



**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, MAY 7, 2026**

Holladay Council Chambers - 3330 S 1300 E

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting on **Thursday, May 7, 2026 at 6:00 pm**. Members of the Council may participate by electronic means if needed. The Council Chambers shall serve as the anchor location.

** Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents available to the City Council are accessible on the City's website or in this agenda. Interested parties are encouraged to watch the **live video stream** of the meeting - [agendas/https://holladayut.gov/government/agendas_and_minutes.php](https://holladayut.gov/government/agendas_and_minutes.php)

To provide a public comment or make a comment during any public hearing, may do so in the following ways:

1. **In-person attendance:** at Holladay City Hall
2. **Email** your comments by 5:00 pm on the date of the meeting to scarlson@holladayut.gov

AGENDA

- I. **Welcome** – Mayor Fotheringham
- II. **Public Comments**
Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council before 5:00 p.m. on the day of the meeting to scarlson@holladayut.gov with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below
- III. **Public Hearing on Proposed Street Vacation at 2755 E Hillsden Dr**
(modify the width of the right of way from sixty-six feet (65) to fifty feet (5) to align with current street improvements)
- IV. **Public Hearing on Proposed Street Vacation at 1720 E Bunkerhill Rd**
(vacate a portion of the unused public street and associated improvements at the end of this dead-end residential street)
- V. **Public Hearing on Utah Community Clean Energy Program**
(Holladay's participation, by ordinance, in the program - <https://www.utahrenewablecommunities.org/>)
- VI. **Presentation of 2026-2027 Tentative Budgets**

- VII. ***Consideration of Resolution 2026-12 Acknowledging Receipt of and Adopting the Tentative 2026-27 Fiscal Year Budgets & Setting a Public Hearing for June 4, 2026***
(budget is required to be adopted by the city council for each new fiscal year. This proposed resolution adopts the tentative budget for the city's 1 July 2026 through 30 June 2027 fiscal year, establishes the date of the public hearing for such budget, and provides for public notice of the hearing)
- VIII. ***City Manager Report – Gina***
- IX. ***Council Report & District Issues***
a. ***Calendar***
Council Meetings – May 14 & 21, June 4 & 11, 2026
- X. ***Closed Session For the Purpose(s) Described in U.C.A. 52-4-204 and 205***
- XI. ***Adjourn***

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

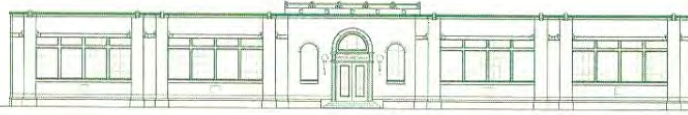
CERTIFICATE OF POSTING

I certify that the above agenda notice was posted at Holladay City Hall, the City website www.holladayut.gov, the Utah Public Notice website www.utah.gov/pmn, and the Holladay Library.

DATE POSTED: Monday, May 4, 2026 at 10:00 am

*Stephanie N. Carlson, MMC, City Recorder
City of Holladay*

Reasonable accommodation for individuals with disabilities or those needing language interpretation services can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL STAFF REPORT

MEETING DATE: May 7th, 2026

SUBJECT: Partial Street Vacation – Area West of 2755 E Hillsden Drive

SUBMITTED BY: Justice Tuffour, Planner II & GIS Manager – via Holladay Planning Commission

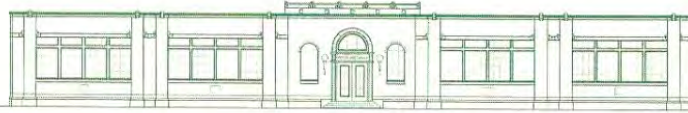
SUMMARY

Review and consideration of a recommendation submitted by the Planning Commission (PC). During public hearing on February 27th, the PC has forwarded a recommendation to approve an application by Rock and Jolynn Schutjer, applicant and owners of 2755 E Hillsden Drive to vacate a portion of unused right of way. The vacation proposes to add the unused public street, directly west of their property **on Hillsden Drive**, including the area into applicant's property (*which is not part of a subdivision*).

ANAYSIS

S Hillsden Drive is a public street in Holladay City that extends approximately 568 ft north from the intersection of E Hillsden Dr and 5345 S, terminating at the eastern intersections of Holladay Blvd. The subject street currently has a right of way width of about 70 ft and provides residential neighborhood access for abutting properties unto secondary roads like Holladay Blvd (east) and Haven Ln (west). The petitioners of this application (The Schutjers) own the property immediately east of the subject street intersection.





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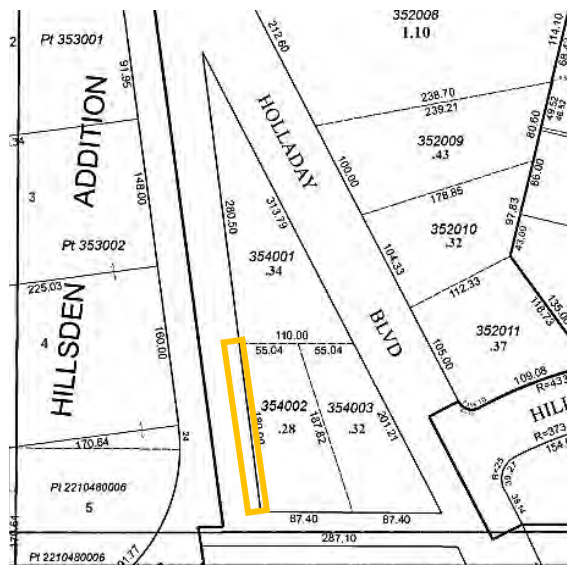
While a written narrative is yet to be provided by the petitioners, early conversations and cross-verification from street and aerial view imagery indicates that the portion of proposed area to be vacated on the subject street has been utilized by the applicants for landscaping purposes. Complementary site plans and street views show that a driveway and fence have been installed in this area for a while, with no current usability for vehicle travel or sidewalk installations.



Existing Condition of Subject Street

In light of these circumstances, the petitioners propose a partial vacation of the portion of the street already used for landscaping and driveway to enable them directly invest in necessary improvements, allowing for responsible maintenance, improved neighborhood appearance, and better utilization of the space – while retaining sufficient right-of-way that meets minimum residential street access width requirements. City ordinance §2.11.300, 13.10A.150.B and §14.48 allows an applicant to petition the city to vacate portions of public right of way. The applicant, as the abutting property owner, is interested in receiving this ‘unused’ public property.

The Technical Review Committee (TRC) evaluated the proposal with respect to the General Plan’s roadway classification function, current use, and neighborhood impacts. The TRC determined that the roadway currently functions as a secondary residential street, providing vehicular connectivity to other neighborhoods and





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immediate direct driveway access for adjacent lots. While the General Plan recommends the he current width of such street typologies to be between 20 ft and 50 ft, the current right of way width is about 70 ft. In terms of current use, the portion proposed to be vacated is limited to private landscaping and fence installed by the petitioners, with no foreseeable need for City expansion or improvements. Moreover, the current width (even with landscaping encroachments) does not limit emergency access or travel throughput (i.e., level of service). The TRC further finds that the proposal does not adversely affect neighborhood safety, aesthetics, or right-of-way access, and does not create any zoning nonconformities related to lot size or area standards.

RECOMMENDED FINDINGS:

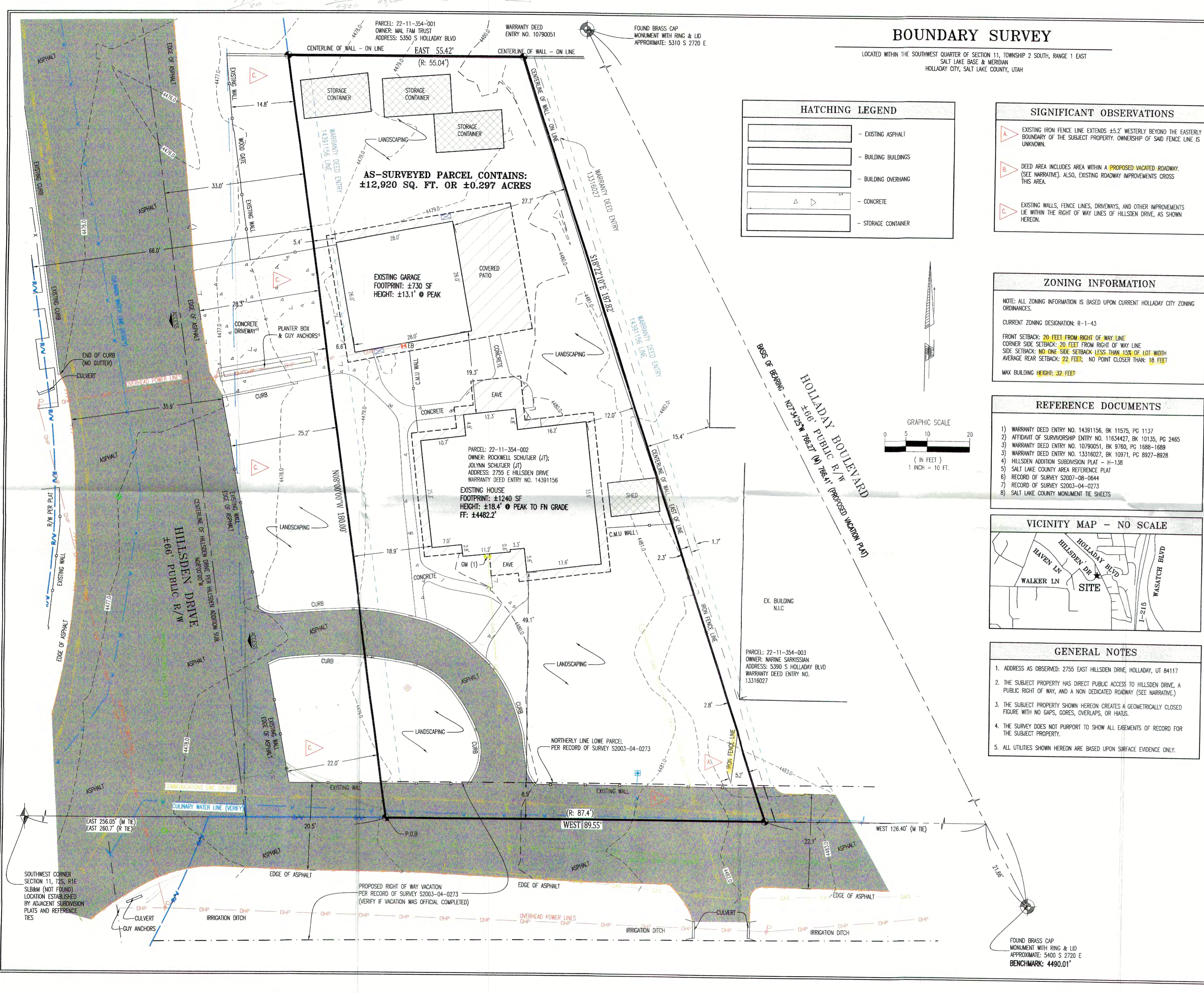
1. The TRC suggests that the Council approves the recommendation of the Planning Commission upon the following:
 - All properties subject to this application will remain in compliance with the R-1-43 zoning regulations and standards.
 - No *new* property, lots, or right of way will be created by the application.
 - Proposed area to be vacated must begin at a surveyed distance of 25 ft from the center of the travel lane, in order to meet the General Plan’s roadway classification requirement.
 - If approved and combined with existing parcel(s), a lot consolidation shall be completed.
 - If the City conveys the vacated land to adjacent property owner, the demarcated parcel must be purchased at appraised market value.
 - Unified Fire Authority (UFA) does not have any concerns with the proposed partial vacation, as no limitations are imposed on Fire Department access turnaround or snow storage requirements.
 - If approved, property owner must work with the Public Works Department to configure the intersection design at the south western corner of the applicant’s property in a way that ensures travel safety and visibility.
 - Good Cause for the vacation is established based on the following findings:
 - The portion of street requested for vacation is operationally defunct for travel, connectivity, and unmaintained
 - Proposed investments to use the space will improve neighborhood appearance
 - Maintains city standard public road dimensions and does not completely limit access
 - Neither the public interest nor any person will be materially injured by the vacation.
 - No windfall enrichment to the abutting property owner is found when considering the added area and its relation to substantial property right(s) (*i.e. the added area will not provide subdivision opportunity, added building height or additional land uses not currently enjoyed by property within the vicinity, etc.*).
2. And with the following conditions:
 - The applicant, upon consideration and direction from the Council, shall prepare a legal description of the ROW to be vacated for review and acceptance by the Salt Lake County Recorder’s office in order for the vacated land to be divided equitably between the applicant and the neighbor to the east and recorded.

RECOMMENDATION

All required materials for the petition for street vacation have been submitted and reviewed by the Technical Review Committee (TRC). The application has been determined to be complete and ready for final review and consideration. The Planning Commission agreed that the area proposed for partial street vacation is appropriate and acceptable for strong consideration. The Council should conduct the required public hearing and moderate a discussion based upon guidance of Holladay City Ordinances 13.10.080.D and 14.48 a final decision.

ATTACHMENTS:

- Applicant Narrative
- Aerial view of Property
- Boundary Survey



BOUNDARY SURVEY

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST
SALT LAKE BASE & MERIDIAN
HOLLADAY CITY, SALT LAKE COUNTY, UTAH

HATCHING LEGEND

	- EXISTING ASPHALT
	- BUILDING BUILDINGS
	- BUILDING OVERHANG
	- CONCRETE
	- STORAGE CONTAINER

SIGNIFICANT OBSERVATIONS

- A. EXISTING IRON FENCE LINE EXTENDS 45.2' WESTERLY BEYOND THE EASTERLY BOUNDARY OF THE SUBJECT PROPERTY. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- B. DEED AREA INCLUDES AREA WITHIN A PROPOSED VACATED ROADWAY. (SEE NARRATIVE). ALSO, EXISTING ROADWAY IMPROVEMENTS CROSS THIS AREA.
- C. EXISTING WALLS, FENCE LINES, DRIVEWAYS, AND OTHER IMPROVEMENTS LIE WITHIN THE RIGHT OF WAY LINES OF HILLSDEN DRIVE, AS SHOWN HEREON.

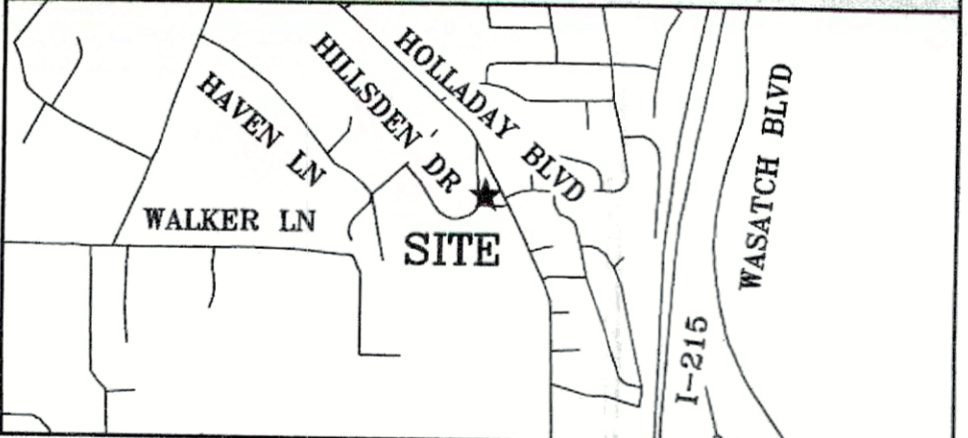
ZONING INFORMATION

NOTE: ALL ZONING INFORMATION IS BASED UPON CURRENT HOLLADAY CITY ZONING ORDINANCES.
CURRENT ZONING DESIGNATION: R-1-43
FRONT SETBACK: 20 FEET FROM RIGHT OF WAY LINE
CORNER SIDE SETBACK: 20 FEET FROM RIGHT OF WAY LINE
SIDE SETBACK: NO ONE SIDE SETBACK LESS THAN 15% OF LOT WIDTH
AVERAGE REAR SETBACK: 22 FEET; NO POINT CLOSER THAN: 18 FEET
MAX BUILDING HEIGHT: 32 FEET

REFERENCE DOCUMENTS

- 1) WARRANTY DEED ENTRY NO. 14391156, BK 11575, PG 1137
- 2) AFFIDAVIT OF SURVIVORSHIP ENTRY NO. 11634427, BK 10135, PG 2465
- 3) WARRANTY DEED ENTRY NO. 10790051, BK 9760, PG 1688-1689
- 4) WARRANTY DEED ENTRY NO. 13316027, BK 10971, PG 8927-8928
- 5) HILLSDEN ADDITION SUBDIVISION PLAT - H-138
- 6) SALT LAKE COUNTY AREA REFERENCE PLAT
- 7) RECORD OF SURVEY S2007-08-0644
- 8) RECORD OF SURVEY S2003-04-0273
- 9) SALT LAKE COUNTY MONUMENT TIE SHEETS

VICINITY MAP - NO SCALE



GENERAL NOTES

1. ADDRESS AS OBSERVED: 2755 EAST HILLSDEN DRIVE, HOLLADAY, UT 84117
2. THE SUBJECT PROPERTY HAS DIRECT PUBLIC ACCESS TO HILLSDEN DRIVE, A PUBLIC RIGHT OF WAY, AND A NON DEDICATED ROADWAY (SEE NARRATIVE.)
3. THE SUBJECT PROPERTY SHOWN HEREON CREATES A GEOMETRICALLY CLOSED FIGURE WITH NO GAPS, CORES, OVERLAPS, OR HIATUS.
4. THE SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD FOR THE SUBJECT PROPERTY.
5. ALL UTILITIES SHOWN HEREON ARE BASED UPON SURFACE EVIDENCE ONLY.

RECORD DESCRIPTION

BEGINNING 260.7 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST FROM THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 8° WEST 180 FEET; THENCE EAST 55.04 FEET; THENCE SOUTH 187.22' ± 187.82 FEET; THENCE WEST 87.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.
THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED WITHIN A CERTAIN WARRANTY DEED ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE AS ENTRY NUMBER 14391156 IN BOOK 11575 AT PAGE 1137.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS REQUESTED BY ROCK SCHUTJER FOR THE PURPOSE OF RETRACING THE BOUNDARY AND LOCATING THE PHYSICAL IMPROVEMENTS OF THE PROPERTY LOCATED AT 2755 EAST HILLSDEN DRIVE, HOLLADAY, UTAH 84117.
THE BASIS OF BEARING IS NORTH 27.34'25" WEST BETWEEN TWO BRASS CAP MONUMENTS WITHIN HOLLADAY BOULEVARD.
THE DEED DESCRIPTIONS FOR THE SUBJECT PROPERTY AND PARCEL TO THE EAST DO NOT CLOSE PROPERLY AND CREATE GAPS AND OVERLAPS WITH EACH OTHER AND ADJACENT PUBLIC RIGHT OF WAY LINES. SAID BOUNDARIES WERE ADJUSTED TO THE RIGHT OF WAY LINES. SAID ADJUSTMENT AGREES WITH PHYSICAL EVIDENCE SUCH AS EXISTING FENCES AND WALLS.
THE DEED AREA INCLUDES AREA WITHIN A PROPOSED VACATED ROADWAY. SURVEYOR REACHED OUT THE COUNTY AND THEY DO NOT HAVE RECORD OF SAID ROADWAY BEING OFFICIALLY VACATED. SURVEYOR HAS REACHED OUT TO HOLLADAY CITY, THEY STATED THEY HAVE NO RECORD OF A VACATION PLAT BEING OFFICIALLY COMPLETED. SURVEYOR COULD ALSO NOT FIND ANY EVIDENCE OF A ROAD DEDICATION EITHER.
SURVEY NO. S2003-04-0273 IS A PROPOSED VACATION OF 5400 SOUTH STREET, SINCE THERE IS NO RECORD EVIDENCE OF SAID ROAD BEING DEDICATED AND/OR VACATED, SURVEYOR HELD THE SOUTHERLY LINE OF THE DEED DESCRIPTION.

LEGEND

	POWER POLE		WATER VALVE		STORM MANHOLE
	ELECTRIC METER / BOX		FIRE HYDRANT		SANITARY SEWER
	SIGHT LIGHT		WATER METER		GAS METER
	IRRIGATION BOX		CORNER SET		CORNER NOT SET
	SECTION CORNER		MONUMENT		
	AS-SURVEYED BOUNDARY				
	DEED BOUNDARY				
	ADJACENT BOUNDARY				
	MONUMENT LINE/TIES				
	RIGHT-OF-WAY LINE				
	CURB & GUTTER				
	EDGE OF CONCRETE				
	FENCE				
	WALL				
	EDGE OF ASPHALT				
	BUILDING SETBACK				
	BUILDING				
	BUILDING OVERHANG				
	CENTERLINE OF ROAD				
	GAS LINE				
	OVERHEAD POWER				
	SANITARY SEWER LINE				
	CULINARY WATER LINE				
	COMMUNICATIONS LINE				
	M - MEASURED CALLS		P.O.B - POINT OF BEGINNING		
	R - RECORD/DEED CALLS		ROW OR R/W - RIGHT-OF-WAY		
			WD - WARRANTY DEED		

SCHUTJER PROPERTY

2755 EAST HILLSDEN DRIVE, HOLLADAY, UTAH 84117

SURVEYOR'S CERTIFICATION

I, MARISSA A. CROFT, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY ON THE GROUNDS OF THE FOLLOWING TRACT OF LAND. THIS SURVEY WAS MADE IN CONFORMITY WITH GENERALLY ACCEPTED LOCAL SURVEYING PRACTICES. IT DOES NOT GUARANTEE TITLE TO THE SET NOR PURPORT TO SHOW ALL EASEMENTS OF RECORD, NOR IS IT PROOF OF OWNERSHIP.

DECEMBER 17, 2025

MARISSA A. CROFT
REGISTRATION NO. 14215259
IN THE STATE OF UTAH
DATE OF SURVEY: DECEMBER 17, 2025
LAST REVISION: NONE



PROJECT # C-25-103
DRAWN BY M. PETERSON
CHECKED BY M. CROFT



PETERSON ENGINEERING, P.C.
CONSULTING ENGINEERS & LAND SURVEYORS
7107 SOUTH 400 WEST #1, MIDVALE, UTAH 84047 801-255-3503

2755 EAST HILLSDEN DRIVE
HOLLADAY, UT 84117

BOUNDARY AND
TOPOGRAPHIC SURVEY



354-001

SIMPSON RD

22-11

354-002

354-003

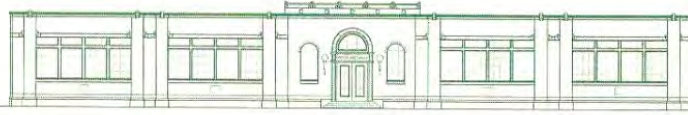
SUNNYVALE BLVD

EDWARDS DR

101-002

22-14

101-009



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL STAFF REPORT

MEETING DATE: May 7th, 2026

SUBJECT: Partial Street Vacation – Intersection of 1720 E And Bunker Hill Road

SUBMITTED BY: Justice Tuffour, Planner II & GIS Manager – via Holladay Planning Commission

SUMMARY

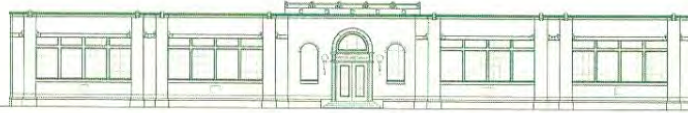
Review and consideration of a recommendation submitted by the Planning Commission (PC). During public hearing on January 10th, the PC has forwarded a recommendation to approve an application by Todd and Marylynn Porter, applicants and property owners of 4901 S 1720 E to vacate a portion of unused right of way. The vacation proposes to add the unused public street, west of their property at the **junction of 1720 and Bunker Hill Road**, including the area into applicant's property (*Lot 98 Crown Colony Subdivision*).

ANAYSIS

1720 E is a public street in Holladay City that extends approximately 120 ft north from the intersection of Bunkerhill Road and terminates at the southern property boundary of the Woodbridge Condominiums. Located on the eastern edge of the Crown Colony Subdivision (*platted in 1959*), the street provides no through access and serves only two abutting properties (*4901 S 1702 E & 1707 E Bunkerhill Road*). The petitioners of this application (The Porters) own the property immediately east of the subject street.



The petitioners indicate that since residing at their property for nearly 28 years, the subject street has remained unimproved and has continued to deteriorate, functioning as an underutilized dead-end corridor. They note ongoing concerns related



**City of Holladay
CITY COUNCIL**

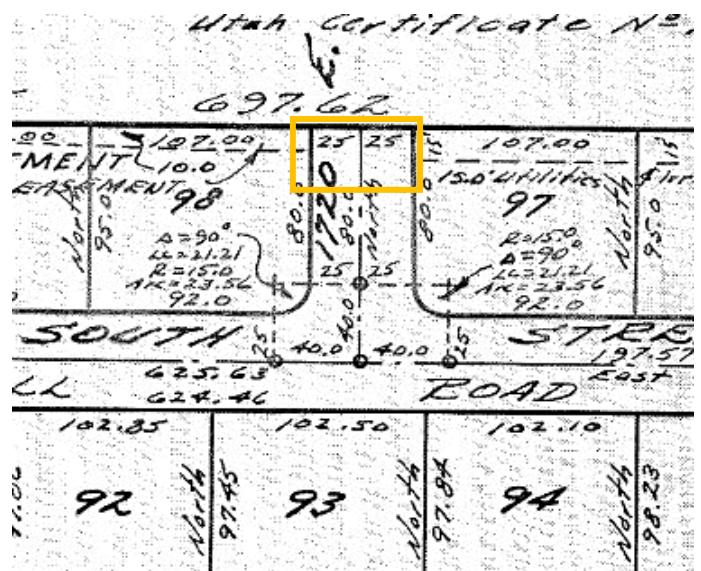
to safety, accessibility, aesthetics, and property values, citing issues such as overgrown vegetation and illegal dumping. Over the years, the petitioners indicate they have personally maintained the area by clearing debris, cleaning gutters, and managing weeds.

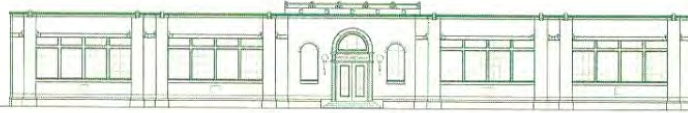


Existing Condition of Subject Street

In light of these circumstances, they propose a partial vacation of this street to enable them directly invest in necessary improvements, allowing for responsible maintenance, improved neighborhood appearance, and better utilization of the space – while retaining sufficient right-of-way to meet fire and emergency vehicle access and turnaround requirements. City ordinance §2.11.300, 13.10A.150.B and §14.48 allows an applicant to petition the city to vacate portions of public right of way. The applicant, as the abutting property owner, is interested in receiving this ‘unused’ public property.

The Technical Review Committee (TRC) evaluated the proposal with respect to roadway function, current use, emergency access, and neighborhood impacts. The TRC determined that the roadway is functionally obsolete, as it provides no vehicular connectivity to other neighborhoods and does not serve as direct driveway access for adjacent lots. Its





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current use is limited to informal parking for trailers and accessory vehicles, with no foreseeable need for City expansion or improvements. Since Bunkerhill road dead-ends about 250 ft East from intersection of 1720, a portion of 1720 E would naturally serve as the designated turnaround for emergency access. The proposed partial vacation preserves sufficient unvacated right-of-way to accommodate fire and emergency vehicle turnaround requirements. The TRC further finds that the proposal does not adversely affect neighborhood safety, aesthetics, or right-of-way access, and does not create any zoning nonconformities related to lot size or area standards.

RECOMMENDED FINDINGS:

1. The TRC suggests that the Council approves the recommendation of the Planning Commission upon the following:

- All properties subject to this application will remain in compliance with the R-1-8 zoning regulations and standards.
- No *new* property, lots, or right of way will be created by the application.
- If approved and combined with existing parcel(s), a lot consolidation and subdivision amendment shall be completed.
- If the City conveys the vacated land to adjacent property owner(s) without sale at appraised market value, the property owner to the west shall be consulted, as they may have rights to the centerline of the street.
- Unified Fire Authority (UFA) requires that 60 feet measured from the centerline of Bunkerhill Road north of 1720 E be designated as a Fire Department access turnaround, with an additional 10 feet reserved for snow storage.
- Good Cause for the vacation is established based on the following findings:
 - The portion of street requested for vacation is operationally defunct for travel, connectivity, and unmaintained
 - Proposed investments to use the space will improve neighborhood appearance
 - Maintains city standard public road dimensions and does not completely limit access
- Neither the public interest nor any person will be materially injured by the vacation.
- No windfall enrichment to the abutting property owner is found when considering the added area and its relation to substantial property right(s) (*i.e. the added area will not provide subdivision opportunity, added building height or additional land uses not currently enjoyed by property within the vicinity, etc.*).

2. And with the following conditions:

- The applicant, upon consideration and direction from the Council, shall prepare a legal description of the ROW to be vacated for review and acceptance by the Salt Lake County Recorder's office in order for the vacated land to be divided equitably between the applicant and the neighbor to the east and recorded.

RECOMMENDATION

All required materials for the petition for street vacation have been submitted and reviewed by the Technical Review Committee (TRC). The application has been determined to be complete and ready for final review and consideration. The Planning Commission agreed that the area proposed for partial street vacation is appropriate and acceptable for strong consideration. The Council should conduct the required public hearing and moderate a discussion based upon guidance of Holladay City Ordinances 13.10.080.D and 14.48 a final decision.

ATTACHMENTS:

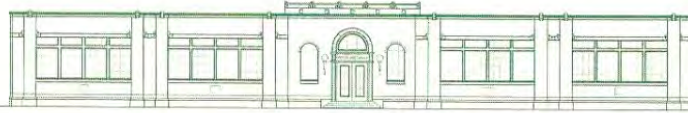
Applicant Narrative
Site and Zoning Maps

FISCAL IMPACT:

n/a

SUGGESTED MOTION:

Motion to continue to work session.

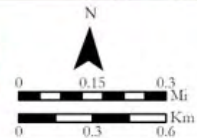


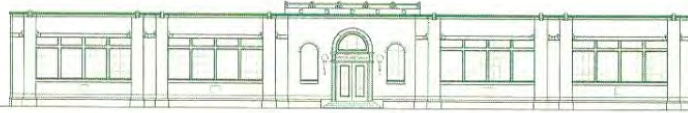
City of Holladay
CITY COUNCIL



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City of Holladay
1720 E & Bunkerhill Road
PARTIAL STREET VACATION



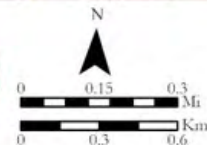


City of Holladay
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City of Holladay
1720 E & Bunkerhill Road
PARTIAL STREET VACATION



TITLE 3
REVENUE AND FINANCE

CHAPTER 3.32
COMMUNITY CLEAN ENERGY PROGRAM

SECTION:

- 3.32.010: Participation In Community Clean Energy Program
- 3.32.020: Customer Participation In Community Clean Energy Program.
- 3.32.030: Termination Fees
- 3.32.040: Acquisition Of Clean Energy Resources
- 3.32.050: Program Rates And Rate Adjustment Filings
- 3.32.060: Utility Billing For Participating Customers
- 3.32.070: City Participation In Program

3.32.010: PARTICIPATION IN COMMUNITY CLEAN ENERGY PROGRAM:

- A. The City hereby establishes its participation in the Community Clean Energy Program (“Program”) as approved by the Public Service Commission of Utah (“Commission”).
- B. On March 4, 2026, the Commission issued an order in Docket No. 25-035-06 (“Commission Order”) approving the Program. The Commission Order is on file with the Commission. The Program’s rates, Rules, and requirements are governed by the Commission Order, and may be modified from time to time by subsequent Rules and orders adopted by the Commission. To the extent that the Commission Order or any subsequent rule or order adopted by the Commission contradicts any portion of this Title, the Commission order or rule or order adopted by the Commission shall govern.
- C. ELIGIBLE CUSTOMERS. Pursuant to Utah Code § 54-17-905(5), residential customers participating in the net metering program under Utah Code Title 54, Chapter 15, Net Metering of Electricity, Rocky Mountain Power Schedule 135, are not eligible to participate in the Program. All other retail electric customers of Rocky Mountain Power within the current and future boundaries of the City, including all residential, commercial, and industrial customers, are eligible to participate in the Program (“Eligible Customer”). Eligible Customers include rooftop solar customers on Rocky Mountain Power Schedules 136 and 137, which are compensated through an export credit rather than a net metering credit.
- D. IMPLEMENTATION DATE. The Program shall be implemented on the date that RMP sends out the first Notices identified in Section 3.32.020, below (“Program Implementation Date”). Eligible Customers shall be enrolled in the Program if they receive the Notices and decline to opt out of participation in the Program by the date set forth in the Notices. Consistent with the Act and the Rules, the Notices shall be sent to each Eligible Customer before the commencement date that applies to each such customer (“Customer Commencement Date”), as set forth in the Rules.

3.32.020: CUSTOMER PARTICIPATION IN COMMUNITY CLEAN ENERGY PROGRAM:

- A. Each Eligible Customer shall be automatically enrolled in the Program unless the customer opts out of the Program prior to the Customer Commencement Date.
- B. NOTICES. As set forth in the Act and the Rules before any Eligible Customer becomes a participant in the Program, Rocky Mountain Power first shall deliver to each Eligible Customer certain notices (collectively, the “Notices”) containing content and in the form, manner, and delivery method as required by the Act and Rules and other orders and Rules.
- C. OPT-OUT. Each Eligible Customer may elect not to participate in the Program and instead to pay applicable existing electric rates by giving notice to Rocky Mountain Power in the manner and within the time period set forth in the Notices.
 - 1. FIRST OPT-OUT NOTICE. Rocky Mountain Power shall provide a First Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within the City, no earlier than sixty (60) days and no later than thirty (30) days before the Customer Commencement Date applicable to each customer. The First Opt-Out Notice shall, in all material respects, use the form and content of the First Opt-Out Notice as approved by the Commission.
 - 2. SECOND OPT-OUT NOTICE. Rocky Mountain Power shall provide a Second Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within the City, at least fifteen (15) days after the First Opt-Out Notice was provided and at least seven (7) days before the Customer Commencement Date applicable to such customer. The Second Opt-Out Notice shall, in all material respects, use the form and content of the Second Opt-Out Notice as approved by the Commission.
 - 3. Each Eligible Customer that receives the First Opt-Out Notice and the Second Opt-Out Notice as described herein and declines to opt out of the Program by the customer’s Customer Commencement Date will be enrolled in the Program.
- D. CUSTOMER OPTION TO OPT IN TO PROGRAM. An Eligible Customer located within the City that is not enrolled in the Program may at any time elect to participate in the Program by providing notice to Rocky Mountain Power in the form and content approved by the Commission. Following such notice to opt in to the Program, the customer will be enrolled in the Program starting with the billing period following the notice in which it is reasonably practicable for Rocky Mountain Power to enroll such customer. The reasonably practicable billing period shall be based on when the notice was received from the customer and the customer’s billing cycle. Following enrollment in the Program, the customer shall be subject to all Program requirements.

- E. CUSTOMER OPTION TO EXIT PROGRAM. Customers enrolled in the Program may exit the Program by giving notice to Rocky Mountain Power.

3.32.030: TERMINATION FEES:

- A. If a customer declines to opt out of the Program prior to the applicable Customer Commencement Date, but subsequently exits the Program, the exiting customer may be required to pay a termination fee, as set forth in this Section.
- B. When applicable, the amount of the termination fee shall be based on the rate schedule of the exiting customer as approved by the Commission and may be modified from time to time by subsequent orders of the Commission.
- C. CIRCUMSTANCES IN WHICH TERMINATION FEE SHALL NOT APPLY: A Termination Fee shall not apply in the following circumstances:
 - 1. Any customer that opts out of the Program within the “Cancellation Period” applicable to that customer, as defined in the Rules.
 - 2. Any customer that ceases to be an electric customer of Rocky Mountain Power;
 - 3. Any customer that moves to a new location that is not within the boundaries of a community that participates in the Program;
 - 4. Any customer that seeks protection through bankruptcy proceedings;
 - 5. Any customer enrolled in Schedule 3 bill assistance (“Low-Income Lifeline Program”).

3.32.040: ACQUISITION OF CLEAN ENERGY RESOURCES:

- A. For purposes of this section, “clean energy resource” shall have the definition set forth in the Act.
- B. Rocky Mountain Power may adopt or procure one or more clean energy resources to serve the needs and goals of the Program. The acquisition of any such clean energy resource must follow solicitation application and evaluation criteria approved by the Commission.
- C. Any clean energy resource adopted or procured by Rocky Mountain Power to serve the needs and goals of the Program must be approved by the Commission based on a finding the same is reasonable and in the public interest.
- D. The Commission shall determine the method of cost recovery for any clean energy resource acquired to meet Program needs and goals, and the Commission’s determination regarding cost recovery may affect Program rates.

3.32.050: PROGRAM RATES AND RATE ADJUSTMENT FILINGS:

- A. Program rates will be determined by the Commission.
- B. The initial Program rates were determined by the Commission in the Commission Order.
- C. Program rates may be adjusted by the Commission from time to time, consistent with the procedures approved by the Commission for adjusting Program rates.

3.32.060: UTILITY BILLING FOR PARTICIPATING CUSTOMERS:

- A. Rocky Mountain Power shall bill each Participating Customer on a monthly basis and shall:
 - 1. include information in its monthly bills to participating customers identifying the Program cost; and
 - 2. provide notice to participating customers of any change in rates for participation in the Program.

3.32.070: CITY PARTICIPATION IN PROGRAM:

- A. Through its membership in the Community Renewable Energy Agency, City participated in the design and approval of the Program and shall participate in future decisions regarding clean energy resource solicitation, clean energy resource acquisition, and certain other Program issues.
- B. Consistent with Utah Code § 54-17-903(2)(a), City entered into an agreement with Rocky Mountain Power (“RMP”) regarding the facilitation of the Program (“Utility Agreement”). Pursuant to the Utility Agreement, City:
 - 1. shall pay for the costs of third-party expertise contracted for in connection with the Program’s development and initial approval by the Commission;
 - 2. shall pay its proportional costs associated with RMP providing the Notices to the City’s customers as discussed in Section 3.32.020, above;
 - 3. Termination charges not paid by a participating customer shall be included in participating customer rates and shall not be paid by City;
 - 4. There shall be no initially proposed “Replaced Asset” as that term is defined by Utah Code § 54-17-902(15).
- C. City has already approved the appropriation of funds and has already paid those funds to the Agency for the Agency to make payments for the costs of third-party

expertise contracted for in connection with the Program's development and initial approval by the Commission pursuant to the Governance Agreement.

- D. City has approved the appropriation of funds to pay its proportional costs associated with RMP providing the Notices to the City's customers as discussed in Section 3.32.020, above.
- E. City shall not be obligated to pay any costs of the Program other than those costs set forth herein and any costs that the City may bear as a utility customer that participates in the Program, if applicable.

CITY OF HOLLADAY

RESOLUTION NO. 2026-12

A RESOLUTION ADOPTING THE TENTATIVE 2025-2026 FISCAL YEAR BUDGET FOR THE CITY OF HOLLADAY.

WHEREAS, Section 10-6-111 requires the City Manager to submit tentative budgets for the various general and capital funds for each upcoming fiscal year on or before the first regularly scheduled City Council meeting in May; and

WHEREAS, the City Manager has submitted the required budget in a timely fashion to the City Council; and

WHEREAS, the City Council has determined a public hearing should be held on June 5, 2025, to receive citizen comments regarding the proposed budgets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Holladay as follows:

- (1) That the FY 2026-2027 Tentative Budgets submitted by the City Manager are hereby accepted and tentatively adopted.
- (2) That a public hearing to consider the proposed budgets be set for June 4, 2026, at 6:00 p.m. at the Temporary City Offices, 3330 S 1300 E, Holladay, Utah 84117.
- (3) That the Tentative Budgets shall be made available for inspection by the general public for a minimum of ten (10) days prior to the scheduled public hearing.

PASSED AND APPROVED this 7th day of May, 2026.

HOLLADAY CITY COUNCIL

By: _____
Paul Fotheringham, Mayor

[SEAL]

VOTING:

David Sundwall	Yea	Nay ___
Matt Durham	Yea	Nay ___
Natalie Bradley	Yea	Nay ___
Drew Quinn	Yea	Nay ___
Emily Gray	Yea	Nay ___
Paul Fotheringham	Yea	Nay ___