

AMENDED AGENDA  
EAGLE MOUNTAIN CITY COUNCIL MEETING

**August 17, 2010**

**Work Session 5:00 p.m. - Policy Session at 7:00 p.m.**

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

*\*\* This meeting may be held telephonically to allow a member of the City Council to participate \*\**

**5:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS**

1. DISCUSSION – Enerlyte Utility Monitoring.
2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.
3. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.
4. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

**7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

5. CALL TO ORDER
6. PLEDGE OF ALLEGIANCE
7. INFORMATION ITEMS/UPCOMING EVENTS
8. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments. *(Please limit your comments to three minutes each.)*
9. CITY COUNCIL/MAYOR’S ITEMS – Time has been set aside for the City Council and Mayor to make comments. *(Comments are limited to three minutes each.)*
10. PROCLAMATION – “A Proclamation of Recommitment to Full Implementation of the Americans with Disabilities Act” requested by Tom Brownlee.
11. PRESENTATION – Wastewater Reclamation Facility Presentation and Award by the Division of Water Quality Presented by Ed Macauley and Lisa Nelson.
12. PRESENTATION – Advanced Series Certificate Presented to Kevin McCarthy by Ted Wooley, Department of Homeland Security

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.  
If you need a special accommodation to participate in the City Council Meetings and Work Sessions,  
please call the City Recorder’s Office at least 3 working days prior to the meeting at 789-6610.**

## CONSENT AGENDA

### 13. MINUTES

A. August 3, 2010 – Regular City Council Meeting

## SCHEDULED ITEMS

### 14. AGREEMENT – Consideration and Approval of a Settlement Agreement between Eagle Mountain City, Kent L. Jones State Engineer of Utah, Central Utah Water Conservancy District and the Town of Cedar Fort for the Approval of 1,000 Acre Feet of Central Utah North Shore Aqueduct Project Water from Certain City Wells.

BACKGROUND: *(Presented by Jerry Kinghorn)* The Town of Cedar Fort, the State Engineer of Utah, The Central Utah Water Conservancy District and the City have negotiated a settlement of the appeal litigation which challenged the approval of a change application allowing the City to use contract water supplied under Central Utah Water Conservancy District water rights pumped from wells #3 and #5 which are owned by the City. Under the settlement the amount of water which can be pumped is to be reduced from the originally approved 3,000 acre feet of water to the amount of 1,000 acre feet, which matches the amount the City can purchase under the original contract for North Shore Aqueduct project water. The change approval under the Settlement is timed to expire approximately one year after the Aqueduct is scheduled to be finished in 2014. An amended Order of the State Engineer is required to implement the Settlement.

### 15. MOTION – Consideration and Approval of a Motion to Authorize Publication of Notice of City Council Vacancy, Deadline for Submittal of Statements of Interest and Meeting to Appoint a New Council Member.

BACKGROUND: *(Presentation by Jerry Kinghorn)* State statutes require that the City Council set a deadline for applicants to file a statement of interest for consideration to fill the City Council position created by the resignation of Councilmember Eric Cieslak and provide the name of the person authorized to receive such statements. The statute provides that the City Council may not appoint to fill the vacancy, or by implication set a deadline for filing a statement of interest earlier than 14 days after the publication of the Notice of Vacancy. The statute requires the City Council to set the date and time of the meeting where the appointment to fill the vacancy will be made. The earliest publication date available is August 21, 2010 and therefore the deadline may not be earlier than September 6, 2010 at 5:00 p.m. The City Council will need to decide whether to make the appointment at its regularly scheduled meeting September 7, 2010 or to make the appointment at a Special Meeting prior to September 21, 2010. The blank in the notice will be filled in during the meeting when the Council decides when to make the appointment.

### 16. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

### 17. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

### 18. ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed recorder or deputy recorder does hereby certify that the above agenda notice was posted in four public places within Eagle Mountain City limits on this **16<sup>th</sup>** day of **August, 2010**. These public places being bulletin boards located inside the City offices and located in the Eagle Mountain City Library, 1650 E. Stagecoach Run, Eagle Mtn., UT; and the bulletin board located inside the Prairie Gate professional office building, 3688 E. Campus Dr., Eagle Mountain, Utah. On this **16<sup>st</sup>** day of **August, 2010**, the above agenda notice was posted to the Utah State public notice website at <http://www.utah.gov/pmn/index.html>.

Fionnuala B. Kofoed, City Recorder