

KEARNS CITY COUNCIL

ORDINANCE NO. 2026-O-17

DATE: September 14, 2026

AN ORDINANCE OF THE KEARNS CITY COUNCIL ENACTING CHAPTER 2.02 OF THE KEARNS MUNICIPAL CODE TO CREATE THE OFFICE OF THE CITY ADMINISTRATOR

WHEREAS, the City of Kearns ("City") is a municipality and political subdivision of the State of Utah that operates as a five-member council form of municipal government under Title 10, Chapter 3b, Part 4 of the Utah Code; and

WHEREAS, under Utah Code § 10-3b-403, the Kearns City Council ("Council") exercises all executive and administrative powers and may appoint a city administrator to perform "any executive or administrative power, duty, or function" of the Council; and

WHEREAS, the Kearns City Council ("Council") has executed an employment agreement with Charles Henderson to serve as the City's first city administrator; and

WHEREAS, pursuant to Utah Code § 10-3b-403, the Council desires to adopt an ordinance that: (1) finalizes its appointment of Mr. Henderson; and (2) enacts Chapter 2.02 of the Kearns Municipal Code to establish the city administrator position and to set forth the executive and administrative duties and functions the Council desires to delegate to the city administrator position.

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

1. Appointment: The Council ratifies the appointment of Charles Henderson as the city administrator for Kearns.
2. Enactment: Chapter 2.02 is enacted within the Kearns Municipal Code as set forth in **Exhibit 1** to establish the city administrator position within code and to delegate certain executive and administrative duties and functions to the city administrator.
3. Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion(s) of this ordinance, or specific application of this ordinance, shall be severed from the remainder, which shall continue in full force and effect.
4. Direction to Mayor and Staff: The mayor, city administrator, and staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law; (b) to finalize and post the ordinance to MuniCode, including but not

limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors; and (c) for the mayor and staff to take such steps as may be needed to implement this ordinance.

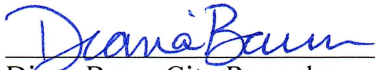
5. Effective Date. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 14th day of September 2026.

CITY OF KEARNS

By: 
Jesse Valdez, Mayor

ATTEST:


Diana Baun, City Recorder

City Council Vote as Recorded:

Council Member Butterfield	voting <u>aye</u>
Council Member Colby, Jr.	voting <u>aye</u>
Council Member Longtin	voting <u>aye</u>
Council Member Schaeffer	voting <u>aye</u>
Mayor Valdez	voting <u>aye</u>

(Complete as Applicable)

Date ordinance summary was posted to the City of Kearns' website, the Utah Public Notice website, and in a public place within the City of Kearns per Utah Code Section 10-3-711:

September 15, 2026

Effective date of ordinance: September 15, 2026

SUMMARY OF
KEARNS CITY COUNCIL
ORDINANCE NO. 2026-O-17

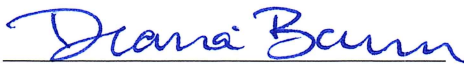
On the 14th day of September 2026, the Kearns City Council enacted Ordinance No. 2026-O-17 to: (1) ratify the Council's appointment of Charles Henderson as the City of Kearns's first city administrator; and (2) enact Chapter 2.02 of the Kearns Municipal Code to establish the city administrator position within code and to set forth the executive and administrative duties and functions the Council desires to delegate to the city administrator position.

ADOPTED AND APPROVED at a duly called meeting of the Kearns City Council on this 14th day of September 2026.

CITY OF KEARNS

By: 
Jesse Valdez, Mayor

ATTEST:


Diana Baun, City Recorder

City Council Vote as Recorded:

Council Member Butterfield	voting <u>aye</u>
Council Member Colby, Jr.	voting <u>aye</u>
Council Member Longtin	voting <u>aye</u>
Council Member Schaeffer	voting <u>aye</u>
Mayor Valdez	voting <u>aye</u>

A complete copy of Ordinance No. 2026-O-17 is available in the office of the Kearns City Recorder, 860 Lavoy Drive, Suite 300, Taylorsville, Utah.

EXHIBIT 1

CHAPTER 2.02 IS ENACTED TO READ:

CHAPTER 2.02 -- CITY ADMINISTRATOR

2.02.010 General

The provisions of this Chapter shall apply to the selection and appointment of a City Administrator and shall only apply if the Council elects to appoint a City Administrator.

2.02.020 Process to Appoint City Administrator

The Council may budget for and appoint by ordinance a City Administrator pursuant to a competitive selection process to direct the City's operations and to serve as the City's chief administrative officer with authority to implement municipal policy, oversee daily operations of City departments and employees, and exercise any other duties the Council may assign. The City Administrator shall be an at-will employee and shall serve at the pleasure of the Council. The Council may terminate the City Administrator's employment at any time and for any legal reason. The City Administrator position is not a required position.

2.02.030 Term

The term of office, salary, benefits, duties, and termination of the City Administrator shall be set out in a written contract prior to the time of appointment, which contract shall be negotiated and approved by a resolution of the Council, except that the Council shall employ the City Administrator for a term not to exceed four (4) years and the contract may not automatically renew. The Council, however, may renew the City Administrator's term of employment at any time. Any contract the Council may approve regarding a City Administrator's employment shall comply with the provisions of Section 2.02.020.

2.02.040 Salary

The Council shall establish the City Administrator's salary, benefits, and other compensation from time to time in accordance with applicable state law and city ordinances.

2.02.050 Powers and Duties

A. The City Administrator shall have the following powers and duties:

1. Exercise the City's administrative powers under the direction and supervision of the Council.
2. Serve as the chief administrative officer to whom all City employees, contractors, and agents shall report. All City employees shall make up the administrative service of the City and, as such, are subordinates to the City Administrator.
3. The City Administrator shall be responsible to the Council for the day-to-day operations of the City and for such other professional duties as assigned or needed.
4. The City Administrator shall be at all times under the control and supervision of the Council and shall answer directly to the Council in all matters relating to the City, its employees, functions, relationships, activities, and status.
5. The City Administrator may examine and inspect the books, records, and official papers of any office, department, agency, board, or commission of the City and make investigations and require reports from all personnel.
6. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Administrator and neither the Council, nor any member thereof, including the Mayor, shall give orders to any subordinate of the City Administrator, either publicly or privately.
7. The City Administrator shall have the right to attend and participate in meetings of the Council but shall not have the right to vote in said meetings.
8. The City Administrator may make suggestions to the Council and shall advise the Council on matters of policy, procedure, and business requiring Council approval or awareness. The City Administrator shall use his or her best efforts to lawfully implement, represent, and defend the final decisions of the Council.

9. The City Administrator shall notify the Council and the Mayor of any emergencies existing in any department or matter under his or her supervision.
 10. The City Administrator is designated as the budget officer for the City and shall perform or cause to be performed all the duties of such office as set forth in the Uniform Municipal Fiscal Procedures Act. As budget officer, the City Administrator shall prepare and submit the annual budget to the Council, along with any proposed amendments to the budget.
 11. The City Administrator shall have the authority to sign all contracts on behalf of the City, provided:
 - a. The Council has approved the contract if the contract is for a procurement other than a small purchase or emergency purchase under the City's procurement policies;
 - b. The funds to be spent under the contract have been specifically appropriated through the City's budget process, or the contract does not require the expenditure of City funds; and
 - c. The contract does not involve the conveyance of any real property interest of the City.
 12. The City Administrator shall be employed by the City and carry out such duties and functions as set forth in state and federal law, City ordinances and policy, and as set forth in the City Administrator's job description.
- B. If the Council does not appoint a City Administrator, the Mayor shall serve as the City's chief administrative officer and shall exercise any duty or responsibility assigned to the City Administrator, subject to the Council's authority to remove such delegation of authority under Section 2.04.080.C.