made without going through the competitive bidding process. The Project Manager shall provide the purchasing coordinator with a copy of the state contracted price along with the invoice from the vendor offering a lower price.~~
    - (4) (3) The Department Director purchasing under a State contract will also provide a memo and documentation detailing the event and why the purchase is needed to the Purchasing Coordinator.
  - d. ~~If a vendor offers a commodity at a price less than a vendor with a state contract, the purchase can be made without going through the competitive bidding process. The Project Manager shall provide the purchasing coordinator with a copy of the state contracted price along with the quote from the vendor offering a lower price.~~

4. *Utah Intergovernmental Contracts* – The Department Director may procure, without competitive bids or proposals, supplies, and services which are the subject of vendor contracts with other government agencies located in the state of Utah. The valid contract between the vendor and the government agency must contain a clause that specifically allows use by other government agencies.
  - a. The Department Director shall submit a copy of the bid documents and contract from the local agency to the Purchasing Coordinator, along with a memo and documentation supporting why normal competitive bidding requirements should be bypassed.
  - b. The bid document, contract, memo, and other relevant documentation must be attached to the requisition.
5. *Utah Intergovernmental Agency* - The Department Director may procure goods and services without competitive bids, when goods and services may be provided directly by other governmental agencies located in the state of Utah.
  - a. The Purchasing Department must submit a copy of the intergovernmental agency quote or agreement to the Purchasing Coordinator.
6. *Purchasing Cooperatives* - The City may join with federal, state, or local governments, or with special districts, school districts, and other such similar agencies in purchasing goods and services as a cooperative as long as the cooperative meets or exceeds City purchasing policy.
  - a. Entering into a purchasing cooperative must be pre-approved by the City Manager.
  - b. All purchases must be approved by the Department Director.
  - c. A copy of the cooperative contract shall be submitted with the other documentation to the Purchasing Coordinator.
7. *Professional Services* - Contracts for professional services reasonably expected to cost less than \$50,000 per project may be awarded at the discretion of the Department Director. In such cases, written documentation shall be provided to the Purchasing Coordinator.
8. *Insufficient Response* - In an instance where there are insufficient responses to an IFB, RFP, Informal Quote, or RFSQ, the Department Director may elect to re-release the IFB, RFP, Informal Quote, or RFSQ or bypass the competitive bidding process. If the Department Director elects to bypass the competitive bidding process set out in this policy, ~~Written~~ documentation shall be provided to the Purchasing Coordinator.
9. *Engineering and Architectural* - The City may procure engineering and architectural services through a modified, quality-based selection method consistent with the Utah Administrative Code Rules.
  - a. The Department Director will oversee the purchase.



- b. The Department Director shall submit a written document to the Purchasing Coordinator prior to the bid solicitation that includes the following:
    - (1) The process for selection and scoring, including the quantitative basis (weight of each factor) for evaluation;
    - (2) Shall not include any items regarding cost, pricing, or hourly rates.
  - c. Prior to the award, the Department Director shall submit a recommendation memo and all documentation to the Purchasing Coordinator to be placed in the purchasing file.
    - (1) The memo must certify the Department followed the Utah Administrative Code.
- 10. *Emergency* - Notwithstanding other provisions of this policy, purchases may be made in emergencies by the Department Director in instances where the purchase could not reasonably have been made pursuant to this policy, provided that purchases shall be made with as much competition as practical under the circumstance.
  - a. Within two (2) business days after the purchase, the Department Director shall provide a signed written statement to the Purchasing Coordinator setting out in reasonable detail the purchase, price, cause, and basis for the emergency. The Purchasing Coordinator will review the statement for compliance and document it in the file.
  - b. A copy of the statement shall be included in the purchasing file.
  - c. Failure to anticipate a need or situation(s) created by improper planning or negligence is not to be considered an emergency unless such failure creates an imminent risk to public health and/or safety.
- 11. *Declared Emergency* - Under a declared local “state of emergency”, the Mayor may exercise emergency powers and functions by suspending the City-Wide Purchasing Policy, including waiving compliance with any time-consuming procedures regarding the acquisition of goods and services, as long as deemed necessary and in the best interest of the City, to provide emergency-related response initiatives and activities. The initial term of any contract resulting from an emergency procurement may be for no longer than thirty days.
- 12. *Sole Source* - In the event a Department Director determines commodities or services meet the definition of a sole source procurement listed in this policy, the Department Director shall submit written notification to the Purchasing Coordinator with documentation supporting the determination. This documentation shall include all research and steps taken to verify that the purchase meets the definition of sole source procurement.
  - a. To establish sole source, the Department Director may take the following steps:

(1) A notice containing the nature of the purchase may be posted for a minimum of three (3) business days using the City's preferred purchasing tools stating that the City intends to award a contract without competition. The notice invites any companies who believe they can provide the goods and services to contact the Purchasing Coordinator within the specified time frame stated in the notice.

(A) If there are no companies that respond to the notice within the given time frame, the purchase may be deemed as sole source.

(B) If a company can demonstrate they can provide the goods or services, the City will then follow the competitive bidding guidelines established in this policy.

13. *City Council Determinations* - The City Council may, by resolution, authorize any purchase without complying with the provisions of this policy.

a. Documentation of the City Council's decision shall be placed in the purchasing file and must be attached to the requisition or contract.

14. *Special Opportunity* - Where substantial and quantifiable savings will be realized in the purchase of commodities, or non-professional or professional services, a Department Director may bypass competitive bidding or the Request for Quote requirements set out in this policy by following the procedures outlined below, provided other applicable provisions of this section are met before the purchase is made. Coupons, promotional codes, or discount programs cannot be used to recognize substantial savings.

a. The Department Director shall, in his or her reasonable discretion, obtain offers from competing sources in a manner most likely to meet the purpose of this section; and

b. The Department Director shall disclose the proposed purchase in a signed written memorandum to the Purchasing Coordinator setting out in reasonable detail the reason the purchase is recommended, the reason normal purchasing procedures are not recommended, the efforts made to obtain competitive offers, and the proposed savings; and

c. A copy of the signed memorandum shall be sent to the Purchasing Coordinator and will be made part of the purchasing file.

15. *Compatibility, Parts, Training* - A Department Director may procure without competitive bids equipment and supplies which, by reason of the training of City personnel who service such equipment, or which is an addition to or for the repair or maintenance of equipment owned by the City which may be more efficiently added to, repaired or maintained by a certain brand, person, or firm. In such cases the Department Director shall submit written documentation to the Purchasing Coordinator.

16. *Utility Services and Impact Fees* - A department may procure without competitive bids the usage of any utility or the work by utility companies to install their services, such as

water, electricity, gas, sewer, cable, and telephone, except when alternative supplies or services are available. Impact fees are also exempt from the bidding process.

17. *Miscellaneous* - Procurements that by their nature are not adapted to award by the competitive bid process may be procured without competitive bid, as identified below in this section. In such cases, the Department Director ~~shall~~ should submit written documentation to the Purchasing Coordinator. Listed below are specific qualified purchases that are allowed because competitive processes are impractical and not in the best interest of the City:

- a. Legal services or lobbying, including, but not limited to, legal counsel, expert witnesses, hearing officers, special counsel, etc.;
- b. Insurance;
- c. The publication of legal notices, ordinances, resolutions, and other legal advertising;
- d. Water or irrigation shares;
- e. The private placement of bonds, tax anticipation notes, leases, or other instruments of indebtedness, including credit ratings. Financial advisors are excluded from this exception;
- f. The purchase of non-software subscriptions, magazines, books, trade journals, reference works, periodicals, examination or testing materials, and similar articles of an educational, informational, or instructional nature that are relevant to the duties of City employees;
- g. Goods, materials, supplies, and services utilized by the City Recorder or the City for purposes of performing duties in regards to elections;
- h. Goods and services purchased for authorized resale;
- i. Engaging the services of Recreational Program Instructors resulting in recreational program agreements, provided that the Department adopts and follows an approved policy and procedure by which Recreational Program Instructors are selected;
- j. Memberships, certifications, trainings, or any costs associated with accreditations required or relevant to the duties of City employees which are in the best interest of the City;
- k. Drug testing, employee physicals, and fitness-for-duty evaluations;
- l. Realtors, acquisition agents, appraisers, or title work for City purposes;
- m. Musical performers, promoters, agents, entertainers, staging, lighting, and sound services, and license holders for City events;

- n. Acquisition of art and artistic services, including but not limited to paintings, sculptures, photographs, photography services, floats, video productions, and artistic performances. For the purposes of this policy, architectural services are not classified as art.
- o. Advertising in various forms, including social media platforms, radio, billboards, print media, digital media, job boards, media websites, recruitment agencies, etc.
- p. Security – security services meant to protect city infrastructure and data/information.
- q. Purchase of specialized animals.
- r. UDOT signal projects. The City can solicit competitive bids from contractors on UDOT's preferred contractor list.
- s. Medical services, including, but not limited to Medical Director and Laboratory Director services in support of the City's EMS programs(s).

#### H. ADDITIONAL GUIDELINES

1. *Construction Project Awards* - In the event that the lowest responsive and responsible bid for a construction project exceeds available funds as certified by the Chief Financial Officer/Budget Officer, and the bid does not exceed such funds by more than ten percent (10%), the Department Director is authorized in situations where time or economic considerations preclude solicitation of work of a reduced scope, to permit the negotiation and adjustment of the bid price, and changes in the bid requirements, with the lowest responsive and responsible bidder in order to bring the bid within the amount of available funds.
2. *Performance and Bid Bonds* - Performance and bid bonds may be required to protect the best interests of the City. The nature, form and amount of such bonds shall be determined by the project manager, along with the Purchasing Coordinator, and shall be described in the IFB, RFP or RFSQ.
3. ~~*Purchase Orders (PO)*~~—A purchase order or a contract is required for all purchases of or greater than \$10,000.00.
  - a. *Purchase Orders (PO)* - Departments will submit a requisition through the City's financial software before making the purchase. Once approved, the requisition will be converted to a PO that can be used to initiate a purchase with a vendor, as long as it has gone through the proper process as required in this policy.
  - b. *Contracts* - In any situation where a contract is required or is in the best interest of the City (rather than a Purchase Order), Departments must follow the procedures established by the Office of the City Attorney for entering into, negotiating, and approving contracts. All relevant bid documents must be supplied to the Office of the City Attorney for review prior to any agreement.

- (1) Approval of Contract Form - No contract shall be entered into unless and until approved as to form by the Office of the City Attorney. The Office of the City Attorney may establish procedures by which specified contracts may be pre-approved as to form.
4. *Vendor Performance/Evaluation* – The Project Manager shall document unsatisfactory performance by the vendor with a post project evaluation and send a copy of the documentation to the Purchasing Coordinator to be filed with the vendor records.
5. *Payment* - Vendors that performed work for the City must submit an invoice to the City upon completion, unless prepayment options have been agreed upon by contract. Payment to these vendors will follow the processes established by the Finance Department for payment of invoices.
6. *Disclosure of Information* - Unauthorized disclosure of information pertaining to any bid, purchase, contract, or other any other agreement of is prohibited, except as allowed under the Utah Governmental Records Access Management Act (GRAMA). Such disclosures by public officers or employees shall be considered cause for disciplinary action consistent with the City’s policies and procedures and may result in corrective remedies as indicated in the Remedies section of this policy.
7. *Right to Inspect Place of Business or Financial Records* - The City may, at reasonable times, inspect the part of the plant or place of business or financial records of a contractor, or any subcontractor that is related to the performance of any contract as stated in the contract, or if stated in the solicitation.
8. *Cost-Plus-Percentage-of-Cost Contract Normally Prohibited* - Subject to the limitations of this section or other applicable laws, any type of contract that will promote the best interests of the City may be used. Normally, a cost-plus-percentage-of-cost contract is prohibited, except where a determination is made in writing by the Department Director, and approved by the City Manager, that such a contract is likely to be less costly to the City than any other type, or that it is impracticable to obtain the commodities or construction required except under such a contract.
9. *Failure to Follow Policy* - Failure to follow any provisions of this policy shall neither render a purchase invalid, nor give a potential vendor a claim or right against the City. Disciplinary action for failure to follow this policy shall follow the guidelines established in the City’s Employee Handbook.
10. *Period of Time for Contracts* - Unless otherwise provided by law, a contract for supplies or services that through any combination of renewals exceeds five (5) years, will need to be approved by the Purchasing Committee based on the best interests of the City; provided that the term of the contract and conditions of renewal or expansion, if any, are included in the solicitation, and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds. This doesn’t apply to design or construction of a facility, road, or public transportation project or to the

financing of equipment. Purchases of software and financial services by the City are exempted from the five year contract limitation due to the significant investment of time and resources required for these purchases.

11. *Extension of Contracts* – ~~An procurement official may extend an existing contract close to expiration, or an expired contract, may be briefly extended~~ without engaging in a standard procurement process for a period of time not to exceed 120 days, if:

- a. An extension of the contract is necessary to:
  - (1) Avoid a lapse in a critical government service; or
  - (2) To mitigate a circumstance that is likely to have a negative impact on public health, safety, welfare, or property; and
- b. The procurement unit is engaged in a standard procurement process for a procurement item that is the subject of the contract being extended; and
- c. The standard procurement process is delayed due to an unintentional error.

12. *Records* - Procurement records shall be maintained in accordance with the State of Utah's Municipal Retention Schedule for purchasing records by the Department making the purchase. All contracts and required documents must be submitted to the City Recorder prior to execution of the contract.

13. *Collusion* - Any agreement or collusion among potential vendors is deemed to be contrary to the best interest of the City. Any agreement to bid a fixed price or other similar actions among prospective vendors shall render the response of such vendors void.

14. *Kickbacks and Gratuities* - Individuals, or family members of an individual, are prohibited from seeking or receiving gratuities or kickbacks as compensation for preferential treatment as defined in City policy, City code, and State code (63G-6a-2404, 67-16-5 through 67-16-6).

## I. PROTESTS AND APPEALS

1. *Written Protest* - Any person who has standing and is aggrieved in connection with a purchase or an award of a contract may protest the purchase by filing a written statement with the City Recorder, which will be forwarded to the Purchasing Committee.

- a. Filing a Written Statement - The written statement shall contain the following information:

- (1) The protesting party's name, mailing address or e-mail address, daytime telephone number, the signature of the protesting party or the attorney for the protesting party, and the date the protest is signed; and
- (2) A concise statement of the facts and evidence:

(A) Leading the protestor to claim that the protestor has been aggrieved in connection with a purchase and providing grounds for the protestor's protest; and

(B) Supporting the protestor's claim of standing.

b. Deadline for Filing

(1) A protest relating to an open RFQ, IFB, RFP, or RFSQ, shall be filed with the City Recorder before the closing date for the RFQ, IFB, RFP, or RFSQ.

(A) If the bid has closed, a protest shall be filed with the City Recorder within five (5) business days (by the end of the City's business day) after the person filing the protest knew or should have known the facts.

(a) It is the responsibility of the person filing the protest to prove that they did not know and should not have known the facts which would give rise to a protest prior to the closing date.

c. Suspension of the Purchase - The City may proceed with the protested purchase; however, the Purchasing Committee may suspend the purchase process for so long as the Purchasing Committee determines appropriate.

d. Review of the Written Protest - The Purchasing Committee will review the written protest and may request any of the following:

(1) Assistance of another individual in reviewing the matter, which may include finding facts, analyzing the protest, and making recommendations; and

(2) Additional information from the protesting party or from other City staff to make a determination. The protesting party shall provide all information reasonably needed to decide the protest except information which is protected from disclosure by law, or which could reasonably be expected to result in unfair, competitive injury to the protestor in spite of the protections for the protestor provided by law, including the Utah Governmental Records Access Management Act (GRAMA).

(3) Written Determination - the Purchasing Committee will issue a written determination to the protesting party within fifteen (15) days of the date the Committee receives the protest from the City Recorder. The Purchasing Committee shall email their written decision to the Recorder, who will forward it to the protesting party and the Purchasing Coordinator.

- (4) If the Purchasing Committee fails to issue a decision within fifteen (15) days after the receipt of the protest, said failure shall be considered the equivalent of a de facto denial.
2. *Appeal of Written Protest* - The protesting party may appeal the written decision of the Purchasing Committee by filing a written appeal with the City Recorder that will be sent to the City Manager. At the time of the appeal, the protesting party must pay the required security deposit or post a bond to start the appeal process.
- a. The Notice of Appeal shall contain the following information:
- (1) The petitioner's name, mailing address, e-mail address, daytime telephone number, the signature of the petitioner or of the attorney for the petitioner, date; and
  - (2) A concise statement of the facts and evidence sufficient to permit review:
    - (A) Of the petitioner's claim that the petitioner has been aggrieved in connection with a purchase and providing grounds for the petitioner's protest; and
    - (B) Supporting the petitioner's claim of standing.
- b. *Deadline for Filing* - The appeal and bond or security deposit must be completed within five (5) days of receipt of the Purchasing Committee's decision or de facto denial.
- c. *Security Deposit or Bond Requirements* – If a security deposit or bond is required:
- (1) *Payment and Returning of Bond/Security Deposit* - the City shall retain the security deposit or bond until the appeal of the protest decision is final. If a security deposit is given, after any appeal of the protest decision becomes final, return of the security deposit will be given to the person or entity that paid the security deposit. If a bond is given, the City will retain the bond until the appeal of the protest decision becomes final. A security deposit that is paid, or a bond that is posted, under this section shall forfeit to the general fund if:
    - (A) The person who paid the security deposit or posted the bond fails to ultimately prevail on the appeal; and
    - (B) The City Manager or designee, after advice from the Office of the City Attorney, finds that the protest or appeal is frivolous or that its primary purpose is to harass or cause delay.
  - (2) *Amount* - The amount of a security deposit or bond required when filing a written appeal will be as follows:



- (A) 100% of the total contract value up to \$20,000;
  - (B) \$20,000 if the total contract value is \$20,000 or more but less than \$500,000;
  - (C) \$25,000 if the total contract value is \$500,000 or more but less than \$1,000,000;
  - (D) \$50,000, if the total contract value is \$1,000,000 or more but less than \$2,000,000;
  - (E) \$95,000, if the total contract value is \$2,000,000 or more but less than \$4,000,000;
  - (F) \$180,000, if the total contract value is \$4,000,000 or more but less than \$8,000,000;
  - (G) \$320,000, if the total contract value is \$8,000,000 or more but less than \$16,000,000; and
  - (H) \$600,000, if the total contract value is \$16,000,000 or more but less than \$32,000,000.
  - (I) In the event that an estimated contract value cannot be determined the security deposit or bond required will be \$20,000.
- (3) Estimating Contract Value - For appeals relating to an IFB, RFP, or RFSQ the estimated total contract value shall be based on one of the following methods to be determined by the City in a reasonable manner:
- (A) The bid/proposed cost submitted by the protesting party for the entire term of the contract, excluding any renewal periods;
  - (B) The total budget of the purchase commodity over the entire term of the contract, excluding any renewal period, or
  - (C) If the contract is being reissued, the historical usage and amount spent on the contract over the life of the contract that is being reissued.
- d. Hearing - The City Manager or designee shall review and schedule a hearing no later than five (5) days after receiving a notice of appeal. Unless otherwise agreed to by the City and the petitioner, the hearing shall be held no sooner than five (5) business days and no later than thirty (30) business days from the date of the filing of the appeal. At the hearing, the appellant and the City's representative(s) shall be allowed to testify, present evidence, and comment on the issues. The rules of evidence do not apply to this hearing. The City Manager

may allow other interested persons to testify, comment, or provide evidence on the issues.

- e. **Written Determination** - No later than fifteen (15) business days after the hearing, the City Manager shall issue a signed order either granting the petition in whole or in part, or upholding the determination of the Purchasing Committee in whole or in part. If the City Manager fails to issue a decision within fifteen (15) business days after the hearing, said failure shall be considered the equivalent of a de facto denial.
3. **Appeal to Utah District Court** - Any final action or order may be appealed by either the potential vendor or the City to the Utah District Court by filing with the court a notice of appeal.
4. **Remedies** - If the Purchasing Committee determines that a solicitation or award is in violation of federal, state, local law, or this policy, the following remedies shall apply:
  - a. **Prior To Bid Closing Date** – If prior to a bid or proposal closing date the Purchasing Committee determines that a solicitation is in violation of federal, state, local law, or this policy, the solicitation or proposal shall be canceled.
  - b. **Prior to Award** – If after a bid or proposal closing date the Purchasing Committee determines that a solicitation or a proposed award of an agreement is in violation of federal, state, or local law, or this policy, the solicitation or proposed award shall be cancelled.
  - c. **After Award** - If after an award of a bid or proposal, the Purchasing Committee determines that a solicitation or award of an agreement was in violation of applicable laws or this policy, then:
    - (1) If the person awarded the agreement has not acted fraudulently or in bad faith:
      - (A) The agreement may be ratified and affirmed, provided it is determined that doing so is in the best interests of the City; or
      - (B) The agreement may be terminated and the person awarded the agreement shall be compensated for the actual costs reasonably incurred under the agreement, plus a reasonable profit, prior to the termination;
    - (2) If the person awarded the agreement has acted fraudulently or in bad faith, the agreement may be declared null and void or voidable, if such action is in the best interests of the City.

# SOUTH JORDAN CITY COUNCIL STAFF REPORT

MEETING DATE: FEBRUARY 3, 2026

## FILE OVERVIEW

Item Name	Legislative Text Amendments to City Code
Address	1600 W. Towne Center Drive, South Jordan, UT 84095
File Number	PLZTA202600002 Ordinance 2026-03
Applicant	City of South Jordan
Staff Author	Joe Moss, Long Range Planner

## ITEM SUMMARY

Staff is recommending modifications to four sections of the code to provide clarification of existing standards. The following chapters have modifications proposed:

- [§16.36.090, Monument Signs](#) is proposed to be amended to clarify that monument signs on upslope grades are permitted to be a maximum of 6' tall.
- [§17.60.020.H, C-N Zone Architecture Standards](#) is proposed to be amended to clarify the minimum required percentage of required pitched roof.
- [§17.72.080, P-C Zone Plan](#) is proposed to be modified to eliminate a reference to the Cities' previous General Plan and eliminate outdated submittal requirements for paper copies of a submittal.
- [§17.130.130.030 Prohibitions](#) in the ADU Floating Zone is proposed to be amended to clarify where ADU entrances are permitted.

- **January 27, 2026,** The Planning Commission recommended approval of the proposed amendment by a vote of 5-0.

## REPORT ANALYSIS

**Application Summary:** The proposed changes to the zoning code are intended to clarify existing standards or to more clearly reflect how they have been historically interpreted by staff. The following four sections are proposed to be modified:

[§16.36.090, Monument Signs](#) is proposed to be amended to clarify that monument signs on upslope grades are permitted to be a maximum of 6' tall. Staff have historically interpreted the code to allow for this, however there is a conflict in the current code since it stipulates that monument signs should be measured from the sidewalk elevation. The proposed modification clarifies that signs on upslopes are measured from the lowest point of the sign to the highest point. New graphics help to more clearly explain where and how height is measured for both upslope and level/ downslope signs.

[§17.60.020.H, C-N Zone Architecture Standards](#) is proposed to be amended to clarify roof pitch requirements in the C-N Zone. The current code simply requires that it shall have a pitched roof, however some allowances for portions of flat roofs to accommodate things like rooftop utilities have historically been allowed. The proposed modification clarifies how much can be less than the minimum required pitch (at least 75% of the roof area), with an exemption for projections like dormers that are less than 10% of the overall roof.

[§17.72.080, P-C Zone Plan](#) is proposed to be modified to eliminate two outdated elements. The first of these is a reference to a planning designation that was part of the City's previous general plan which was replaced in 2020. The second is a clause in the code requiring applicants to submit paper copies. These are no longer required as submittals are done online. All other submittal requirements are proposed to remain in the code.

[§17.130.130.030 Prohibitions](#) in the ADU Floating Zone is proposed to be amended to clarify where ADU entrances are permitted. The current code simply states that they can't be visible from the street. Historically this has been interpreted by staff to mean it can't be located on the front of the home. Depending on the configuration of the existing home and street locations, entrances located on the side of the home may still technically be visible from the street. The proposed modification clarifies that the ADU entrance is not permitted on the primary elevation as defined by which façade is most prominent and faces the street.

**Strategic Priorities Conformance:**

The application is in conformance with the following directives from the Strategic Direction:

- BRE-1. Develops effective, well-balanced, and consistently applied ordinances and policies
- BRE-2. Implements ordinances and policies that encourage quality community growth and development

**Findings:**

- The proposed modifications will help South Jordan's zoning code be clearer and enforceable.
- The proposed modifications are not major changes from existing policy and procedure but do provide additional clarity to the subdivision and zoning code.

**Conclusions:**

- The application is in conformance with the City's Strategic Priorities.

**Planning Staff Recommendation:**

**Staff recommends approval of the ordinance** based on the report analysis, findings, and conclusions listed above.

**CITY COUNCIL ACTION****Required Action:**

Final Decision

**Scope of Decision:**

This is a legislative item and should consider prior adopted policies.

**Standard of Approval:**

Utah Code [§ 10-9a-102](#) grants the City Council a general land use authority to enact regulations that it considers necessary or appropriate for the use and development of land in the City. (See Utah Code [§ 10-9a-501](#) et seq.)

**Motion Ready:**

I move that the City Council approve:

1. Ordinance 2026-03 Text Amendment to City Code (§16.36.090 Monument Signs, §17.60.020 Development and Design Standards in the C-N Zone, §17.72.080 P-C Zone Plan, and §17.130.130.030 Prohibitions in the ADU Floating Zone)

**Alternatives:**

1. Recommend approval with modifications
2. Recommend denial of the ordinance
3. Schedule the item for a decision at some future date.

**SUPPORTING MATERIALS**

1. Ordinance 2026-03
  - a. Exhibit A, 16.36.090 Monument Signs
  - b. Exhibit B, 17.60.020 Development and Design Standards in the C-N Zone
  - c. Exhibit C, 17.72.080 P-C Zone Plan
  - d. Exhibit D, 17.130.130.030 Prohibitions in the ADU floating Zone

## ORDINANCE NO. 2026 - 03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CHAPTERS 16.36.090 (MONUMENT SIGNS), 17.60.020 (DEVELOPMENT AND DESIGN STANDARDS IN THE C-N ZONE), 17.72.080 (P-C ZONE PLAN), AND 17.130.130.030 (PROHIBITIONS IN THE ADU FLOATING ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO CLARIFY DEVELOPMENT STANDARDS.**

**WHEREAS**, Utah Code Section 10-9a-102 grants the City of South Jordan (the “City”) authority to enact ordinances that the South Jordan City Council (the “City Council”) considers necessary or appropriate for the use and development of land within the City; and

**WHEREAS**, the updated zoning code will enable the City to more effectively administer the development code; and

**WHEREAS**, the South Jordan Planning Commission held a public hearing, reviewed the proposed text amendment set forth in the attached **Exhibit A, Exhibit B, Exhibit C, and Exhibit D**, and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing and reviewed the proposed text amendment; and

**WHEREAS**, the City Council finds that the proposed text amendment, set forth in **Exhibit A, Exhibit B, Exhibit C, and Exhibit D**, will enhance the public health, safety and welfare in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1. Amendment.** Section 16.36.090 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit A**, is hereby amended.

**SECTION 2. Amendment.** Section 17.60.020 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit B**, is hereby amended.

**SECTION 3. Amendment.** Section 17.72.080 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit C**, is hereby amended.

**SECTION 4. Amendment.** Section 17.130.130.030 of the South Jordan City Municipal Code, as set forth in the attached **Exhibit D**, is hereby amended.

**SECTION 5. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
Anna Crookston, City Recorder

Approved as to form:

Gregory Simonsen  
Gregory Simonsen (Jan 8, 2026 17:49:33 MST)  
Office of the City Attorney



### 16.36.090: MONUMENT SIGNS

1. Zoning: Monument signs are permitted in all zones. Monument signs in residential or agricultural zones are only permitted in conjunction with a residential development, agricultural business, church, school, or an institutional or recreational facility that has been approved by the City. Monument signs are not permitted for home occupations.
2. Standard Monument Signs:
  1. Each lot, parcel or pad frontage is permitted one (1) standard monument sign whose size, not to exceed sixty four (64) square feet, is calculated as follows:

Lot Or Development Size	Maximum Sign Area
0 to 1 acre	32 sq. ft.
Larger than 1 acre	32 sq. ft. for the first acre + 1 sq. ft. for each additional 0.25 acres

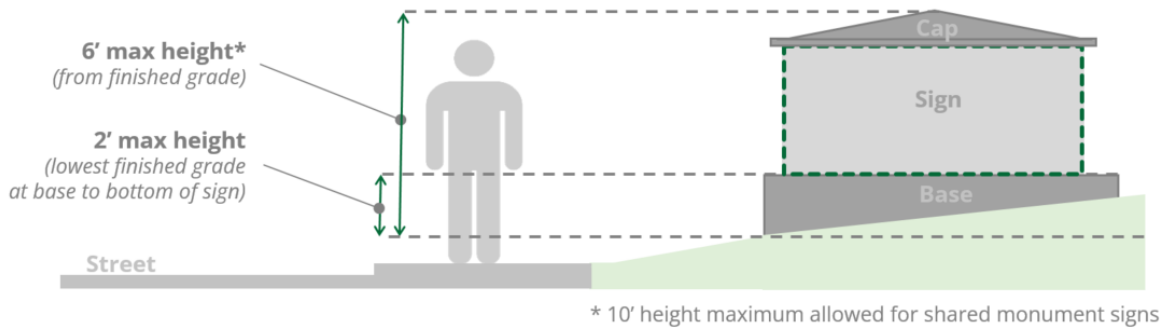
2. Other freestanding signs, except exempt signs, shall not be placed on a lot, parcel, or pad where a standard monument sign is located.
3. Shared Monument Signs:
  1. A lot or development that is at least two (2) acres in size and contains more than three (3) tenants is permitted a shared monument sign whose size, not to exceed one hundred (100) square feet, is calculated as follows:

Number Of Tenants	Maximum Sign Area
4 to 7	1.5 times the maximum standard monument sign area permitted according to subsection B of this section
More than 7	2 times the maximum standard monument sign area permitted according to subsection B of this section

2. Only one (1) shared monument sign is permitted for a development that includes multiple lots, parcels, or pads. Standard monument and other freestanding signs, except exempt signs, shall not be placed on any lot, parcel, or pad in a development where there is an approved shared monument sign.
4. Height: ~~The maximum height of a standard monument sign shall be six feet (6') from the top back of curb or sidewalk of the adjoining street. A standard monument sign may be placed on a~~

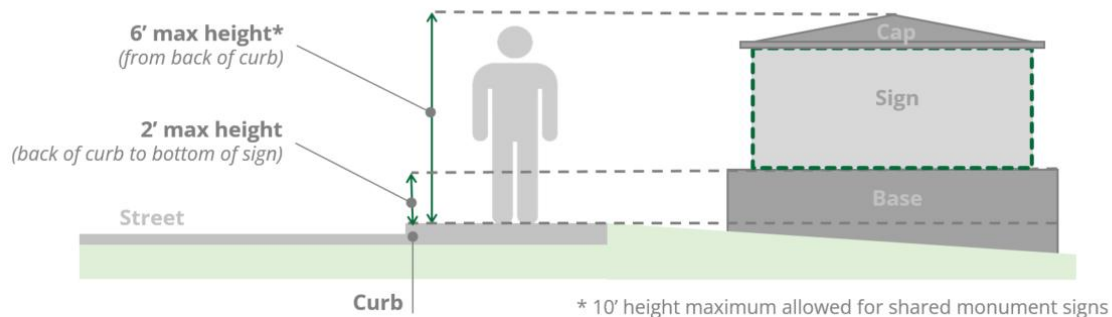
maximum two foot (2') landscaped berm, masonry planter box, or masonry base; attached to masonry columns that suspend the sign up to two feet (2') above the finished grade. Shared monument signs shall have a maximum height of ten feet (10').

1. Non-shared monument signs shall have a maximum height of six feet (6').
2. Shared monument signs shall have a maximum height of ten feet (10').
3. When located on an upslope from an adjoining street or sidewalk, height is measured from the lowest point of the sign base.



**UPSLOPE MONUMENT SIGN HEIGHT DIAGRAM**

4. When located level to or on a downslope from an adjoining street or sidewalk, height is measured from the back of curb.



**LEVEL AND DOWNSLOPE MONUMENT SIGN HEIGHT DIAGRAM**

5. Monument sign bases shall be a maximum two feet (2') in height.
6. Sign caps and bases located above the back of curb are included in the overall height maximum calculation.
7. Monument signs may be located on berms if the height of the berm is included in the maximum height measurement. Berms shall be measured from where the berm meets the lowest point of the surrounding finished grade.
5. Separation: A minimum one hundred foot (100') separation shall be maintained between monument signs. A monument sign shall be located as near as possible to the center of the street frontage.

6. Design: Monument signs shall be designed with colors and architecture that are compatible with the buildings that they identify. Supports shall have architectural coverings and design that complement the overall design scheme. Translucent cabinet signs may only be used in commercial and industrial zones. Monument signs shall be constructed of low maintenance materials and shall be placed in a landscaped area. All wiring and similar components shall be concealed.
7. Illumination: Monument signs may be internally or externally illuminated in commercial and industrial zones. Monument signs in office, residential and agricultural zones may only be illuminated with concealed lighting. Monument signs shall not be illuminated by exposed bulbs or neon tubes.

**17.60.020: DEVELOPMENT AND DESIGN STANDARDS**

- A. Development Review: Uses proposed in commercial zones may only be established in conformance with the city's development review procedures. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in commercial zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law.
- B. Area Requirements: Commercial zones shall comply with the requirements in the area requirements table below. A C-N zone shall not be established when located within one-third (1/3) mile of another commercial zone (C-N, C-C, or C-F).

Zone	Minimum Zone Area (Acres) <sup>1</sup>	Maximum Zone Area (Acres) <sup>1</sup>	Minimum Project Area (Acres) <sup>2</sup>	Minimum Lot Area (Acres)
C-N	1	10 <sup>3</sup>	1	n/a
C-C	5	n/a	1	n/a
C-F	5	n/a	1	n/a

**Notes**

<sup>1</sup>"Zone area" is defined as all contiguous lots or parcels that have the same zoning designation. A zone area intersected by a public right of way is considered as 1 zone area.

<sup>2</sup>"Project area" is defined as a development for which preliminary plat or site plan approval has been proposed or granted.

<sup>3</sup>A C-N zone area not traversed by a public right of way shall not exceed 5 acres.

- C. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title (planning and land use ordinance), in commercial zones.
- D. Lot Width And Frontage: No minimum lot width is required for lots in Commercial Zones. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.
- E. Yard Area: The following yard area requirements apply to lots or parcels in Commercial Zones:
  - 1. The following minimum yard area requirements apply to main and accessory buildings:
    - a. The required yard area for front, side, and rear yards shall extend a distance of twenty feet (20') away from and along a property line adjacent to the edge of a public right-of-

way (back of sidewalk for a typical street cross section). An alternative edge line to be used for measuring the minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission.

- b. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone.
2. The minimum yard area requirement may be reduced, when the reduction does not violate clear vision requirements of this Code, in the following circumstances:
  - a. The required yard area of subsection E1a of this section may be reduced from twenty feet (20') to ten feet (10') for buildings designed with a public entrance to the building that is oriented toward and directly connected to the adjacent right-of-way by a pedestrian walkway and the side of the building that is oriented to the right-of-way includes architectural elements that distinguish it as the primary pedestrian access to the building.
  - b. Should an adjacent Residential or Agricultural zoned property have a future land use designation that is not residential or agricultural, the required yard area of subsection E1b of this section may be reduced if approved by the Planning Commission with site plan review.
3. The following may be projected into any required yard area in Commercial Zones:
  - a. Fences and walls in conformance to City codes and ordinances.
  - b. Landscape elements, including trees, shrubs and other plants.
  - c. Minor utility or irrigation equipment or facilities.
  - d. Decks not more than two feet (2') in height.
  - e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.
  - f. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.
- F. **Parking And Access:** Parking areas and access in Commercial Zones shall comply with title 16, chapter 16.26, "Parking And Access", of this Code; chapter 17.18, "Uses", of this title; title 10, "Vehicles And Traffic", of this Code; and the following:
  1. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides.
  2. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area.
  3. The Planning Director may approve an exception to the requirements of this subsection F if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site.
- G. **Fencing, Screening And Clear Vision:** The fencing, screening and clear vision requirements of this section shall apply to all Commercial Zones:

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
  2. The boundary of a Commercial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Commercial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
  3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Commercial Zones, except as required by subsection G1 of this section.
  4. Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J).
- H. Architecture: The following exterior materials and architectural standards are required in Commercial Zones:
1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials, and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project.
  2. All building materials shall be high quality, durable and low maintenance.
  3. In the C-N Zone, **the following additional standards apply:**
    - a. Exterior walls of buildings shall be constructed with a minimum of fifty percent (50%) brick or stone. The balance of exterior wall area shall consist of brick, stone, glass, decorative integrally colored block and/or no more than fifteen percent (15%) stucco or tile. Other materials may also be used for decorative accents and trim in the C-N Zone with development approval.
    - b. ~~Roofs in the C-N Zone~~ **A minimum of seventy-five percent (75%) of the roof plan area (measured from an overhead plan view) shall be hipped or gabled with a minimum six to twelve (6:12) pitch. Roof areas with a pitch lower than six to twelve (6:12) shall be concealed from view of surrounding residential uses and from public rights-of-way. Projections such as dormers consisting of a combined total of less than ten percent (10%) of the overall roof area are exempt from this requirement.**
  4. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.
  5. All sides of buildings shall receive design consideration.
  6. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials that are consistent with the buildings that they identify.

7. Buildings and structures in Commercial Zones shall not exceed the height shown in the maximum building height table below unless otherwise allowed in this title.

Zone	Main Building	Other Structures
C-N	35 feet	25 feet
C-C	35 feet	35 feet
C-F	No maximum	No maximum

8. The exteriors of buildings in Commercial Zones shall be properly maintained by the owners.
- I. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and as required by the Planning Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge of all roof drainage onto the subject lot or parcel.
- J. Landscaping: The following landscaping requirements and standards shall apply in Commercial Zones. Landscaping in Commercial Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
1. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.
    - a. The required yard landscape area for a yard adjacent to a residential or agricultural zone shall be not less than ten feet (10'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
    - b. The required yard landscape area for a yard adjacent to a public right of way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
  2. All areas of lots or parcels in commercial zones not approved for parking, buildings, or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the planning commission.
  3. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in commercial zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
  4. All collector street and other public and private park strips in commercial zones shall be improved and maintained by the adjoining owners according to specifications adopted by

- the city unless otherwise allowed with development approval. Park strip trees shall not be planted within thirty feet (30') of a stop sign.
5. Trees shall not be topped and required landscape areas shall not be redesigned or removed without city approval. Property owners shall replace any dead plant material in accordance with the requirements of this chapter and the conditions of site plan or plat approval.
  6. The following landscaping requirements shall apply to parking areas:
    - a. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.
    - b. Shade trees shall be planted between double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum intervals of three (3) stalls and no farther than six feet (6') from the parking area. Shade trees are not required in parking rows which are adjacent to buildings.
    - c. All landscaped areas adjacent to parking areas shall be curbed.
  7. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.
  8. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.
  9. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners.
  - K. Lighting: The following lighting requirements shall apply in commercial zones:
    1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.
    2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.
    3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.
    4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the city engineer.



**17.72.080: P-C ZONE PLAN**

- A. ~~The P-C Zone may only be established in an area designated as "large scale master planned community" by the general plan in accordance with provisions of chapter 17.22 of this title.~~ A plan for the P-C Zone shall be submitted for review by the Planning Commission and City Council at the time of rezoning. The plan shall govern development within the P-C Zone but may be amended through standard rezoning procedures. The following information shall be provided **in the application submittal** ~~on a twenty four inch by thirty six inch (24" x 36") sheet (7 copies) and an eleven inch by seventeen inch (11" x 17") reduced copy, unless otherwise required by the Planning Director:~~
1. Name of planned community;
  2. Names, addresses and phone numbers of applicant and owners;
  3. P-C Zone parcel location, acreage, boundary, scale and north arrow;
  4. A land use table showing the number of dwelling units, the total acreage of open space in the P-C Zone (minimum 25 percent of the gross P-C Zone area), and areas (in square footage or acreage) of the various nonresidential land uses proposed in the P-C Zone;
  5. Existing waterways, major utilities and easements and flood boundary;
  6. Adjacent parcels, owners and uses; and
  7. Topography and significant features on or adjacent to the property.
- B. The approval or conditional approval of the P-C Zone plan by the City Council shall confer a vested right to proceed with the development of the property included within the P-C Zone, including construction of up to the number of dwelling units and up to the square footage of nonresidential uses reflected in the approved P-C Zone plan, in compliance with the ordinances, policies and standards in effect at the time the P-C Zone plan is approved or conditionally approved, subject to such amendments, changes or additions to such ordinances, policies and standards as are necessary to protect the health, safety or welfare of the citizens of the City.

**17.130.030.030: PROHIBITIONS**

The installation of additional outside entrances ~~visible from the street~~ **located on the front or primary elevation of the primary dwelling (as defined as the most prominent elevation facing the primary street frontage) or on a side elevation that faces a street of a corner lot**, separate utility meters, mailboxes, and addresses, is not permitted as such elements may compromise the appearance of the primary dwelling as a single-family dwelling. Internal ADUs shall not be rented or offered as rental units for any period less than thirty (30) consecutive days.