



**NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, OCTOBER 14, 2026
TIME: 4:00 PM**

Public Notice is hereby given that the Santa Clara City Council will hold a Work Meeting in the Santa Clara City Council Chambers located at 2603 Santa Clara Drive, Santa Clara Utah on Wednesday, October 14, 2026, commencing at 4:00 PM. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>.

1. Call to Order:

2. Working Agenda:

A. General Business:

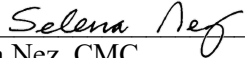
1. Discussion regarding Bison Proposed Art Design. Presented by Mayor Waite, Councilwoman Hinton and Councilman Pond.
2. Discussion regarding Council Procedure. Presented by Mayor Waite.
3. Discussion regarding 2027 Legislative Priorities. Presented by Lance Haynie, Government Affairs Director.
4. Discussion regarding proposed revision of Construction Design Standards to add Rock Cut Slopes section 4.3.5. Presented Casey Stratton, Public Works Director.
5. Discussion regarding Parks Impact Fees Study Update. Presented by Ryan VonCannon, Parks Director.

3. Staff Reports:

4. Adjournment:

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodation during this meeting should notify the city no later than 24 hours in advance of the meeting by calling 435-673-6712. In accordance with State Statute and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting.

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 9th day of October 2026 at the Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://santaclarautah.gov>.


Selena Nez, CMC
City Recorder

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton

Dave Pond

Janene Burton

Mark Hendrickson

Justin Caplin

CITY COUNCIL

Meeting Date: October 14, 2026

Agenda Item: 1

Applicant: Santa Clara City

Requested by: N/A

Subject: Bison art work design review

Description:

We have received the first design concept renderings from Carol Bold, the artist. Carol has been exploring different ways to incorporate your Swiss-inspired design ideas while still maintaining the character and beauty of the bison sculpture. One rendering shows the bison incorporating the look of a traditional Swiss cow, while the other stays truer to the traditional bison while incorporating Swiss-inspired elements. Carol also experimented with incorporating lederhosen into the design. After trying several variations, she felt that the lederhosen tended to make the overall design feel a little too busy or whimsical, so she is leaning toward incorporating the Swiss elements in a more subtle and cohesive way. I think the two concepts she has developed strike a really nice balance between the Swiss inspiration and the natural character of the bison. Carol also had a fun idea of incorporating a real Swiss-style cowbell rather than painting a bell onto the sculpture. She feels like an actual cowbell hanging beneath the neck could add a unique, authentic three-dimensional element to the piece. Her thought is to install a riveted insert beneath the chin before the sculpture is sealed and then attach the cowbell after the clear coat is applied. However, since the cowbell and the additional installation work would be above and beyond the original agreed-upon scope and cost of the bison, I wanted to get your thoughts before we explore that option further. We would also want to make sure the sculpture could be properly reinforced to safely accommodate it. Please take a look and let me know what you think of the overall design direction, which concept you prefer, and your thoughts on the optional cowbell idea.

Recommendation: Discussion

Attachments: N/A

Cost: N/A

Legal Approval: N/A

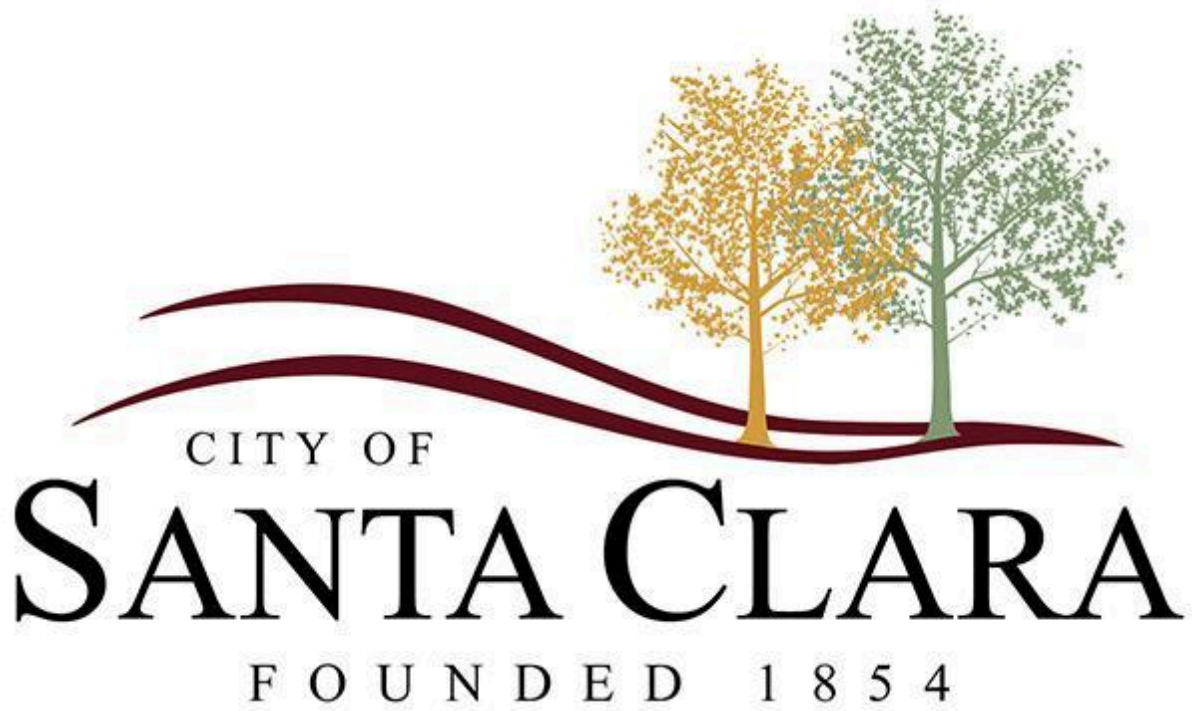
Finance Approval: Yes

Budget Approval: Yes





CITY OF
SANTA CLARA
AMERICA 250



City Council Meeting
Policies and Procedures

Adopted:
June 12, 2013
Amended July, 2014
Amended November 2026

RESOLUTION 2026-__R

A RESOLUTION OF THE CITY COUNCIL OF SANTA CLARA CITY, UTAH FOR ADOPTING CITY COUNCIL RULES OF PROCEDURE ALSO KNOWN AS “CITY COUNCIL MEETING POLICIES AND PROCEDURES” PURSUANT TO SECTION 10-3-606 OF UTAH STATE CODE, AS AMENDED AND SANTA CLARA CITY CODE SECTION 2.04.010

WHEREAS: the City Council of Santa Clara City finds that it is authorized by state law to adopt rules of procedure to govern the conduct of its official meetings; and

WHEREAS: the City Council finds that it is prudent to adopt rules of procedure; and

WHEREAS: the Council has reviewed and approves the following “Santa Clara City, City Council Rules of Procedure” which are incorporated into this resolution;

NOW THEREFORE BE IT RESOLVED by the City Council of Santa Clara City as follows:

1. The attached “Santa Clara City, City Council Rules of Procedure” are hereby adopted.

SANTA CLARA CITY CITY COUNCIL RULES OF PROCEDURE

PURSUANT to Utah Code Ann. § 10-3-606, as amended and City Code § 2.04.010, the City Council of Santa Clara City adopts the following rules of procedure:

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CITY COUNCIL MEETING POLICIES AND PROCEDURES

1. PURPOSE

- 1.1 Meeting Policies and Procedures: These Meeting Policies and Procedures of the City Council of Santa Clara City are intended for the government of the City Council, the preservation of order, and the orderly transaction of City Council business. These Policies and Procedures should assist and give direction to the Council in conducting their meeting, not inhibit it.

2. AUTHORITY

- 2.1 City Code: The Santa Clara City Code provides that the Council may determine its own procedures and policies. These policies shall be in effect until such time as they are amended or new policies are adopted by the City Council.

3. GENERAL RULES

- 3.1 Public Meetings: All official meetings of the Council (except where State or local law allows for closed sessions) shall be open to the public and follow the "Open and Public Meetings Act" pursuant to Title 52, Chapter 4 of the Utah Code. The Council shall give at least twenty-four (24) hours advanced notice of its meetings unless an exception for shorter notice is provided under state law. The approved and corrected minutes of the proceedings of these open meetings shall be available for public inspection.
- 3.2 Location: The location of all regular, special, emergency and work session meetings, unless publicly noticed differently, shall be in the Council Chambers in the Santa Clara City Office, 2603 Santa Clara Drive, Santa Clara, Utah 84765.
- 3.3 Quorum: Three members of the Council shall constitute a quorum. A minimum of three votes shall be necessary to take any action, except where more votes are required by Section 7.2.
- 3.4 Recognition by the Mayor: ~~The Mayor shall recognize all Council members, staff and/or individuals from the general public before addressing the Council on any issue.~~ Council members, staff, and/or individuals from the general public must be recognized by the Mayor before addressing the Council on any issue. This recognition can be informal. Work meetings are intended to be less formal and Council members and staff may freely participate as long as proper decorum is maintained.
- 3.5 Agenda Creation: The City Manager and City Recorder will, with the consent of the Mayor, create the agendas for all Council meetings.
- A. Items requested by the Mayor, by the City Manager, or by any two Councilmembers, shall be placed on the agenda.

- B. Requests for additions to the agenda shall be due to the City Manager and City Recorder no later than 5:00 pm on the date which is seven (7) calendar days prior to the meeting.
- C. Agenda items must be described with reasonable specificity (Utah Code § 52-4-202(6)).

3.6 Private Discourse and Other Distractions: The Mayor and Council members shall avoid engaging in private discourse or other actions that may distract the attention of the Council or the audience from the business at hand or that might interfere with a person's right to be heard after recognition by the Mayor.

4. TYPES OF MEETINGS

- 4.1 Regular Meetings: The Council shall meet in accordance with the annual meeting schedule as approved or as amended.
- 4.2 Special Meetings: Special Meetings may be called by the Mayor or by a request of at least two (2) members of the Council to consider any matter.
- 4.3 Emergency Meetings: Emergency Meetings may be called by the Mayor or by a request of at least two (2) members of the Council to consider matters of an emergency or otherwise urgent nature. All Emergency Meetings shall be called, noticed and conducted consistent with Section 52-4-202, subsection (5), of the Utah Code. An attempt shall be made to notify all the members of the Council of the meeting in advance. The best practicable public notice of the meeting shall be given.
- 4.4 Closed Meetings: The Council may adjourn to a Closed Meeting to discuss one or more of the purposes set forth in Section 52-4-205 of the Utah Code. Adjournment to a Closed Meeting requires a two-thirds (2/3) vote of the Council members present. At least one of the appropriate purposes of the Closed Meeting shall be identified and recorded in the minutes of the open meeting from which it is adjourned.
- 4.5 Work Meetings: The Council may meet informally in Work Meetings (open to the public) to review upcoming programs of the City, to receive progress reports on current programs or projects, and to discuss policy issues. No final vote may be taken in a Work Meeting.
- 4.6 Retreats: The Council may meet informally in Retreats (open to the public) to discuss a variety of issues facing the City. While broad general direction may be given, no final vote may be taken in a Retreat.
- 4.7 Electronic Meetings: The City Council may conduct electronic meetings where one or more of its members participate by means of ~~a telephonic or telecommunications conference~~ an electronic video, audio, or both video and audio connection pursuant to Section 52-4-207-8 of the Utah Code, as amended.

- A. Members so participating shall be considered present at the meeting for all purposes, and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.
- B. The anchor location as described in State law shall be the Santa Clara City Council Chambers located in the City Office at 2603 Santa Clara Drive in Santa Clara.
- C. Public notice of the electronic meeting shall be given in accordance with Section 52-4-~~6202~~ of the Utah Code, including:
 - 1. Posting written notice at the anchor location;
 - ~~2. Providing written or electronic notice to (a) at least one newspaper of general circulation within the state; and (b) a local media correspondent;~~
 - 3. Posting written notice on the City website; and
 - 4. Posting written notice to the Utah Public Meeting Notice website.
- D. In addition to giving public notice as described above, the City shall provide notice of the electronic meeting to the members of the City Council at least twenty-four (24) hours before the meeting so that they may participate in the meeting and be counted as present for all purposes, including the determination that a quorum is present. All notices shall include a statement that one or more members of the City Council will be participating electronically, a description of how the member(s) so participating will be connected to the electronic meeting, and the regularly published agenda for that meeting.
- E. No council meeting may be held electronically unless at least one Council member is present at the anchor location. The Mayor, or the Mayor pro tempore (hereafter "Mayor pro tem") duly elected and acting as set forth in section 6 below, shall conduct the meeting from the anchor location. However, if neither the Mayor nor the Mayor pro tem is present at the anchor location, the Council shall select from its membership at the anchor location a Mayor pro tem for the sole purpose of conducting the electronic meeting.
- F. Immediately prior to opening the meeting, the Mayor or Mayor pro tem shall communicate with the person who is participating electronically and insure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the Council member participating electronically wishes to withdraw from the meeting.
- G. If a Council member who participates electronically withdraws from the meeting, the rest of the meeting agenda may be completed provided there is still a quorum of the Council present at the anchor location or

there are sufficient other Council members participating electronically to comprise a quorum with those at the anchor location.

- H. The public may attend and monitor the open portions of the meeting at the anchor location, and may participate in all public hearings to the same extent normally allowed.
- I. Prior to taking a vote on any issue, the Mayor or Mayor pro tem shall inquire of the Council member participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, and shall allow that member the opportunity to make any comments he or she desires.
- J. Non-unanimous votes in an electronic meeting shall be taken by roll call (Utah Code § 52-4-207(9)).
- JK. The minutes of the meeting shall designate the name of each Council member who participated electronically, the nature of the electronic communication, and the duration of the Council member's participation.

5. ORDER OF BUSINESS

- 5.1 Regular and Special Meetings: Regular City Council meetings shall be scheduled the second and fourth Wednesday of each month at 56:00 p.m., unless otherwise provided in the annual meeting schedule. ~~If a Special Meeting is needed the City Council has set aside the third Wednesday of every month at 5:00 p.m.; however, as noted in 4.2 the Mayor or any two (2) City Council members may call a Special meeting at any time (with proper notice), if such meeting is deemed necessary.~~

The general rule as to the order of business in regular and special meetings shall be as follows:

- A. CALL TO ORDER - by the Mayor.
- B. OPENING CEREMONY - ~~Pledge of Allegiance and Opening Comments~~:
 - 1. Pledge of Allegiance - as invited by the Mayor from the members of the City Council.
 - 2. Opening Comments - as invited by the Mayor from local clergy or faith leaders (including through the St. George Interfaith Council), ~~the~~ members of the City Council, or Santa Clara residents who have submitted requests in writing prior to the meeting. ~~The City does not review the content of opening comments in advance.~~
- C. CONFLICTS AND DISCLOSURES - During this part of the Agenda, members of the Council shall declare any conflicts of interest, and the nature of the conflict of interest, in relation to any matter which is before the Council for action, prior to any discussion of that matter, or, if not then known, as soon as the conflict becomes apparent. If a member of the

Council has a conflict of interest, they may choose, but are not required, to abstain from voting on the matter. If the conflict of interest is in the nature of a financial or economic interest, members of the Council are strongly encouraged to abstain from voting on the matter.

- D. COMMUNICATION AND APPEARANCES - The Mayor can ask for and or conduct any type of General Citizen Communication during this time. This is also the time for citizens to address the City Council.

There is significant governmental interest in conducting orderly, efficient meetings of the municipality. The Santa Clara City Council hereby designates the public comment period during City Council meetings as a **limited public forum**. This designation is intended to facilitate orderly, relevant, and productive public participation in the governmental process while preserving the City's ability to impose reasonable time, place, and manner restrictions on speech. Nothing in this section shall be construed to create an open public forum or to waive the City's authority to regulate the conduct of its meetings pursuant to Utah Code § 52-4-201 and applicable constitutional standards.

Public comment is limited to matters within the jurisdiction and subject matter of the Santa Clara City Council. The public comment period is not intended as a general open forum for any topic of the speaker's choosing.

As a limited public forum, the City Council restricts public comment to subject matter relevant to City business and Council jurisdiction. The following standards shall apply to all speakers:

1. Comments shall be addressed to the City Council as a body, not to individual Councilmembers, staff, or members of the public.
2. The public comment period is for general public comment for items *not* listed on the current meeting agenda or current land use applications.
3. The comments will be taken but not addressed by the council at the meeting. There will not be a back-and-forth discussion.
4. Speakers shall be allotted a maximum of three (3) minutes during any single public comment period.
5. The total allotted time for public comment shall be fifteen (15) minutes.
6. Speakers may not yield or transfer their allotted time to another speaker.
7. Speakers shall refrain from fighting words, speech that constitutes harassment of any individual, or incitement to imminent lawless action, as those terms are defined under

applicable constitutional law.

8. Speakers shall not engage in conduct that disrupts, delays, or interferes with the orderly conduct of the meeting.

Commenters shall begin by stating their name. In the Mayor's discretion, he or she may respond or ask questions to a commenter after a comment is made or may allow a Council member or staff member to respond or ask questions. The Council may not take final action on any topics not on the agenda (Utah Code § 52-4-202(6)).

- E. WORKING AGENDA - The Mayor can revise the order of the agenda items during this time in order to accommodate the Council or to more efficiently handle the business at hand. ~~During this part of the Agenda, members of the Council shall declare any conflicts of interest, and the nature of the conflict of interest, in relation to any matter which is before the Council for action, prior to any discussion of that matter. If a member of the Council realizes a conflict of interest, they may abstain from voting on the matter. If the conflict of interest is in the nature of a financial or economic interest, members of the Council are encouraged to abstain from voting on the matter.~~ The Working Agenda shall consist of:

1. Public Hearing(s)
2. Consent Agenda, consisting of:
APPROVAL OF MINUTES AND CLAIMS. The Council shall consider for approval any claims through the date of the meeting and any preceding meetings' minutes. The Council may make any such adoption conditional upon corrections being made to the minutes, or may table such approval pending the provision to the Council of additional information relating to the claims or minutes.

CONTRACTS AND PURCHASES WITHIN THE APPROVED BUDGET, including routine service contracts, renewals at existing terms, and bid awards to the lowest responsive bidder where staff has followed the purchasing policy may be approved on the Consent Agenda.

BOARD AND COMMISSION APPOINTMENTS the Mayor has recommended under section 9.2 below may be approved on the Consent Agenda.

CEREMONIAL RESOLUTIONS AND PROCLAMATIONS may be approved on the Consent Agenda.

CALENDAR OF EVENTS. The Council may review upcoming meetings, holidays, community events, presentations of commendations, or other upcoming events of interest to the Council or public.

Note that any Council member may require that any item on the Consent Agenda be removed. Items for which a Council member has declared a conflict are required to be removed. The remaining items are approved by a single motion, second, and majority vote. Removed items shall be considered under General Business at the same meeting unless continued.

3. General Business

- F. REPORTS - Reports shall be given by the Council and Mayor. Staff shall also give such reports as the Mayor or City Manager may request. ~~consist of:~~
- ~~a. Staff Reports~~
 - ~~b. Mayor/Council Reports~~
- G. ~~EXECUTIVE~~CLOSED SESSION – During the ~~Executive Closed~~ Session, the Council may adjourn the public meeting for the purpose of conducting a Closed Meeting pursuant to Section 52-4-205 of Utah State Code and section 4.4 of these Policies and Procedures above. Upon the completion of the purposes of the Closed Meeting, the Mayor or Mayor pro tem shall close the ~~Executive Closed~~ Session and reopen the public meeting, without motion of the Council.
- H. ~~APPROVAL OF CLAIMS AND MINUTES~~ – ~~The Council shall consider for approval any claims through the date of the meeting and any preceding meetings' minutes. The Council may make any such adoption conditional upon corrections being made to the minutes, or may table such approval pending the provision to the Council of additional information relating to the claims or minutes.~~
- ~~I. CALENDAR OF EVENTS~~ – ~~The Council may review upcoming meetings, holidays, community events, presentations of commendations, or other upcoming events of interest to the Council or public.~~
- ~~J. ADJOURNMENT~~ – The Council shall adjourn the meeting by motion, requiring a second and a majority of affirmative votes.
- 5.2 Emergency Meetings: Emergency Meetings may be called and notice given pursuant to Section 52-4-202, subsection (5), of the Utah Code. The general rule as to the order of business in Emergency Meetings shall be as follows:
- A. Call to order - by the Mayor
 - B. Opening Comments
 - C. Vote by Council members present to approve the Emergency Meeting
 - D. Meeting Items
 - E. Adjournment

In the event that fewer than three (3) of the Council members vote to approve the Emergency Meeting, the Mayor or Mayor pro tem shall immediately close

the meeting without further discussion or action.

- 5.3 Work Meetings: ~~Work meetings shall be scheduled the second and fourth Wednesday of each month at 4:00 p.m. In order to not interfere with regularly scheduled City Council meetings, the Council has scheduled the first Wednesday at 5:00 p.m. of every month to have a Work meeting; however,~~ The Mayor may call a Work meeting at any time (with proper notice) if such meeting is deemed necessary. The general rule as to the order of business in work meetings shall be as follows:
1. Call to order - by the Mayor
 2. Working Agenda
 - A. General Business
 3. Staff Reports
 4. Adjournment

6. PRESIDING OFFICER AND DUTIES

- 6.1 Mayor as the Presiding Officer: The Mayor, if present, shall act as Presiding Officer at all meetings of the Council ~~and ensure the Policies and Procedures in this document are followed.~~ In the absence of the Mayor, the Mayor pro tem shall preside. In the absence of both the Mayor and the Mayor pro tem, the Council shall elect a temporary Mayor pro tem who will then preside at that meeting. All references to the Mayor in these Policies and Procedures shall ~~include generally mean and refer to the Mayor pro tem or temporary presiding officer duly elected by the Council and serving pursuant to section 6.6 below.~~
- 6.2 Call to Order: Meetings of the Council shall be called to order by the Mayor or in the Mayor's absence, by the Mayor pro tem. ~~In the absence of both the Mayor and the Mayor pro tem, the meeting shall be called to order and the attending Council members will elect a temporary Mayor pro tem.~~
- 6.3 Preservation of Order: The Mayor shall preserve order and decorum; prevent attacks on personalities or the impugning of member's motives; and confine debate to the question under discussion. ~~Violations of decorum or conduct of the public or Council members shall be addressed by the Mayor, who may declare them out of order, subject to appeal under section 6.4.~~
- 6.4 Points of Order and Appeal: The Mayor shall determine all points of order-, ~~subject to appeal as provided in this section. Any Council member may appeal a ruling of the Mayor under section 6.3, 6.4, or 11.1, or a determination of disorderly conduct under section 11.3, by stating "I appeal the ruling of the chair" immediately after the ruling and before other business intervenes. The appeal requires a second. The Mayor and the appealing member may each briefly state their reasons, and the Council shall then vote without further debate. The ruling stands unless a majority of the Council members present vote to overturn it. An appeal does not apply to the Mayor's discretion to set time limits under section 6.5, to the order of agenda items under section 5.1(E), or to a vote to expel under sections 11.2 or 11.3,~~

which remains subject to the two-thirds vote required by Utah Code §§ 10-3-607 and 10-3-608.

- 6.5 Time Limits: The Mayor shall have the power to set time limits on input and discussions at the Mayor's discretion.
- 6.6 Substitution for Mayor: The Council shall elect a member of the Council to serve as Mayor pro tem to preside at meetings and perform the duties of the Mayor in the event that the Mayor is unable, through absence, disability, or refusal to act, to fulfill his or her duties as set forth herein and in applicable state and local law. The Mayor pro tem term will be for one year. Should the Mayor pro tem not be present, any other member of the Council will be elected to temporarily preside at the meeting in order to cover an absence of the Mayor pro tem. The Mayor pro tem, ~~if also a member of the Council,~~ shall while conducting any meeting continue to act as a voting member of the Council.
- 6.7 Obtaining the Floor: Once a Council member has been recognized by the Mayor, they have the floor and may begin speaking. No interruptions will be allowed, except at the Mayor's discretion, or for a point of order or procedural motion, or to answer questions posed by the Council member who has the floor. After such a question has been answered, the Council member will retain the floor unless and until they yield the floor.
- 6.78 Motion to be Clear: The Mayor shall ensure that all motions submitted for a vote are clearly understood by the Council.
- 6.89 Call for Vote: The Mayor shall call for a vote. The Mayor shall announce the result of the vote.
- 6.910 Input from Public in Absence of Public Hearing. The Mayor may, of his or her own volition or at the request of any Council member, request input from members of the public present on any item before the Council for discussion or consideration, even in the absence of a scheduled public hearing as set forth in section 10 below. The Mayor shall have no obligation to request such public input. The Mayor shall only receive such input in a manner consistent with the other provisions of this section 6.

7. TYPES OF MOTIONS AND RECONSIDERATION

- 7.1 Motions Require a Second: All motions require a second before they can be discussed or acted upon. In the Mayor's discretion, questions for clarification of a motion may be allowed of the non-moving members present, prior to a second on the motion.
- 7.2 Motions Requiring A Two-thirds Vote: A motion to adjourn to a Closed Meeting shall require a motion, a second, and a two-thirds (2/3) vote of the Council members present, or as otherwise required by state law.

- 7.3 Motion to Approve: All motions shall require a second and majority affirmative votes to be approved.
- 7.4 Amendments to Pending Motion: Any motion being considered by the Council may be amended by permission of the maker of the motion and concurrence of the second.
- 7.5 Motions to Continue: The Council may approve a motion to continue any item for further discussion or consideration. Public Hearings ~~and Show Cause Hearings~~ must be continued to a specific date and time and may not be continued beyond forty-five (45) days from the date for which it was first noticed without resetting and re-noticing the hearing.

When the applicant for an agenda item makes a request for continuance, the following policy will be used:

- A. A request to continue the agenda item will be granted if the applicant makes the request at least seven (7) days in advance of the meeting, in which the item was scheduled to be heard. The applicant has the responsibility to notify the affected ~~residents or~~ property owners (those who are required by State law, City ordinance, or City noticing policy to be notified) of the continuance and the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.
- B. If the request is made less than seven (7) days in advance of the meeting in which the item was scheduled to be heard, the Mayor and ~~City Manager~~ ~~the Mayor pro tem, or their designees~~, will determine whether or not there is good cause to continue the item.
1. If the ~~Council~~ Mayor and City Manager determines that there is not good cause to continue the item, the item will remain on the agenda and be considered by the City Council.
 2. If the ~~Council~~ Mayor and City Manager determines that there is good cause to continue the item to a future agenda, staff will notify the applicant of the decision. During the meeting in which the item was scheduled to be heard, the City Council, by motion, will select the date, and if applicable, the time to which the item is to be rescheduled.

The applicant has the responsibility to notify the affected residents or property owners (those who are required by State law, City ordinance, or City noticing policy to be notified) ~~The applicant shall have the responsibility to notify the affected residents (those who are required by City ordinance to be notified)~~ of the continuance and the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.

- C. If the applicant requests a continuation during the meeting for which the

item is scheduled, the City Council will make the determination if there is good cause to continue the item to a later date.

- D. If the applicant requests a continuation and it is determined that there is not good cause to continue the item, and the applicant withdraws the application in lieu of proceeding, the application will not be considered by the City Council until the applicant files a new application and pays the required fees. The new application must follow the same process as any new application.

7.6 Motions to Table: Not including Public Hearings ~~and Good Cause Hearings~~, the Council may table an issue, without scheduling it for future consideration, with a motion, second and a majority of affirmative votes. ~~The Council may not table an issue or decision (such as a land use application) beyond any deadline imposed by state law or city ordinances.~~

7.7 Motions which do not receive at least three votes on either side: Motions which do not receive at least three votes for or against the proposition being voted upon are considered to be a tied vote. The Mayor will then vote to cast the tie-breaking vote. However, should the Mayor not be present to break the tied vote, or should the Mayor's vote not serve to break the tie (such as when there are two votes on one side, and one on the other, and the Mayor votes with the side having only one vote) the applicant or any City Council member may request that the item be brought back to the Council at a subsequent meeting to be decided by sufficient members to get three votes one way or the other. The subsequent action is not considered a reconsideration. In the event that neither the applicant nor a Council member requests a subsequent vote, then the item shall be considered to have been voted down.

7.8 Motions to Reconsider a Decision: Any two Council members who voted in the majority on a motion approved or denied may request a reconsideration of the action.

The request may be made by making a motion to reconsider at the same meeting in which the original motion was approved or denied or by requesting within seven days of that meeting that there be a motion to reconsider being heard at the next regularly scheduled Council meeting. If a properly made motion to reconsider passes, the actual reconsideration of the item shall take place only after appropriate legal notice is given.

After a motion for reconsideration has been acted on, no other motion for reconsideration on that issue shall be allowed within a twelve (12) month period without unanimous consent of the entire Council. Following the twelve (12) months, the item may be considered as a new item.

7.9 Question on the Motion: After a motion and a second, any member of the Council may request a discussion on the motion. Once a question has been answered and discussion is completed, the Mayor shall call for a vote on the motion.

- 7.10 Withdrawal or Substitution of Motion: At any time prior to the Mayor's call for a vote on the Motion, the moving Council member may voluntarily withdraw the motion or make a new motion which shall be considered to have superseded his or her prior motion. A new motion shall require a new second.
- 7.11 Minutes of Action on Motion: Unless a vote of the Council is unanimous, the minutes of each action taken on any motion shall reflect the vote of each individual Council member.

8. ORDINANCES, RESOLUTIONS and AGREEMENTS

- 8.1 Ordinances: The City Council may pass a law to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition as allowed by state law. Ordinances are generally passed as part of the City Code.
- 8.2 Resolutions: The City Council may express a formal opinion or the will of the Council without it becoming a part of the City Code. A resolution may be used to do any of the following:
- A. Adopt official policies.
 - B. Take official action relating to financial matters.
 - C. Take any administrative action in which the Council is authorized by law to take.
 - D. Regulate the use and operation of municipal property.
 - E. Make an official declaration.
- 8.3 Agreements: The Council may enter into an agreement between the City and one or more parties agreeing to do or not to do an act or take a course of action.
- 8.4 Form: Ordinances, Resolutions, and Agreements shall be in written form, approved by the City Attorney.
- 8.5 Funding: All Ordinances, Resolutions, and Agreements authorizing an expenditure of money shall include the amount, source, and purpose of the expenditure.
- 8.6 Adoption of Ordinance, Resolution, or Agreement: The City Council shall adopt any Ordinance, Resolution, or Agreement by a motion, second and at least three affirmative votes.

The effective date ~~of on~~ all Ordinances and Resolutions shall be immediately upon passage, unless the City Council establishes a specific effective date, ~~or another effective date is required by applicable provisions of state law. or, in the case of Ordinances, upon publication.~~

The effective date on all Agreements shall be the date of execution by the

Mayor, unless another effective date is established by the City Council at the time the City Council approves the Agreement.

9. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

- 9.1 Citizen Committees, Boards and Commissions: The City Council may create policy advisory committees, boards, and commissions with such duties as the Council may specify which are not inconsistent with the City Code and State Law.
- 9.2 Member Approval: The request for appointment to the policy advisory committees, boards, and commissions are reviewed by the Mayor and City Council. The Mayor will recommend members to be appointed, which must then be approved by the City Council with a majority vote.
- 9.3 Ad-hoc Citizen Committees: The Mayor, with the advice and consent of the City Council, may appoint Ad-hoc Citizen Committees to address policy issues of specific concern. Ad-hoc Committees shall continue for a temporary and limited duration.

10. PUBLIC HEARINGS

- 10.1 Purpose of Public Hearings: The purpose of Public Hearings is to provide for public input to the City Council on issues on a specific day and time in order for the City Council to be better informed prior to making a decision on the issue.
- 10.2 Before the Public Hearing:
 - A. Notification will be given well in advance and comply with applicable state and local law.
 - B. Written material submitted by citizens and interested groups must be submitted to the City Recorder's office by 12:00 Noon of the Wednesday before the hearing if they want copies to be distributed in the agenda packets. Any information received after this time will be given to the City Council prior to the meeting being called to order. Citizens and interested groups may distribute copies of materials to the City Council at any time, but during any meeting of the Council material may only be distributed with the approval and direction of the Mayor.
- 10.3 Order of Public Hearings:
 - A. The Mayor shall conduct all Public Hearings. The Mayor should review the rules and procedures for conducting public hearings at the start of the public hearing.
 - B. The public hearing shall first be opened to the appropriate staff member who will present and discuss with the Council the issue at hand.

- C. Upon completion of the staff member's report, and questions from the Council, the Mayor invites the applicant to discuss with the Council the issue at hand and present additional or more specific information.
 - D. Following staff and the applicant's discussion and any questions from the Council, the Mayor shall open the hearing to the public for comments. The Mayor must first recognize any person desiring to address the Council. The Mayor shall try to provide equal time to those favoring and opposing the issue.
 - E. The Mayor should courteously limit repetition. The Mayor should retain flexibility for additional comments but only on new information.
 - F. At the Mayor's discretion, staff and/or the applicant may address any questions or clarify any matter raised during comment period.
 - G. At the discretion of the Mayor, the public hearing shall be closed once the applicant has the opportunity to clarify any concerns, which had been previously discussed. No further remarks by the public will be heard.
 - H. The Council may by motion: (i) close a public hearing in order to consider and take action on the issue; (ii) re-open a public hearing during the same meeting at which the public hearing was originally closed, and prior to taking action on the issue; or (iii) continue a public hearing, also continuing consideration of and action on the issue to another specific date and time. A public hearing may not be continued for longer than forty-five (45) days from the date for which it was first noticed without re-noticing and reconvening the hearing.
 - I. Upon completion of the public hearing and of any further discussion and/or deliberation of the Council, the Council shall take appropriate action on the issue.
- 10.4 Manner of Addressing the Council: Each person addressing the Council shall use the microphone and shall state their name ~~and address of residence~~ in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body, and not to any member thereof. Council members should be addressed using their formal title followed by the individual's last name. No person shall be permitted to enter into any discussion, either directly or through the members of the Council unless first recognized by the Mayor. No questions will be asked of the Council Members except through the Mayor.
- 10.5 Questions from Council members: The Council members may at any time during a public hearing request clarification or additional input from the staff members, applicants, or the general public.

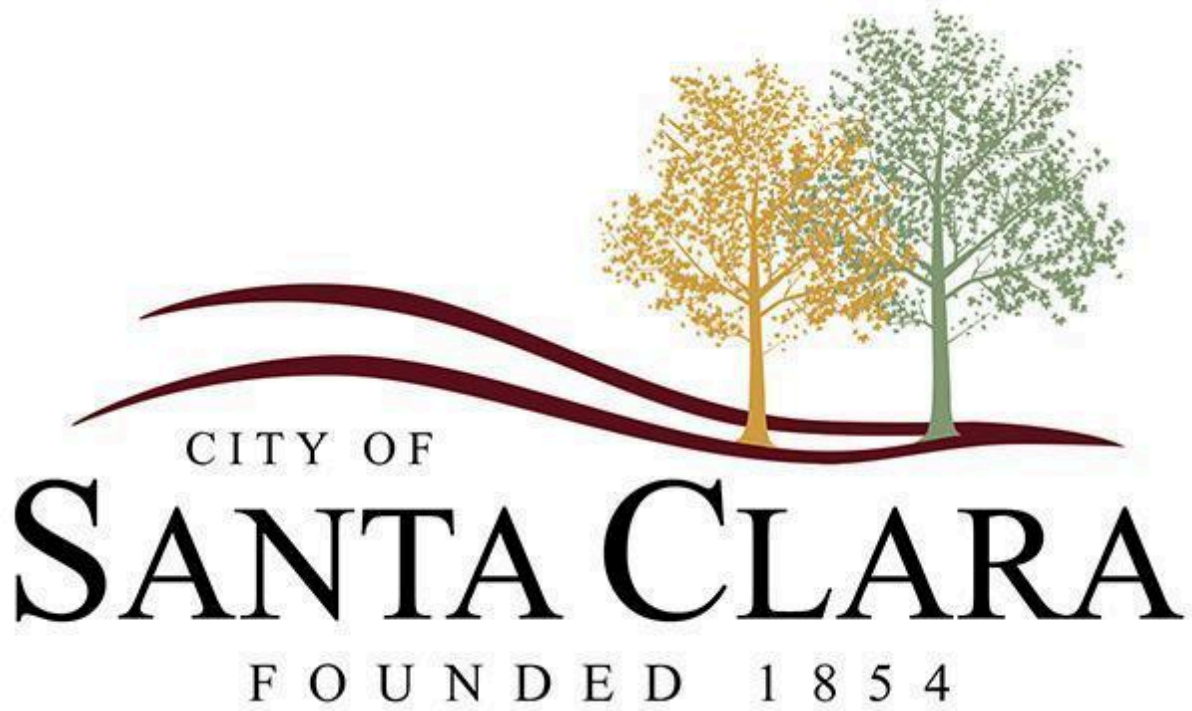
11. RULES OF CONDUCT

- 11.1 Civil Discourse: The Mayor and Council members shall conduct themselves with decorum and follow the rules. They shall engage with honesty, integrity, and respect for others. They shall assume good intent. The Mayor and Council members shall commit to engaging in good faith and maintaining a professional tone that preserves public trust in the process. They shall not interrupt when another Council member or the Mayor is speaking or asking questions. Everyone should feel safe in expressing their opinions, views, and concerns. The Mayor and Council members shall refrain from yelling, name calling, accusations of bad faith, and critiques of others' character traits, intelligence, or appearance. The Mayor shall rule such behaviors out of order, subject to appeal under section 6.4. If the conduct at issue is the Mayor's, the Mayor pro tem shall make the ruling.
- 11.42 Disorderly Citizens: Any person, including staff, who disrupts a meeting by speaking past a time limit, shouting or becoming boisterous, making threats or personal, impertinent, or slanderous remarks, ~~or who shall become boisterous~~ or interfering with the rights of others to see and hear the proceedings, while addressing the Council or otherwise, ~~or~~ and who ~~otherwise~~ has been warned or admonished and continues to violate the decorum, order, or procedure of any meeting ~~after a reasonable warning or admonishment in like manner~~, may be considered disorderly by the Mayor or Council and may be expelled by a two-thirds vote of the Council ~~as~~ pursuant to Section 10-3-608 of the Utah ~~State~~ Code, as amended. Any person may be considered disorderly without a warning in the event of behavior which the Mayor or Council reasonably believes presents a danger to the health or safety of others present at the meeting.
- 11.23 Disorderly Council Members or Mayor: Any member of the Council, or the Mayor, making personal, impertinent, or slanderous remarks, or who shall ~~shout or~~ become boisterous, while addressing the Council ~~or otherwise~~, or who otherwise continues to violate the decorum, order, or procedure of any meeting after a reasonable warning or admonishment, may be considered disorderly by the Mayor or Council, ~~subject to appeal under section 6.4~~, and may be expelled by a two-thirds vote of the Council ~~as~~ pursuant to Section 10-3-607 of the Utah ~~State~~ Code, as amended.

Santa Clara City Council Guidelines for City made Donations:

1. Each year the Santa Clara City Council shall approve a list of donations during the budget workshop for the upcoming FY budget. The list shall include the name of and the amount to be budgeted for each entity/organization. These donations shall be considered an annual request; therefore, they shall be a budgeted item and part of the recommended budget that is adopted each FY. After adoption of the budget, the requests do not have to be placed on an active City Council meeting agenda unless; a City Council member or the entity/organization making the request asks the item to be placed on the agenda.
2. All other requests for donations that are not on the list during the budget workshop, and are not a part of the adopted budget shall *require a public hearing and noticing to be placed on an active agenda for consideration by the City Council at a regular scheduled City Council meeting.
3. The Santa Clara City Council shall base their consideration to donate City funds on the following criteria:
 - a) Nature of the fundraising
 - b) Amount being requested
 - c) Availability of City funds
 - d) What identified benefit the City of Santa Clara will receive in return for any money or resources appropriated
 - e) The City of Santa Clara's purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the residents of Santa Clara City; and
 - f) Whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of Santa Clara City in the area of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose
4. Santa Clara City residents shall have the right and are encouraged to attend the public hearing at the regular City Council meeting to make comments regarding any considerations of City funds to be donated.
5. The Santa Clara City Council has the right to turn down any and all requests for donations made by an individual and/or organization.

**These guidelines and criteria meet Utah State Code 10-8-2 (requiring a public hearing and noticing and giving exception to those items in the regular budgeting process).*



City Council Meeting Policies and Procedures

Adopted:

June 12, 2013
Resolution 2013-12R
Amended July, 2014

RESOLUTION 2013-12R

A RESOLUTION OF THE CITY COUNCIL OF SANTA CLARA CITY, UTAH FOR ADOPTING CITY COUNCIL RULES OF PROCEDURE ALSO KNOWN AS “CITY COUNCIL MEETING POLICIES AND PROCEDURES” PURSUANT TO SECTION 10-3-606 OF UTAH STATE CODE, AS AMENDED AND SANTA CLARA CITY CODE (ORDINANCE 2013-11)

WHEREAS: the City Council of Santa Clara City finds that it is authorized by state law to adopt rules of procedure to govern the conduct of its official meetings; and

WHEREAS: the City Council finds that it is prudent to adopt rules of procedure; and

WHEREAS: the Council has reviewed and approves the following “Santa Clara City, City Council Rules of Procedure” which are incorporated into this resolution;

NOW THEREFORE BE IT RESOLVED by the City Council of Santa Clara City as follows:

1. The attached “Santa Clara City, City Council Rules of Procedure” are hereby adopted.

SANTA CLARA CITY CITY COUNCIL RULES OF PROCEDURE

PURSUANT to Utah Code Ann. § 10-3-606, as amended and City Ordinance 2013-11 the City Council of Santa Clara City adopts the following rules of procedure:

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CITY COUNCIL MEETING POLICIES AND PROCEDURES

1. PURPOSE

- 1.1 Meeting Policies and Procedures: These Meeting Policies and Procedures of the City Council of Santa Clara City are intended for the government of the City Council, the preservation of order, and the orderly transaction of City Council business. These Policies and Procedures should assist and give direction to the Council in conducting their meeting, not inhibit it.

2. AUTHORITY

- 2.1 City Code: The Santa Clara City Code provides that the Council may determine its own procedure policies. These policies shall be in effect until such time as they are amended or new policies are adopted by the City Council.

3. GENERAL RULES

- 3.1 Public Meetings: All official meetings of the Council (except where State or local law allows for closed sessions) shall be open to the public "Open and Public Meetings Act" pursuant to Section 52-4-101 of Utah State Code. The Council shall give at least twenty-four (24) hours advanced notice of its meetings unless an exception for shorter notice is provided under state law. The approved and corrected minutes of the proceedings of these open meetings shall be available for public inspection.
- 3.2 Location: The location of all regular, special, emergency and work session meetings, unless publicly noticed differently, shall be in the Council Chambers in the Santa Clara City Office, 2603 Santa Clara Drive, Santa Clara, Utah 84765.
- 3.3 Quorum: Three members of the Council shall constitute a quorum. A minimum of three votes shall be necessary to take any action, except where more votes are required by Section 7.2.
- 3.4 Recognition by the Mayor: The Mayor shall recognize all Council members, staff and/or individuals from the general public before addressing the Council on any issue.

4. TYPES OF MEETINGS

- 4.1 Regular Meetings: The Council shall meet in accordance with the annual meeting schedule as approved or as amended.
- 4.2 Special Meetings: Special Meetings may be called by the Mayor or by a request of at least two (2) members of the Council to consider any matter.

- 4.3 Emergency Meetings: Emergency Meetings may be called by the Mayor or by a request of at least two (2) members of the Council to consider matters of an emergency or otherwise urgent nature. All Emergency Meetings shall be called, noticed and conducted consistent with Section 52-4-202, subsection (5), of the Utah Code. An attempt shall be made to notify all the members of the Council of the meeting in advance. The best practicable public notice of the meeting shall be given.
- 4.4 Closed Meetings: The Council may adjourn to a Closed Meeting to discuss one or more of the purposes set forth in Section 52-4-205 of the Utah Code. Adjournment to a Closed Meeting requires a two-thirds (2/3) vote of the Council members present. At least one of the appropriate purposes of the Closed Meeting shall be identified and recorded in the minutes of the open meeting from which it is adjourned.
- 4.5 Work Meetings: The Council may meet informally in Work Meetings (open to the public) to review upcoming programs of the City, to receive progress reports on current programs or projects, and to discuss policy issues. No final vote may be taken in a Work Meeting.
- 4.6 Retreats: The Council may meet informally in Retreats (open to the public) to discuss a variety of issues facing the City. While broad general direction may be given, no final vote may be taken in a Retreat.
- 4.7 Electronic Meetings: The City Council may conduct electronic meetings where one or more of its members participate by means of a telephonic or telecommunications conference pursuant to Section 52-4-7.8 of the Utah Code, as amended.
- A. Members so participating shall be considered present at the meeting for all purposes, and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.
 - B. The anchor location as described in State law shall be the Santa Clara City Council Chambers located in the City Office at 2603 Santa Clara Drive in Santa Clara.
 - C. Public notice of the electronic meeting shall be given pursuant to Section 52-4-6 of the Utah Code, as amended by:
 - 1. Posting written notice at the anchor location;
 - 2. Providing written or electronic notice to (a) at least one newspaper of general circulation within the state; and (b) a local media correspondent;
 - 3. Posting written notice on the City website; and

4. Posting written notice to the Utah Public Meeting Notice website.

- D. In addition to giving public notice as described above, the City shall provide notice of the electronic meeting to the members of the City Council at least twenty-four (24) hours before the meeting so that they may participate in the meeting and be counted as present for all purposes, including the determination that a quorum is present. All notices shall include a statement that one or more members of the City Council will be participating electronically, a description of how the member(s) so participating will be connected to the electronic meeting, and the regularly published agenda for that meeting.
- E. No council meeting may be held electronically unless at least one Council member is present at the anchor location. The Mayor, or the Mayor pro tempore (hereafter "Mayor pro tem") duly elected and acting as set forth in section 6 below, shall conduct the meeting from the anchor location. However, if neither the Mayor nor the Mayor pro tem is present at the anchor location, the Council shall select from its membership at the anchor location a Mayor pro tem for the sole purpose of conducting the electronic meeting.
- F. Immediately prior to opening the meeting, the Mayor or Mayor pro tem shall communicate with the person who is participating electronically and insure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the Council member participating electronically wishes to withdraw from the meeting.
- G. If a Council member who participates electronically withdraws from the meeting, the rest of the meeting agenda may be completed provided there is still a quorum of the Council present at the anchor location or there are sufficient other Council members participating electronically to comprise a quorum with those at the anchor location.
- H. The public may attend and monitor the open portions of the meeting at the anchor location, and may participate in all public hearings to the same extent normally allowed.
- I. Prior to taking a vote on any issue, the Mayor or Mayor pro tem shall inquire of the Council member participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, and shall allow that member the opportunity to make any comments he or she desires.
- J. The minutes of the meeting shall designate the name of each Council member who participated electronically, the nature of the electronic communication, and the duration of the Council member's participation.

5. ORDER OF BUSINESS

- 5.1 Regular and Special Meetings: Regular City Council meetings shall be scheduled the second and fourth Wednesday of each month at 5:00 p.m. If a Special Meeting is needed the City Council has set aside the third Wednesday of every month at 5:00 p.m.; however, as noted in 4.2 the Mayor or any two (2) City Council members may call a Special meeting at any time (with proper notice), if such meeting is deemed necessary.

The general rule as to the order of business in regular and special meetings shall be as follows:

- A. CALL TO ORDER - by the Mayor.
- B. OPENING CEREMONY - Pledge of Allegiance and Opening Comments:
 - Pledge of Allegiance - as invited by the Mayor from the members of the City Council.
 - Opening Comments - as invited by the Mayor from the members of City Council or any Santa Clara resident who has submit a request in writing prior to the meeting.
- D. COMMUNICATION AND APPEARANCES – The Mayor can ask for and or conduct any type of General Citizen Communication during this time. This is also the time for citizens to address the City Council.
- E. WORKING AGENDA - The Mayor can revise the order of the agenda items during this time in order to accommodate the Council or to more efficiently handle the business at hand. During this part of the Agenda, members of the Council shall declare any conflicts of interest, and the nature of the conflict of interest, in relation to any matter which is before the Council for action, prior to any discussion of that matter. If a member of the Council realizes a conflict of interest, they may abstain from voting on the matter. If the conflict of interest is in the nature of a financial or economic interest, members of the Council are encouraged to abstain from voting on the matter.

The Working Agenda shall consist of:

- A. Public Hearing(s)
and/or
- B. General Business.
- F. REPORTS - Reports shall consist of:
 - a. Staff Reports
 - b. Mayor/Council Reports
- H. EXECUTIVE SESSION – During the Executive Session, the Council may adjourn the public meeting for the purpose of conduct a Closed Meeting pursuant to Section 52-4-205 of Utah State Code and section 4.4 of these Policies and Procedures above. Upon the completion of

the purposes of the Closed Meeting, the Mayor or Mayor pro tem shall close the Executive Session and reopen the public meeting, without motion of the Council

- F. APPROVAL OF CLAIMS AND MINUTES – The Council shall consider for approval any claims through the date of the meeting and any preceding meetings' minutes. The Council may make any such adoption conditional upon corrections being made to the minutes, or may table such approval pending the provision to the Council of additional information relating to the claims or minutes.
- J. CALENDAR OF EVENTS – The Council may review upcoming meetings, holidays, community events, presentations of commendations, or other upcoming events of interest to the Council or public.
- M. ADJOURNMENT – The Council shall adjourn the meeting by motion, requiring a second and a majority of affirmative votes.

5.2 Emergency Meetings: Emergency Meetings may be called and notice given pursuant to Section 52-4-202, subsection (5), of the Utah Code. The general rule as to the order of business in Emergency Meetings shall be as follows:

- A. Call to order - by the Mayor
- B. Opening Comments
- C. Vote by Council members present to approve the Emergency Meeting
- D. Meeting Items
- E. Adjournment

In the event that fewer than three (3) of the Council members vote to approve the Emergency Meeting, the Mayor or Mayor pro tem shall immediately close the meeting without further discussion or action.

5.3 Work Meetings: In order to not interfere with regularly scheduled City Council meetings, the Council has scheduled the first Wednesday at 5:00 p.m. of every month to have a Work meeting; however, the Mayor may call a Work meeting at any time (with proper notice) if such meeting is deemed necessary. The general rule as to the order of business in work meetings shall be as follows:

- 1. Call to order - by the Mayor
- 2. Working Agenda
 - A. General Business
- 3. Adjournment

6. PRESIDING OFFICER AND DUTIES

6.1 Mayor as the Presiding Officer: The Mayor, if present, shall act as Presiding Officer at all meetings of the Council. In the absence of the Mayor, the

Mayor pro tem shall preside. In the absence of both the Mayor and the Mayor pro tem, the Council shall elect a temporary Mayor pro tem who will then preside at that meeting. All references to the Mayor in these Policies and Procedures shall generally mean and refer to the Mayor pro tem duly elected by the Council and serving pursuant to section 6.6 below.

- 6.2 Call to Order: Meetings of the Council shall be called to order by the Mayor or in the Mayor's absence, by the Mayor pro tem. In the absence of both the Mayor and the Mayor pro tem, the meeting shall be called to order and the attending Council members will elect a temporary Mayor pro tem.
- 6.3 Preservation of Order: The Mayor shall preserve order and decorum; prevent attacks on personalities or the impugning of member's motives; and confine debate to the question under discussion.
- 6.4 Points of Order: The Mayor shall determine all points of order.
- 6.5 Time Limits: The Mayor shall have the power to set time limits on input and discussions at the Mayor's discretion.
- 6.6 Substitution for Mayor: The Council shall elect a member of the Council to serve as Mayor pro tem to preside at meetings and perform the duties of the Mayor in the event that the Mayor is unable, through absence, disability, or refusal to act, to fulfill his or her duties as set forth herein and in applicable state and local law. The Mayor pro tem term will be for one year. Should the Mayor pro tem not be present, any other member of the Council will be elected to temporarily preside at the meeting in order to cover an absence of the Mayor pro tem. The Mayor pro tem, if also a member of the Council, shall while conducting any meeting continue to act as a voting member of the Council.
- 6.7 Motion to be Clear: The Mayor shall ensure that all motions submitted for a vote are clearly understood by the Council.
- 6.8 Call for Vote: The Mayor shall call for a vote. The Mayor shall announce the result of the vote.
- 6.9 Input from Public in Absence of Public Hearing. The Mayor may, of his own volition or at the request of any Council member, request input from members of the public present on any item before the Council for discussion or consideration, even in the absence of a scheduled public hearing as set forth in section 10 below. The Mayor shall have no obligation to request such public input. The Mayor shall only receive such input in a manner consistent with the other provisions of this section 6.

7. TYPES OF MOTIONS AND RECONSIDERATION

- 7.1 Motions Require a Second: All motions require a second before they can be discussed or acted upon. In the Mayor's discretion, questions for clarification

of a motion may be allowed of the non-moving members present, prior to a second on the motion.

- 7.2 Motions Requiring A Two-thirds Vote: A motion to adjourn to a Closed Meeting shall require a motion, a second, and a two-thirds (2/3) vote of the Council members present, or as otherwise required by state law.
- 7.3 Motion to Approve: All motions shall require a second and majority affirmative votes to be approved.
- 7.4 Amendments to Pending Motion: Any motion being considered by the Council may be amended by permission of the maker of the motion and concurrence of the second.
- 7.5 Motions to Continue: The Council may approve a motion to continue any item for further discussion or consideration. Public Hearings and Show Cause Hearings must be continued to a specific date and time and may not be continued beyond forty-five (45) days from the date for which it was first noticed without resetting and re-noticing the hearing.

When the applicant for an agenda item makes a request for continuance, the following policy will be used:

- A. A request to continue the agenda item will be granted if the applicant makes the request at least seven (7) days in advance of the meeting, in which the item was scheduled to be heard. The applicant has the responsibility to notify the affected property owners (those who are required by State law, City ordinance, or City noticing policy to be notified) of the continuance and the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.
- B. If the request is made less than seven (7) days in advance of the meeting in which the item was scheduled to be heard, the Mayor and the Mayor pro tem, or their designees, will determine whether or not there is good cause to continue the item.
 - 1. If the Council determines that there is not good cause to continue the item, the item will remain on the agenda and be considered by the City Council.
 - 2. If the Council determines that there is good cause to continue the item to a future agenda, staff will notify the applicant of the decision. During the meeting in which the item was scheduled to be heard the City Council, by motion, will select the date, and if applicable, the time to which the item is to be rescheduled.

The applicant shall have the responsibility to notify the affected residents (those who are required by City ordinance to be notified) of the continuance and the date and, if applicable, the time when

the item is scheduled to be on the City Council agenda.

- C. If the applicant requests a continuation during the meeting for which the item is scheduled, the City Council will make the determination if there is good cause to continue the item to a later date.
- D. If the applicant requests a continuation and it is determined that there is not good cause to continue the item, and the applicant withdraws the application in lieu of proceeding, the application will not be considered by the City Council until the applicant files a new application and pays the required fees. The new application must follow the same process as any new application.

- 7.6 Motions to Table: Not including Public Hearings and Good Cause Hearings, the Council may table an issue, without scheduling it for future consideration, with a motion, second and a majority of affirmative votes.
- 7.7 Motions which do not receive at least three votes on either side: Motions which do not receive at least three votes for or against the proposition being voted upon are considered to be a tied vote. The Mayor will then vote to cast the tie-breaking vote. However, should the Mayor not be present to break the tied vote, or should the Mayor's vote not serve to break the tie (such as when there are two votes on one side, and one on the other, and the Mayor votes with the side having only one vote) the applicant or any City Council member may request that the item be brought back to the Council at a subsequent meeting to be decided by sufficient members to get three votes one way or the other. The subsequent action is not considered a reconsideration. In the event that neither the applicant nor a Council member requests a subsequent vote, then the item shall be considered to have been voted down.
- 7.8 Motions to Reconsider a Decision: Any two Council members who voted in the majority on a motion approved or denied may request a reconsideration of the action.

The request may be made by making a motion to reconsider at the same meeting in which the original motion was approved or denied or by requesting within seven days of that meeting that there be a motion to reconsider being heard at the next regularly scheduled Council meeting. If a properly made motion to reconsider passes, the actual reconsideration of the item shall take place only after appropriate legal notice is given.

After a motion for reconsideration has been acted on, no other motion for reconsideration on that issue shall be allowed within a twelve (12) month period without unanimous consent of the entire Council. Following the twelve (12) months, the item may be considered as a new item.

- 7.9 Question on the Motion: After a motion and a second, any member of the Council may request a discussion on the motion. Once a question has been answered and discussion is completed, the Mayor shall call for a vote on the

motion.

- 7.10 Withdrawal or Substitution of Motion: At any time prior to the Mayor's call for a vote on the Motion, the moving Council member may voluntarily withdraw the motion or make a new motion which shall be considered to have superseded his or her prior motion. A new motion shall require a new second.
- 7.11 Minutes of Action on Motion: Unless a vote of the Council is unanimous, the minutes of each action taken on any motion shall reflect the vote of each individual Council member.

8. ORDINANCES, RESOLUTIONS and AGREEMENTS

- 8.1 Ordinances: The City Council may pass a law to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition as allowed by state law. Ordinances are generally passed as part of the City Code.
- 8.2 Resolutions: The City Council may express a formal opinion or the will of the Council without it becoming a part of the City Code. A resolution may be used to do any of the following:
- A. Adopt official policies.
 - B. Take official action relating to financial matters.
 - C. Take any administrative action in which the Council is authorized by law to take.
 - D. Regulate the use and operation of municipal property.
 - E. Make an official declaration.
- 8.3 Agreements: The Council may enter into an agreement between the City and one or more parties agreeing to do or not to do an act or take a course of action.
- 8.4 Form: Ordinances, Resolutions, and Agreements shall be in written form, approved by the City Attorney.
- 8.5 Funding: All Ordinances, Resolutions, and Agreements authorizing an expenditure of money shall include the amount, source, and purpose of the expenditure.
- 8.6 Adoption of Ordinance, Resolution, or Agreement: The City Council shall adopt any Ordinance, Resolution, or Agreement by a motion, second and at least three affirmative votes.

The effective date on all Ordinances and Resolutions shall be immediately upon passage, unless the City Council establishes a specific effective date; or, in the case of Ordinances, upon publication.

The effective date on all Agreements shall be the date of execution by the Mayor, unless another effective date is established by the City Council at the time the City Council approves the Agreement.

9. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

- 9.1 Citizen Committees, Boards and Commissions: The City Council may create policy advisory committees, boards, and commissions with such duties as the Council may specify which are not inconsistent with the City Code and State Law.
- 9.2 Member Approval: The request for appointment to the policy advisory committees, boards, and commissions are reviewed by the Mayor and City Council. The Mayor will recommend members to be appointed, which must then be approved by the City Council with a majority vote.
- 9.3 Ad-hoc Citizen Committees: The Mayor, with the advice and consent of the City Council, may appoint Ad-hoc Citizen Committees to address policy issues of specific concern. Ad-hoc Committees shall continue for a temporary and limited duration.

10. PUBLIC HEARINGS

- 10.1 Purpose of Public Hearings: The purpose of public hearings is to provide for public input to the City Council on issues on a specific day and time in order for the City Council to be better informed prior to making a decision on the issue.
- 10.2 Before the Public Hearing:
 - A. Notification will be given well in advance and comply with applicable state and local law.
 - B. Written material submitted by citizens and interested groups must be submitted to the City Recorder's office by 12:00 Noon of the Wednesday before the hearing if they want copies to be distributed in the agenda packets. Any information received after this time will be given to the City Council prior to the meeting being called to order. Citizens and interested groups may distribute copies of materials to the City Council at any time, but during any meeting of the Council material may only be distributed with the approval and direction of the Mayor.
- 10.3 Order of Public Hearings:
 - A. The Mayor shall conduct all Public Hearings. The Mayor should review the rules and procedures for conducting public hearings at the start of the public hearing.
 - B. The public hearing shall first be opened to the appropriate staff member

who will present and discuss with the Council the issue at hand.

- C. Upon completion of the staff member's report, and questions from the Council, the Mayor invites the applicant to discuss with the Council the issue at hand and present additional or more specific information.
- D. Following staff and the applicant's discussion and any questions from the Council, the Mayor shall open the hearing to the public for comments. The Mayor must first recognize any person desiring to address the Council. The Mayor shall try to provide equal time to those favoring and opposing the issue.
- E. The Mayor should courteously limit repetition. The Mayor should retain flexibility for additional comments but only on new information.
- F. At the Mayor's discretion, staff and/or the applicant may address any questions or clarify any matter raised during comment period.
- G. At the discretion of the Mayor, the public hearing shall be closed once the applicant has the opportunity to clarify any concerns, which had been previously discussed. No further remarks by the public will be heard.
- H. The Council may by motion: (i) close a public hearing in order to consider and take action on the issue; (ii) re-open a public hearing during the same meeting at which the public hearing was originally closed, and prior to taking action on the issue; or (iii) continue a public hearing, also continuing consideration of and action on the issue to another specific date and time. A public hearing may not be continued for longer than forty-five (45) days from the date for which it was first noticed without re-noticing and reconvening the hearing.
- I. Upon completion of the public hearing and of any further discussion and/or deliberation of the Council, the Council shall take appropriate action on the issue.

10.4 Manner of Addressing the Council: Each person addressing the Council shall use the microphone and shall state their name and address of residence in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body, and not to any member thereof. Council members should be addressed using their formal title followed by the individual's last name. No person shall be permitted to enter into any discussion, either directly or through the members of the Council unless first recognized by the Mayor. No questions will be asked of the Council Members except through the Mayor.

10.5 Questions from Council members: The Council members may at any time during a public hearing request clarification or additional input from the staff members, applicants, or the general public.

11. RULES OF CONDUCT

11.1 Disorderly Citizens: Any person, including staff, making personal, impertinent, or slanderous remarks, or who shall become boisterous, while addressing the Council, or who otherwise continues to violate the decorum, order, or procedure of any meeting after a reasonable warning or admonishment, may be considered disorderly by the Council and may be expelled by a two-thirds vote of the Council as pursuant to Section 10-3-608 of Utah State Code, as amended.

11.2 Disorderly Council members or Mayor: Any member of the Council, or the Mayor, making personal, impertinent, or slanderous remarks, or who shall become boisterous, while addressing the Council, or who otherwise continues to violate the decorum, order, or procedure of any meeting after a reasonable warning or admonishment, may be considered disorderly by the Council and may be expelled by a two-thirds vote of the Council as pursuant to Section 10-3-607 of Utah State Code, as amended.

Santa Clara City Council Guidelines for City made Donations:

1. Each year the Santa Clara City Council shall approve a list of donations during the budget workshop for the upcoming FY budget. The list shall include the name of and the amount to be budgeted for each entity/organization. These donations shall be considered an annual request; therefore, they shall be a budgeted item and part of the recommended budget that is adopted each FY. After adoption of the budget, the requests do not have to be placed on an active City Council meeting agenda unless; a City Council member or the entity/organization making the request asks the item to be placed on the agenda.
2. All other requests for donations that are not on the list during the budget workshop, and are not a part of the adopted budget shall *require a public hearing and noticing to be placed on an active agenda for consideration by the City Council at a regular scheduled City Council meeting.
3. The Santa Clara City Council shall base their consideration to donate City funds on the following criteria:
 - a) Nature of the fundraising
 - b) Amount being requested
 - c) Availability of City funds
 - d) What identified benefit the City of Santa Clara will receive in return for any money or resources appropriated
 - e) The City of Santa Clara's purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the residents of Santa Clara City; and
 - f) Whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of Santa Clara City in the area of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose
4. Santa Clara City residents shall have the right and are encouraged to attend the public hearing at the regular City Council meeting to make comments regarding any considerations of City funds to be donated.
5. The Santa Clara City Council has the right to turn down any and all requests for donations made by an individual and/or organization.

**These guidelines and criteria meet Utah State Code 10-8-2 (requiring a public hearing and noticing and giving exception to those items in the regular budgeting process).*

MAGNA CITY RESOLUTION NO. R2026-20

A RESOLUTION OF THE MAGNA CITY COUNCIL ADOPTING THE RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS

RECITALS

WHEREAS, the Magna City Council (“City Council”) is the legislative body that requires a systematic way of conducting its business through rules of order and procedure designed to provide the orderly conduct for full, open, and comprehensive debate of issues placed on the City Council agenda for action in a forum open to the public; and

WHEREAS, Utah Code Ann. §§ 52-2-101 et. seq., Open and Public Meetings Act, requires the City to take its actions openly and conduct deliberations openly, unless statutory exceptions apply;

WHEREAS, Utah Code Ann. § 10-3-606 requires that municipalities adopt rules of order and procedure to govern and prescribe parliamentary order and procedure, ethical behavior, and civil discourse in a public meeting; and

WHEREAS, the City Council finds that it is proper to adopt and revise its rules of order and procedure so that the City Council meeting and other public hearings are conducted fairly, orderly, and efficiently; and

WHEREAS, this resolution is adopted to provide a set of rules that governs the City Council meetings or other public hearings.

NOW, THEREFORE, the Magna City Council hereby adopts the Magna City Council Rules of Order and Procedure as follows:

1. **Quorum:** Three members of the City Council shall constitute a quorum to conduct business in a meeting, excluding the Mayor.
2. **Mayor Pro Tempore:** The Mayor shall appoint the Mayor pro tempore, which must be confirmed by the majority of the City Council at the first meeting in January.
3. **Convening the Meeting:** The City Council shall schedule regular meetings in advance by resolution on an annual basis. The schedule shall set the time and place of the regular meeting which shall be held typically on the second and fourth Tuesday of each

month. The Mayor or two City Council members may place items for consideration on the agenda of a regular or special meeting. The Mayor or the Mayor Pro Tempore shall call the meeting to order at the time scheduled, preserve order at the meeting, and conduct the meeting as stated on the agenda and in compliance with applicable ordinances and rules of order and procedure.

- a) All meetings shall be conducted fairly, efficiently, and respectfully. The Mayor or Mayor Pro Tempore has discretion to conduct the meeting consistent with these goals.
 - b) The order to convene a special meeting shall be entered in the minutes and provided with at least three hours' notice in compliance with Utah Code Ann. § 10-3-502 and notwithstanding Utah Code Ann. § 52-4-202. If any City Council member makes a personal appearance at the special meeting without notice, the appearance shall constitute a waiver of the notice.
 - c) The public notice requirement may be disregarded for an emergency meeting pursuant to Utah Code Ann. Subsection 52-4-202(5).
4. **Work Session:** A work session may precede or be included in the regular meeting for the City Council to ask questions or receive input from staff or others on agenda items or other matters. The work session may be informal. No final action shall be taken on any item discussed during a work session.
5. **Public Comment:** At every regular meeting of the City Council, there shall be an agenda item titled "Public Comment" near the beginning of the City Council meeting to allow any member of the public to speak to the City Council on any matter of public concern regardless if the item is identified on the agenda for action.
- a) If any member of the public provides comment on a matter that is set for action later on the agenda, the Mayor may identify the public comment as part of the record for that agenda action but only at the time set for discussion.
 - b) The City Council may not take final action on any unscheduled matter identified during the public comment portion of the agenda, but any City Council member may ask questions, give recommendations to the Mayor, or request that a matter be placed on the agenda at a later meeting.
 - c) To ensure fairness and neutrality, the Mayor shall limit public comments to a maximum of three minutes per individual. The Mayor shall govern the conduct

of the public comments to prevent outward displays of support or opposition to those speaking and prohibit allocations of time by one commenter to another.

6. **General Meeting Procedure:** The matters shall proceed in the order specified on the agenda. A motion to amend the agenda shall be made by the City Council member requesting a change of order to the agenda and seconded, with the majority of the City Council in attendance in favor of amending the agenda.
7. **Consent Agenda:** If there is a routine or uncontested matter that requires approval, the City Council may vote to approve each item as a group on the consent agenda without extensive discussion. Any City Council member may request that any consent agenda item be removed from consideration and reviewed individually. If a consent agenda item is placed on the regular agenda, the City Council shall vote separately on the item or by motion may table the consent agenda item by a nondebatable motion to set it for a future City Council meeting.
8. **Agenda:** The meeting is governed by the agenda, and the agenda constitutes the City Council's ordered list of items for discussion or decision. Final action may be taken on any action item that is in the open meeting and on the agenda.
 - a) The Mayor shall clearly announce the numbered agenda item and clearly state the subject of the agenda item.
 - b) The Mayor may invite the appropriate person, who may be the Mayor, a City Council member, City Attorney, or staff, or an invited person, to provide input, recommendations, or a report on the agenda item, as provided in Subsection 9, Initial Presentation Procedures.
 - c) The Mayor may request members of the City Council to address germane questions for clarification to the person who provided input or a report. The person shall be given time to respond.
 - d) At a public hearing, the Mayor shall open the public hearing for public input and announce the time. After hearing public input, the Mayor shall close the public hearing and announce the time.
 - e) With or without the Mayor's invitation for a motion, a City Council member may make a motion for action on the action agenda item. The Mayor shall identify the maker of the motion.

- f) The Mayor shall recognize the second to the motion and identify the maker of the second, if made. If no City Council member makes a motion to second the original motion, the agenda item is considered concluded without decision, and the City Council moves on to the next agenda item, unless another motion is made.
- g) The Mayor shall announce the motion and its second, or request the maker of the motion to repeat it, or request the City Recorder to repeat the motion.
- h) The Mayor shall declare that now is the time on the agenda to discuss the motion. If no discussion occurs or after discussion, the Mayor shall announce that the City Council shall vote on the motion.
- i) The Mayor may repeat the motion if there has been substantial discussion to clarify the purpose of the motion and vote.
- j) The Mayor votes only in the case of a tie or as otherwise provided in Utah Code Ann. § 10-3b-302. In the event of a tie vote or a nay vote, such votes shall be roll call votes for the purposes of the minutes.
- k) The Mayor shall announce the result of the vote and what action has been taken, if any.
- l) The person who sets an agenda item, whether the Mayor, two City Council members, or staff, may withdraw that agenda item from consideration by communicating the withdrawal to the Mayor prior to the commencement of the meeting.
- m) During the meeting, the Mayor shall announce that the item has been pulled from the agenda and why.

9. **Initial Presentation Procedures:** After an initial input or report on an agenda item, the Mayor or any City Council member may ask germane questions of the person who provided the input or report and review documents and information as necessary to understand the issue.

10. **Motions Required for City Council Action.** To act on any agenda item under consideration, a City Council member shall make the motion to approve the action item or adopt the ordinance, resolution, or rule. The motion shall receive a second from another City Council member. Any motion to approve requires the majority of the City

Council or three votes to pass. In the absence of a second to a motion, the motion to approve fails, and the agenda item is concluded without decision unless another motion is made. There can be no more than three motions on the floor at the same time. The vote shall proceed first on the last motion made.

- a) Initial Motion: Any City Council member may make an initial motion on an agenda item. Prior to voting on the initial motion, the City Council may discuss or debate the motion fully. Each Council member will be given the opportunity to discuss the motion beginning with the council member making the motion and the council member making the second to the motion. The remaining council members then will be allowed to discuss. After each council member has had the opportunity to discuss once, the Mayor may ask for another round of discussion. The Mayor will then close the discussion and call for the vote. The Mayor may limit the length of the discussion for fairness, orderliness, and efficiency. The Mayor may call the question to vote on the matter if a motion has been made and seconded. Any other City Council member may also call the question to vote on the matter.
- b) Motion to Withdraw: At any time prior to voting, the same City Council member who made the initial motion to approve the action item or adopt the ordinance, resolution, or rule may, without a second or a vote, withdraw the motion.
- c) Motion to Amend: Any City Council member may amend an initial motion but it requires a second by a City Council member. The motion to amend must be germane to the initial motion. The City Council may debate or discuss and shall vote on the amended motion prior to voting on the initial motion. If the motion to amend the initial motion has been seconded and passes, the Mayor shall allow debate and action on the amended motion. If the motion to amend fails, the Mayor shall bring the initial motion back to debate in its original format, not amended.
- d) Motion to Substitute: Any City Council member may make a new and different motion, known as a substitute motion, which is not germane to the subject under consideration in the initial motion or the motion to amend the initial motion. The motion to substitute requires a second. If a City Council member questions the characterization of the motion as a substitute motion, the Mayor shall designate the type of motion made, either a motion to amend or a motion to substitute, which is the final determination. After discussion and debate on the substitute motion, which is the most recent motion on the floor, a vote shall be taken. If the substitute motion passes, the initial motion or motion to amend is eliminated.

The substitute motion thus completes the agenda item. If the substitute motion fails, the Mayor now opens the debate on the initial motion, or the motion to amend the initial motion. If the motion to amend passes, the Mayor shall bring the initial motion back to the debate as amended. If the motion to amend fails, the Mayor shall bring the initial motion back to debate in its original format, not amended.

- e) General Consent: The Mayor may use general consent or unanimous consent to dispense with any motion if it appears the City Council is all in agreement. The Mayor shall first determine there are no objections to the general consent motion before the motion is approved.

11. Nondebatable Motions. The Mayor shall immediately call for a vote of the City Council without debate on the following motions made and seconded. A majority vote is required to approve the motion.

- a) Motion to Adjourn: A motion to adjourn requires the City Council to adjourn immediately to its next regularly scheduled meeting and requires a majority vote pursuant to Utah Code Ann. § 10-3-507.
- b) Motion to Fix the Time to Adjourn: A motion that requires the City Council to adjourn the meeting to a specific time identified in the motion requires only a motion and a second to the motion as provided in Utah Code § 10-3-507.
- c) Motion to Recess: A motion that requires the City Council to immediately take a recess with the length of time identified in the motion.
- d) Motion to Table: A motion that requires City Council discussion of the agenda item to cease and the agenda item placed on indefinite hold unless the motion contains a specific time for the return of the agenda item at a future City Council meeting upon the order of the Mayor or two City Council members.
- e) Call for Previous Question: A motion that requires the City Council to cut off debate and put the matter to a vote. The motion is frequently “I move the previous question” or “I call the question.” If the previous question motion is made and seconded, the Mayor shall stop debate and call for the vote on the motion to limit debate.
- f) Call for Orders of the Day: Any City Council member may call for orders of

the day to return the discussion to the agenda. This motion does not require a vote.

- g) Action Items: For information requests or specific assignments to staff, the City Council may act informally or by consensus without a motion.

12. Voting: Any matter brought for legislative action before the City Council by motion must be decided by an affirmative vote or negative vote of a majority of the City Council. Any action by the City Council requires three yes votes to pass. The Mayor may vote in the case of a tie vote or otherwise pursuant to Utah Code Ann. § 10-3b-302.

- a) The Mayor Pro Tempore shall be entitled to cast a vote as member of the City Council, including when acting as Mayor. The Mayor Pro Tempore may not cast more than one vote on any motion or cast a second vote as Mayor to break a tie vote among City Council members. If there is a tie vote with the Mayor Pro Tempore's vote, the motion fails.
- b) On any motion to approve an ordinance, resolution, or rule which creates financial obligations of the City, the vote shall be recorded as a roll call vote.
- c) On any motion to approve, if the voice vote tally is unclear, or if there is even one Nay vote, the entire vote shall be recorded as a roll call vote.
- d) If a council member makes the motion to approve which is seconded and then it fails, a council member may request an entry of findings of fact and conclusions of law to be included into the motion and the record. The City Council may motion to recess to allow the City Attorney to prepare the findings of facts and conclusions of law to be included in the motion or to table for consideration at a future meeting.

13. Closed Meetings: The City Council may hold a closed meeting pursuant to Utah Code § 52-4-205 for certain purposes only. On the public notice required pursuant to Utah Code Subsection 52-4-202(1), the public notice shall include the meeting agenda, which shall include an agenda item to go into a closed meeting, even if not acted upon at each meeting.

- a) Any City Council member may make the motion to convene a closed City Council meeting, and in the open meeting, shall state the reasons for the motion. The motion shall be seconded. The City Council shall approve the motion by 2/3 vote of the members of the public body present prior to convening the closed

meeting.

b) The motion to enter into a closed City Council meeting shall specifically state at least one of the following grounds as provided in Utah Code Ann. Subsection 52-4-205(1). A closed City Council meeting may only be held for:

- i. discussion of the character, professional competence, or physical or mental health of an individual, except to fill a midterm vacancy or temporary absence which occurs in open meeting;
- ii. strategy sessions to discuss collective bargaining;
- iii. strategy sessions to discuss pending or reasonably imminent litigation;
- iv. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water rights or water shares, to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, if public discussion would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
- v. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if the public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms when the public body previously gave public notice that the property would be offered for sale and the terms of the sale are publicly disclosed before the public body approves the sale;
- vi. discussion regarding deployment of security personnel, devices, or systems;
- vii. investigative proceedings regarding allegations of criminal misconduct; or
- viii. deliberations concerning an evaluation, protest, or appeal concerning procurement matters as provided in Subsections 52-4-205(1) (m), (n), or (o).

- c) At the conclusion of the closed meeting discussion, the Mayor shall request a motion and a second to adjourn the closed meeting and return to the open meeting.
14. **Reconsideration:** Only a City Council member who is in the majority on a vote may make a motion to reconsider or rescind any action taken. Any City Council member may second the motion. If approved by a majority, the original agenda item shall be reconsidered or rescinded in the current City Council meeting or placed on the next City Council or special meeting agenda for reconsideration and discussion.
- a) At the time of reconsideration, the City Council may discuss and debate the initial motion as if it were on the floor for the first time. The number of City Council members present must be equal to or greater than the number of City Council members present when the matter was first considered in compliance with Utah Code § 10-3-508.
 - b) If reconsideration would cancel or abrogate a binding obligation of the City, the City Attorney shall provide a legal opinion to the Council on the subject prior to any action on reconsideration.
 - c) At the time of reconsideration, if a motion to rescind the action is made and seconded, the City Attorney shall provide a legal opinion to the Council on the subject prior to any action on the motion to rescind.
15. **Public Hearings at City Council Meetings:** The City Council shall conduct a public hearing during its City Council meeting to consider an annexation, the adoption or any modification of a land use regulation, zoning text, or zoning map, the tentative budget, any bond issuance, or any truth in taxation hearing pursuant to Utah Code § 59-2-919. The City Council may also elect to hold a public hearing on a matter even if it is not required by law.
16. **Rules of Procedure for Public Hearings:** The Mayor may announce that the same rules of order and procedure that apply to a City Council meeting shall apply to a public hearing held during the City Council meeting. The rules of order and procedure and code of conduct shall be made available to the public who attend the public hearing and on the City's public website.
17. **Formal Nature of Public Hearings:** A public hearing may be more formal than other portions of the City Council meeting to protect the due process rights of the applicant and any other participant.

- a) If a staff report is generated prior to the public hearing, the applicant shall be provided with a copy of the staff report within a reasonable period of time prior to the public hearing.
- b) The matter shall be introduced by staff and followed by testimony from the applicant at the applicant's discretion. Any interested person shall then be given the opportunity to provide testimony for or against the matter. At the conclusion of testimony by interested persons, the applicant shall be given the opportunity to offer rebuttal testimony.
- c) Any person providing testimony will be requested to state the person's name and address, state clearly the person's position on the matter subject to review; and provide testimony, information, or data in support.
- d) Any person other than the applicant may provide testimony only once during a specific public hearing, including public hearings that are postponed or continued for future meetings.
- e) The Mayor may limit the length of testimony or allocate available time equitably for any interested person who requests to testify.
- f) Any testimony, evidence, documents, photographs, or other information received by the City Council shall be entered into the record of proceedings. The City Council has the discretion to postpone action on a public hearing item, and it may continue to receive additional written comments or other evidence until such time as the Mayor closes the public hearing or reschedules the public hearing.
- g) At the conclusion of the public hearing, the City Council may consider the matter and engage in discussion and debate as necessary. Although the rules of evidence do not apply to public hearings, City Council members have discretion to weigh the evidence and measure the credibility of the testimony by a preponderance of the evidence.
- h) The City Council may make a final decision at the close of the public hearing, except that the City Council may, in some circumstances:
 - i. announce its findings of fact and conclusions of law in support of the decision orally on the record; or

- ii. give directions to staff to prepare a written order, permit, or decision consistent with the City Council findings, which the City Council may adopt or modify at a future City Council meeting.

18. **Modification of Rules:** To the extent these rules of order and procedure conflict with any other law or statute, the other law or statute shall prevail. The City Council or the presiding officer has discretion to modify these rules or the procedures under these rules to the extent necessary to accommodate the needs of a particular situation or changes in the law. The adoption of these rules shall not be deemed to confer any specific substantive or procedural rights upon any person participating at a City Council hearing or meeting.

19. **Adjournment:** The City Council may vote to adjourn the meeting by motion and a second without hearing all matters on the agenda by a majority vote. Any matter not heard may be rescheduled on the next available agenda. The City Council may also adjourn at any time if disruptive conduct at a meeting prevents orderly action.

20. **Expulsion:** The City Council, by a two-thirds vote of the members of the governing body, may fine or expel any member of the governing body if the person engages in disorderly conduct during the open public meeting or closed meeting, fails to disclose a direct or indirect financial conflict of interest regarding the issue discussed at or action proposed to be taken in the open public meeting, or commits a crime during the open public meeting.

21. **Requiring Attendance of Witnesses, Production of Evidence:** The City Council may require the attendance of any person to give testimony or produce records, documents, or things for inspection, copying, or examination necessary or useful to the governance of the municipality. The City Council may by ordinance establish its own procedures for issuing subpoenas to require attendance or production in the same manner as provided in the Utah Rules of Civil Procedure and through the assistance of the City Attorney.

22. **Conduct of Mayor as Council Chair:** The Mayor shall:

- a) preside at City Council meetings;
- b) participate in discussion of any matter;
- c) vote as a member only in case of a tie or if otherwise specifically authorized under state law pursuant to Utah Code Ann. § 10-3b-302;
- d) have no power to veto;

- e) possess primary responsibility to enforce the Magna City Council Rules of Order and Procedure;
- f) maintain the dignity of the City Council meetings;
- g) call the City Council meeting to order and confine discussion to the agenda;
- h) permit staff and public participation at appropriate times;
- i) require knowledge of the Magna City Council Rules of Order and Procedure;
- j) ensure compliance with the Magna City Council Rules of Order and Procedure;
- k) ensure compliance with the Utah Open and Public Meetings Act;
- l) advise or courteously discourage any member who talks disproportionately to other members, including imposing a time limit on council reports;
- m) ensure those who have the floor are not interrupted; and
- n) make the ruling if a member is out of order or noncompliant with City Council procedures.

23. **Written Minutes:** The City Council shall keep written minutes and a recording of all open meetings. Written minutes shall include the date, time, place of meeting, the names of members present and absent, the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body. Any member of the public body may request any other information or record of the proceeding to be entered in the minutes or recorded at the open meeting. The written minutes are intended to be a summary document of the agenda items acted upon and related discussions, not a transcript or verbatim summary of comments made by members of the public body.

24. **Online Version of Minutes.** An online version of the City Council minutes may satisfy the requirements that minutes include “the substance of all matters proposed, discussed, or decided or the substance of testimony or comments” if maintained and publicly available online by providing a link to the meeting recording as required in Utah Code Subsection 52-4-203 (2)(b).

25. **Code of Conduct:** These Rules of Order and Procedure also adopt the “Code of Conduct” to be applied both in and out of open public meetings to members of the Magna City Council, Boards, Committees, and Commissions. Attached as ***Exhibit A***.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MAGNA :

Section 1. The Magna City Council Rules of Order and Procedure are adopted by the City.

Section 2. The Code of Conduct is adopted for the Mayor, Magna City Council, Boards, Committees, and other Commissions and attached as ***Exhibit A***.

Section 3. This Resolution hereby adopted is effective on _____.

[execution on following page]

MAGNA CITY RESOLUTION NO. R2026-120

**A RESOLUTION OF MAGNA CITY COUNCIL ADOPTING THE RULES OF
ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS**

ADOPTED this 24th day of March, 2026.

MAGNA CITY, UTAH

BY:

MICK SUDBURY, Mayor

Date

ATTEST:

Diana Baun, City Recorder

Date

VOTING:

Council Member George

voting _____

Council Member Jensen

voting _____

Council Member Olsen

voting _____

Council Member Pierce

voting _____

Council Member Prokopis

voting _____

EXHIBIT A
CODE OF CONDUCT

Code of Conduct

For Members of the Magna City Council, Boards, Committees, and Commissions

The Magna City Council hereby adopts a Code of Conduct for Members of the City Council, including the Mayor, and Magna City's boards, committees, and commissions to ensure public confidence in the integrity of local government and its effective, open, and fair operation. If there is a conflict between the City Council's Rules of Order and Procedure and the Planning Commission's, the City Council's Rules of Order and Procedure shall govern until such time as amended Planning Commission Rules of Order and Procedure are adopted. The following standards are established:

- **Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, Members will work for the common good of the people of Magna and not for any private or personal interest, and they will ensure fair and equal treatment to all persons, claims and transactions coming before the Magna City Council, boards, committees, and commissions.

- **Comply with the Law**

Members shall comply with the laws of the nation, the State of Utah, and Magna City in the performance of their public duties. These laws include the United States and Utah Constitutions; the Magna City Municipal Code; statutory provisions pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government, including the Utah Public Officers' and Employees' Ethics Act, Utah Code, Title 67, Chapter 16; and Magna City policies and procedures.

- **Conduct of Members**

The professional and personal conduct of Members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from rudeness, disrespectful comments, insults, name-calling, abusive conduct, personal charges, or verbal attacks upon the character or motives of other Members of Council, Mayor, boards, committees, commissions, the staff, or the public.

- **Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order and procedure as established by the Mayor, City Council, board, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City Staff.

■ **Conduct of Public Meetings**

Members shall prepare themselves for public issues in the meeting, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. Everyone should feel safe in expressing their opinions, views, and concerns. Clapping, shouting, and booing during meetings are not permitted. All persons attending a Public Meeting shall obey any lawful order of the Chair to enforce the Rules of Procedure.

■ **Conflict of Interest**

In order to ensure their independence and impartiality on behalf of the common good, Members shall not use their official positions to influence governmental decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. In accordance with law, Members shall disclose investments, interest in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

■ **Policy Role of Members**

Members shall respect and adhere to the Council-manager structure as adopted by ordinance of the Magna City government. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, City Manager, City staff, boards, committees, or commissions.

■ **Independence of Boards, Committees and Commissions**

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, Members of the City Council shall refrain from using their elected positions to unduly influence the deliberations or outcomes of board, committee, commission, and staff deliberation proceedings.

■ **Positive Workplace Environment**

Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealing with City employees but without giving inappropriate direction to staff.

Compliance and Enforcement

Magna City Code of Conduct is intended to be self-enforcing. It therefore becomes most

effective when Members are thoroughly familiar with it and embrace its provisions. The Magna City Code of Conduct expresses standards for ethical conduct expected of the Mayor and Members of the Magna City Council, boards, committees, and commissions. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Mayor and Chairs of boards, committees, and commissions have the responsibility to intervene when actions of Members are witnessed or reported that appear to be in violation of the Code of Conduct. The City Council by 2/3 vote may also impose sanctions on Members whose conduct does not comply with the City's ethical standards.

Sanctions

- Official verbal reprimand in an open meeting if the Member continuously causes disruptions during a public meeting and does not appropriately respond to a simple warning.
- Formal public letter of censure by Mayor, Chair, or majority of the council or body.
- Loss of any committee assignment.
- In accordance with Utah Code Ann. §§ 52-4-301 or 10-3-607, removal from meetings.

Official Warning and Temporary Suspension

The Meeting Chair shall issue an official warning before taking further action in response to the following actions by a member of the City Council, City Staff, or the Public who does any of the following:

- Repeatedly begins speaking without being recognized by the Chair;
- Engages in attacking insults; or
- Engages in boisterous conduct, including applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, slanderous, or obscene utterance that disturbs, disrupts, or otherwise impedes the conduct of the meeting.

This warning shall clearly identify the inappropriate behavior and the potential consequences that will arise if such behavior persists, provide the warned individual with an opportunity to

correct the conduct, before the city takes more serious action, including temporary removal from the premises. The City Council shall issue this warning by a majority vote.

Suspension from the Meeting

The City may suspend the abusive individual for the remainder of the meeting and any subsequent meetings which the City has scheduled for that day if the individual does not correct the behavior in response to an official warning. This temporary suspension from City property provides the offending individual with an opportunity to “cool down” and reflect on his or her behavior. The City Council shall approve the suspension from the meeting by a majority vote.

RULES OF ORDER AND PROCEDURE

§ 30.055 ADOPTION.

The city hereby adopts the following rules of order and procedure to govern the meetings of the City Council.
(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.056 MEETING PROCEDURES.

The city shall comply with all required procedures contained in the Utah Code and as outlined in §§30.035 through 30.042 of this chapter. The City Council does not formally adopt *Robert's Rules of Order*. City Council meeting agenda items will be conducted by introducing the item and having a discussion by the Council members on the item. After sufficient discussion, a motion and a second will be required for the Council to vote. If no second to a motion is received, then the motion becomes invalid and another motion can be considered. Other meeting procedures are outlined below in this section of the city code. If any rule is in conflict with any provision of Utah State Code governing meeting procedures for the City Council, the City Council shall follow the provision of the Utah State Code. Unless otherwise stated in State Code, three votes are required to approve an item or any action.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.057 PUBLIC COMMENT.

Public comment may be listed on the agenda of the City Council and may be limited to residents of the city. The public comment portion of the meeting shall be limited to the public speaking to the Council on any item listed or not listed on the agenda. Members of the public shall be free to express any idea, question or viewpoint without limitation, except for time and the manner of the presentation. Individual members of the public shall be limited to three minutes' time. The Chair of the meeting shall ensure that the public comment is civil and orderly. Personal attacks made publicly toward any person or city employee are not allowed. Speakers are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the city's personnel policies. The Chair shall use his or her best efforts to allow the free expression of the public and keep the meeting in order. Council members should not interrupt, argue with or otherwise interfere with any comment by a member of the public. The Mayor and City Council may ask clarifying questions of the member of the public making a presentation and other members of the public may ask clarifying questions of the presenter at the discretion of the Chair.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.058 PUBLIC PARTICIPATION IN MEETING.

Other than at a required public hearing and the public comment portion of the meeting, members of the public shall not be allowed to participate in the meeting unless they are on the agenda or requested to present to the Council by the Chair of the meeting or a member of the Council. Any member of the public interrupting City Council proceedings, approaching the Council without permission, otherwise creating a disturbance, or failing to abide by the rules of procedure in addressing City Council, shall be deemed to have disrupted a public meeting and, at the direction of the Chair, may be removed from Council Chambers by Police Department personnel or other agent designated by City Council or City Administrator.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.059 COUNCIL MEMBER PARTICIPATION.

Any member of the Council wishing to speak on any item on the agenda shall be recognized by the Mayor to do so. This recognition can be informal. No Council member shall interrupt another Council member. Council members shall conduct themselves at all times with civility and respect. They shall refrain from making any disparaging remarks concerning any other member of the government body, employees or the public. If the Chair feels that there has been sufficient discussion of an item and all Council members have had an opportunity to speak, the Chair can call for a motion on the item. If no motion is received the item will be considered continued to allow further thought by the Council members on the item. Any meeting designated as a work meeting shall be more informal and Council members may freely participate as long as proper decorum is maintained.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.060 CHAIRING THE MEETING.

The Mayor shall chair the meeting in a manner to accomplish the following goals.

(A) The Mayor, as Chair, shall pace the meeting so that all items on the agenda should be addressed and either concluded or continued.

(B) The Mayor shall open and introduce an item on the agenda in order, unless the Mayor feels like there is a good

reason to go out of order.

(C) The Mayor, as Chair, shall ensure that the time limits on the public comment portion of the meeting are complied with.

(D) The Mayor, as Chair, shall use his or her best efforts to see that Council members and the public are treated at all times with respect and civility and that the meetings are orderly.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.061 HOW VOTE IS TAKEN.

A roll call vote shall be recorded for all ordinances, resolutions or any other item that a vote is required. A roll call vote will be considered taken as long as the actual vote of each individual member is recorded. It is not necessary to have each individual Council member vote separately to be considered a roll call vote.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.062 QUORUM; DEFINITION; MINIMUM VOTE REQUIRED.

The number of Council members necessary to constitute a quorum is three, excluding the Mayor. The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the Council, unless otherwise prescribed by law, is three. The Mayor is only allowed to vote in accordance with state law such as a tie vote or on items concerning the Mayor's rights and privileges defined in the state law.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.063 RECONSIDERATION.

Any action taken by the Council may not be reconsidered or rescinded at any special meeting unless the number of members of the Council present at the meeting is equal to or greater than the number of members present at the meeting when the action was approved or disapproved.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.064 MEETING ADJOURNMENT.

Meetings of the City Council, as a goal, shall be scheduled to end at or before 10:00 p.m. and the Mayor and City Council shall use their best efforts to conclude the meeting in a timely manner. However, no motion to extend the time of the meeting is necessary to be made. The meetings of the City Council shall not be adjourned until either all items listed in the agenda have been acted upon or a motion to adjourn is made and approved by a majority of the City Council.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.065 ATTENDANCE AT COUNCIL MEETINGS.

The City Council may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011)

§ 30.066 ELECTRONIC MEETINGS; AUTHORIZATION AND REQUIREMENTS.

(A) In order to include members of the City Council through an electronic connection, a request for an electronic meeting must be made by a member of the City Council up to three days prior to the meeting to allow arrangements for the electronic meeting to be made. A quorum of Council members must be present at a single anchor location for the electronic meeting to be held. However, if a proclamation of local, state or national emergency is in effect, a majority of a quorum of the Council need not be physically present at the physical location from which the electronic meeting originates or from which the Council members are connected to the electronic meeting in order for an electronic meeting to be held. The city shall provide space and facilities at the anchor location so interested persons and the public may attend and monitor the open portions of the meeting. If comments from the public will be accepted during the electronic meeting, facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor and participate in the open portions of the meeting. The Council may restrict the number of separate connections for members of the Council that are allowed for an electronic meeting based on available equipment capability or establish other procedures, limitations or conditions governing electronic meetings not in conflict with this section.

(B) In order to participate in meetings electronically, Council members shall establish and maintain their electronic connection for the entire Council meeting including all work sessions or other scheduled items appearing on the meeting agenda. Small disconnections due to technical problems are allowed in order to meet the intent of this requirement.

(C) If the City Council convenes or conducts an electronic meeting they shall give public notice of the meeting in accordance with state statute and post written notice at the anchor location. The City Recorder shall provide notice of the

electronic meeting to the Council members at least 24 hours before the meeting so they may participate in and be counted as present for all purposes and a description of how the members will be connected to the electronic meeting.

(D) The City Council may prohibit or limit electronic meetings based on budget, public policy or logistical considerations.

(Prior Code, § 2.03.040) (Ord. 11-32, passed 12-1-2011; Ord. 20-04, passed 3-19-2020)

SARATOGA SPRINGS CITY COUNCIL BYLAWS, RULES OF ORDER, AND PROCEDURES

1. PURPOSE.

These policies and procedures are designed and adopted for the purpose of providing guidelines for the members of the Saratoga Springs City Council in the performance of their duties and conducting their meetings. The City Council shall be governed by the provisions of state law, city ordinances, and these rules. These rules shall not provide an independent basis or cause of action for invalidating or in any way altering a final decision of the council unless otherwise provided by city ordinance or state Law. In the event of a conflict between the provisions herein and city ordinance or state law, the stricter or more specific provision shall apply. “Council member” or “Council” as used herein shall mean any member of the City Council including the Mayor.

2. ROLE OF COUNCIL AND OTHER OFFICERS.

a. Mayor.

- i. To preside at all meetings of the Council and provide general direction for the meetings;
- ii. To call the Council to order and proceed with the order of business;
- iii. To announce the business before the Council in the order in which it is to be acted upon;
- iv. To receive and submit in the proper manner all motions and propositions presented by the members of the Council;
- v. To put to vote all questions that are properly moved or necessarily arise in the course of proceedings and to announce the results of the vote;
- vi. To vote only in the case of a tie or as otherwise provided in state law or city ordinance;
- vii. To inform the Council on any point of order or practice (may call upon legal counsel for advice);
- viii. To authenticate by signature all acts, orders, and proceedings of the Council;
- ix. To maintain order and dignity at meetings of the Council;
- x. To move the agenda along and reduce redundancy; and
- xi. To recognize speakers and Council members prior to receiving comments and presentation of evidence.

b. Mayor Pro Tem.

- i. The Mayor Pro Tem, during the temporary absence of the Mayor (as provided in City Code § 2.02.01), shall have and perform all the duties and function of the Mayor.

c. City Recorder. The City Recorder shall serve as the secretary of the Council. The City Recorder shall have the following duties:

- i. To give notice of all City Council meetings;
- ii. To keep and record accurate minutes of the proceedings of the City Council;
- iii. To keep and maintain a permanent record of all vital documents and papers pertaining to the work of the Council;
- iv. To sign the meeting minutes after the minutes have been approved by the City Council; and
- v. To perform such other duties as may be required.

d. Council members.

- i. **Meeting Attendance.** Every member of the Council shall attend the sessions of the Council unless duly excused or unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the City Recorder. The City Recorder shall call the same to the attention of the City Manager and Mayor.

3. RULES OF ETHICS, CONDUCT, AND DECORUM.

a. Ethics and Conflicts.

- i. The Council shall follow the standards of conduct for municipal officers and employees and disclose actual or potential conflicts of interest as provided for in the Municipal Officers' and Employees' Ethics Act.

b. Council Member Removal.

- i. **From Meetings.** A Council member may be expelled from a meeting for disorderly conduct upon the vote of three members of the Council. The Mayor may vote in such a case.
- ii. **From Office.** A Council member may be removed from office in accordance with state law.

c. Treatment of Information.

- i. It is important to differentiate between Council information that belongs to the public and Council information that does not.
- ii. Generally, final reports and official records of city departments must be open on an equal basis to all inquiries.
- iii. Letters, emails, and memoranda from legal counsel should be kept confidential so as not to waive the attorney-client privilege.
- iv. Information considered private, controlled, or protected that is learned in the course of performing Council duties must be treated in confidence if specifically dictated by state law. This information may become public when an application for official action is submitted. In such a case, a Council member should consult with the City Attorney to determine whether such information has become public.
- v. In the case of an administrative decision (as compared to a legislative or executive decision), the applicant should receive copies of all written

reports, data, memoranda, studies, and correspondence—unless such written information is privileged or confidential—that is obtained or used by the City Council in making a decision as to that application. This is required to protect the applicant’s due process rights, provide the applicant with notice, and allow the applicant an opportunity to address or rebut the written information. This does not apply to drafts or writings that are in progress.

d. Decorum.

- i. Council members shall not engage in personal attacks and shall respect the viewpoints of staff, the public, and other Council members.
- ii. Council members shall restrict comments to issues before the body.
- iii. Council members shall avoid engaging in private discourse or other actions that may distract the attention of the Council or the audience from the business at hand or that might interfere with a person’s right to be heard after recognition by the Mayor.
- iv. Council members shall demonstrate courtesy and not disrupt meetings.
- v. Violations of decorum or conduct of Council members shall be addressed by the Mayor, who may declare a Council member out of order.

4. MEETINGS.

a. Definitions.

- i. **“Closed Meeting”** means a meeting that is properly closed in accordance with the Utah Open and Public Meetings Act that is part of a regular meeting, special meeting, or emergency meeting.
- ii. **“Emergency Meeting”** means a meeting of an urgent or emergency nature that meets the requirements of the Utah Open and Public Meetings Act.
- iii. **“Regular Meeting”** means a meeting listed on the City Council’s annual meeting schedule that meets the requirements of the Utah Open and Public Meetings Act.
- iv. **“Special Meeting”** means a meeting to consider matters of a non-emergency or non-urgent nature that is not listed on the City Council’s annual meeting schedule and that meets the requirements of the Utah Open and Public Meetings Act.
- v. **“Quorum”** means three members of the Council, excluding the Mayor.

b. Types of Meetings.

- i. **Regular Meetings.** The Council shall hold regular meetings at least once each month. The Council shall adopt a regular meeting schedule on an annual basis. Regular meetings may include work sessions and/or policy sessions.
- ii. **Special Meetings.** The Mayor or two Council members may order the convening of a special meeting of the Council. Each order shall be entered in the minutes of the Council and provide at least three hours’ notice to each

Council member of the meeting. The City Recorder shall serve notice of the special meeting on each Council member who did not sign the order by delivering the notice personally or by leaving it at the member's residence. The special meeting shall otherwise comply with the noticing requirements of the Utah Open and Public Meetings Act. Any action taken by the Council may not be reconsidered or rescinded at any special meeting unless the number of members of the Council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

- iii. **Emergency Meetings.** An emergency meeting to consider matters of an emergency or urgent nature may be held if unforeseen circumstances make it necessary to do so. In such an event, in accordance with the Utah Open and Public Meetings Act, the Council must give the best notice practicable of the time and place of the emergency meeting and the topics to be considered at the emergency meeting. An emergency meeting may not be held unless an attempt has been made to notify all of the Council members and a majority of the Council members, not including the Mayor, approves the meeting.
- iv. **Closed Meetings.** Closed meetings may be held for the purposes and by following the procedures listed in Utah Code §§ 52-4-101—305. In accordance with this section, the closed meeting may be held upon a vote by two-thirds of the Council members present, not including the Mayor, so long as a quorum is present. After conclusion of the closed meeting, no vote is required to resume to a public (open) session. In such a case, the Mayor or Mayor Pro Tem shall announce the end of the closed meeting and the resumption of the public session.

c. Agenda.

- i. A written agenda for each meeting shall be prepared under the direction of the City Manager. In the event any member of the Council desires to add an item or items to any prepared agenda, consent must be obtained from: (a) another Council member; or (b) the Mayor. The Mayor may also add an item to the agenda. Upon receiving the request, the City Manager shall add or delete the requested items to the prepared agenda.
- ii. Any member of the public may place an item on the agenda upon the approval of: (a) the City Manager; (b) two Council members, which may include the Mayor; or (c) the Mayor. The City Manager, Mayor, and Council members shall not unreasonably deny a request.

d. Serious Moment of Reflection.

- i. Each City Council Meeting may begin at the direction of the Mayor with a serious moment of reflection comprised of a prayer, supplication, moment of silence, inspirational thought, inspirational reading, etc. The serious moment of reflection will be led by a member of the City Council only.
- ii. A member of the public may give a serious moment of reflection during the general public comment period, if any public comment period is held. A

member of the public giving a moment of reflection shall adhere to the following rules:

- (a) The serious moment of reflection shall not exceed three minutes;
- (b) The presenter must be in attendance in person and prepared to proceed when or if the public comment period is opened;
- (c) The presenter must abide by the City Council's rules of decorum as set forth in Section 3;
- (d) The serious moment of reflection may consist of a prayer, supplication, inspirational thought, inspirational reading, a moment of silence, or other appropriate activity;
- (e) The serious moment of reflection should not disparage the beliefs of others;
- (f) The serious moment of reflection should not demean, insult, or degrade any person; and
- (g) The serious moment of reflection should not be crude, vulgar, or offensive to the public sense of decency.

d.e. Public Hearings.

- i. Public hearings are generally part of a regular meeting and shall consist of those items the Council is legally required to hold a hearing for or for items the Council wishes to receive public input on.
- ii. The City Manager shall automatically schedule matters that state law or city ordinance requires a public hearing. Upon the request of three or more Council members, or two Council members and the Mayor, the City Manager may schedule a public hearing on any other topic.
- iii. Public hearings will be held after providing proper notice as required by state law or city ordinance.
- iv. When a public hearing is held, a member of city staff having knowledge about the issue will first present information on the issue and answer questions.
- v. The Mayor will then call upon the applicant to make a short presentation about the item on the Council agenda.
- vi. Following comments from the applicant, the Mayor will declare the public hearing as opened or convened. No motion is needed to open or convene the public hearing.
- vii. At that point, all parties interested in addressing the issue are invited to speak before any discussion is held by the Council or before any motion is made. The Mayor may provide a time limit for those addressing the Council during a public hearing and may limit redundant, irrelevant, or inappropriate comments from the public. The applicant should not speak during the public hearing. Each individual who speaks during the public hearing shall state his or her name before proceeding.
- viii. Upon conclusion of the public comment, the Mayor will announce the closure of the public hearing. No motion is needed to close the public

hearing. ix. The Council may vote to continue a public hearing to a future specified date, time, and location if there is insufficient time to take all public comment.

- x. After the public hearing is closed, the Council may proceed with discussion on the matter at hand. As part of the discussion, the Council shall offer the applicant an opportunity to address comments made by the public and to answer questions asked by the Council.
- xi. When discussion by the Council is finished, a motion may occur in accordance with subsection 4.h.

e.f. Quorum. Three members of the Council (not including the Mayor, and including the Mayor Pro Tem if the Mayor is not present) shall constitute a quorum thereof for the transaction of all business except where otherwise required.

f.g. Content.

- i. Discussions in the meetings are to be limited to agenda items and issues reasonably related thereto.
- ii. Comments or presentation by the public that are redundant, irrelevant, or inappropriate may be limited by the Mayor.
- iii. In order to ensure that the meetings proceed timely and orderly, the Mayor may impose a time limit on those desiring to address the Council.
- iv. At the discretion of the Mayor, groups desiring to address the Council may be asked to select a spokesperson. A group shall be defined as an assembly of three or more people in attendance with similar viewpoints on a given issue. The names of each member of the group shall be provided to the City Recorder as well as the name of the spokesperson of the group. This information must be provided prior to the spokesperson being allowed to address the Council.
- v. Any person who exceeds a time limit, shows disrespect to any person attending or participating in the meeting, is disruptive, violates any law, or discusses irrelevant, redundant, or inappropriate issues may be removed at the direction of the Mayor.

g.h. Motions.

- i. **Making Motions.** Any Council member, except for the Mayor, may make or second a motion. Motions should state findings for denial or approval within the motion. Council members may adopt by reference any findings contained in staff reports if the Council members have reviewed and agree with those findings and so state on the record. All motions shall be repeated if directed by the Mayor.
- ii. **Second Required.** Each motion of the Council must be seconded by a member of the Council. The Mayor is not allowed to second a motion. A motion that is not seconded is considered failed.
- iii. **Withdrawing a Motion.** After a motion is made and seconded, it shall be deemed in the possession of the Council, but it may be withdrawn at any time

before decision or amendment by the consent of the author and Council member who seconded the motion.

- iv. **Motion to Table.** A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter and, whenever feasible, a specific date to rehear the matter. The item should be placed on the next available Council agenda if feasible.
- v. **Amending Motions.** When a motion is pending before the Council, any Council member may suggest an amendment without a second at any time prior to the Mayor calling for a vote on the motion. The amendment must be accepted by the author and the member that seconded the motion in order to amend the stated motion.
- vi. **Substitute Motions.** A substitute motion, which shall replace the original motion, may be made prior to a vote on the original motion. The substitute motion must be accepted by the author and the member that seconded the motion in order to substitute the stated motion. If not accepted, the member making the substitute motion shall wait until after a vote on the original motion to make a new motion.
- vii. **Reconsidering a Motion.** To recall a previous motion for further evaluation or action, a motion for reconsideration may be made by a Council member who voted with the majority. The motion to reconsider must pass with a minimum of three votes. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Council. Motions to reconsider a previous motion should normally take place during the same meeting the motion was made.
- viii. **Recesses.** No motion is necessary to break for a short recess. In such a case, the Mayor shall announce that the Council is taking a break and announce the time the Council will reconvene. In addition, one or more Council members may take a short recess so long as a quorum remains in attendance.
- ix. **Adjourn.** No motion is necessary to adjourn a meeting. In such a case, the Mayor shall announce the adjournment of the meeting.

h.i. Voting.

- i. **Number of Votes Required.** Unless otherwise provided by state law, City ordinances, or herein, the minimum number of votes required to make a determination on any item presented to the Council or to transact any business before the Council shall be three votes so long as a quorum is present.
- ii. **Changing a Vote.** No member shall be permitted to change his or her vote after the decision is announced by the Mayor, unless a motion for reconsideration or a substitute motion is made and approved as provided herein.
- iii. **Tie Votes.** Tie votes shall be broken by the Mayor casting a vote.
- iv. **Conflict of Interest, Disqualification.** If required to be disqualified from voting by the Municipal Officers' and Employees' Ethics Act because of a

conflict of interest or other reason, a disqualified Council member shall leave the room and not participate in the discussion or vote of that particular item.

v. **Roll Call Required.** A roll call vote shall be required for the following types of actions:

1. ordinances;
2. resolutions;
3. actions that would create a liability for the City;
4. action on an item when a Council member specifically requests a roll call; and
5. action on an item for which a Council member is participating electronically.

5. MISCELLANEOUS.

a. **Additional Guidelines.** In addition to these policies and procedures, the Council may invoke additional guidelines as necessary to address issues as they arise so long as they are consistent with the nature and intent herein.

b. **Amendments.** These rules may be amended at any policy meeting of the City Council by affirmative vote of the majority of the entire Council, not including the Mayor, provided that the amendment has been presented in writing to the Council, City Manager, and City Attorney at least 48 hours preceding the meeting at which the vote is taken. Proposals to amend these rules shall also be properly noticed under the Utah Open and Public Meetings Act.

RESOLUTION NO. R25-35 (06-17-25)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, UTAH, AMENDING THE SARATOGA SPRINGS CITY COUNCIL BYLAWS, RULES OF ORDER, AND PROCEDURES (“BYLAWS”).

WHEREAS, Utah Code § 10-3-606 requires the legislative body to adopt rules of order and procedure; and

WHEREAS, the City Council previously adopted rules of order and procedure entitled the Saratoga Springs City Council Bylaws, Rules of Order, and Procedures (“Bylaws”).

WHEREAS, the City Council finds that amendments to the bylaws will serve the public interest and contribute to the efficient administration of City services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS THAT:

1. The Saratoga Springs City Council Bylaws, Rules of Order, and Procedures are hereby amended, which amendments are attached hereto as Exhibit A.
2. This Resolution shall take effect immediately upon passage.

ADOPTED AND PASSED by the Governing Body of the City of Saratoga Springs, Utah this 17th day of June, 2025

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Signed: _____
Jim Miller, Mayor

Attest: _____
City Recorder

Exhibit A

RULES OF ORDER AND PROCEDURE

CLINTON CITY COUNCIL

Adopted February 10, 2026

Purpose

The City Council has an obligation to be clear, careful, and consistent in its procedures. Council members have a right to full and fair discussion. Both the council and the public have a right to reasonable notice to prepare and participate in the process. The City Council adheres to the legal requirements in Utah Code Annotated § 10-3 and the Open and Public Meetings Act § 52-4.

Civil Discourse

Members of the council shall conduct themselves with decorum and follow the rules. Members study the agenda packet in advance and listen carefully to the meeting participants. They engage with honesty, integrity, and respect for others. They assume good intent.

The City Council values full, candid discussion prior to making decisions. Members are encouraged to raise questions, concerns, and alternative viewpoints during work sessions and deliberation, and to ensure those perspectives are meaningfully considered. When a decision reflects the will of the majority of the governing body, it becomes the formal action of the institution. Members who disagree with the outcome retain the right to respectfully express dissenting views.

Members commit to engaging in good faith and maintaining a professional tone that preserves public trust in the process. Members shall refrain from yelling, name calling, accusations of bad faith, and critiques of others' character traits, intelligence, or appearance. Personal attacks are unbecoming representatives of the people. The chair shall rule such behaviors out of order.

Ethical Behavior

Members shall adhere to the Municipal Officers' and Employees' Ethics Act in UCA § 10-3-13 regarding such matters as gifts, disclosures, and conflicts of interest. Members shall not use their positions to secure privileges or exemptions for themselves or others.

Standard of Dress

Council members and participating staff are encouraged to wear business attire in keeping with the high-minded nature of the proceedings.

Attendance

Physical attendance at meetings is the general expectation. Members shall notify the chair as soon as possible if they cannot attend so the chair can ensure a quorum. Members shall endeavor to attend virtually if they cannot attend physically.

Meetings

The City Council meets at City Hall, 2267 North 1500 West, every second and fourth Tuesday of the month for a work session at 6 p.m., followed by a regular council meeting at 7 p.m.

Infrequently, the chair may cancel a meeting, but only if necessary, and only if the council is ensured to meet at least once in the month, per UCA § 10-3-502(1)(b). The chair may schedule a meeting for a different day and time, referred to as a “special meeting.” Any two council members together may also call for a special meeting, in accordance with UCA § 10-3-502.

Mayor as Chair

The mayor is the chair of the meetings. The mayor may fully participate in discussion and debate, but may not make motions or vote, unless there is a tie. If a council member is acting as the chair, that member shall not be deprived of voting privileges. The chair shall have the authority to govern the meeting, extend speaking privileges, and prevent misuse of any rule or obstruction of business. The chair shall constrain discussion to the specific matter or action at hand. The council may appeal a decision by the chair with a motion and affirmative vote.

Agendas

The City shall publicize regular meeting and work session agendas, with accompanying documents, seven days prior to the meeting (not counting the meeting day). The chair may allow the agenda to be amended up to 24 hours prior to the meeting. Special meetings follow the noticing requirements set forth in UCA § 10-3-502.

Work Sessions

Work sessions prepare the council for future meetings and require much less formality than regular council meetings. Work sessions ensure all considerations are brought to the surface in advance of formal action so regular meetings can focus on informed decision making rather than first-time debate. Motions are unnecessary. The mayor governs the work session and moves the agenda along, loosely extending speaking privileges and facilitating free-flowing discussion among the council and staff. The meeting is open to the public. Members of the public may observe but may not comment during the work session, unless directly asked.

Order of Work Sessions

1. Work items
2. Department head reports
3. Adjournment

Regular Council Meetings

Council meetings promote formal, action-oriented deliberation. To maximize stability, professionalism, and decorum, the City Council generally employs Robert’s Rules of Order. No

person shall enter into any commentary without being recognized by the chair. Ordinances, resolutions, and agreements coming before the council shall be in written form. In-meeting edits are read aloud or typed for viewing before the council takes a vote.

Order of Regular Business Meetings

1. Pledge of Allegiance
2. Invocation
3. Roll call
4. Special ceremonies
5. Public comment
6. Business
7. Consent items
8. Training
9. City manager report
10. Council member reports
11. Mayor's report
12. Action items
13. Adjournment

Invocation

It is not the intent of the City Council to affiliate with or express preference toward any particular faith, belief, non-belief, or denomination. The City Council recognizes and respects the diversity of religious and non-religious viewpoints among Clinton residents.

The City Council employs the use of ceremonial presentations such as the invocation for civic purposes. The purposes include providing a moment for reflection on the importance of the council's proceedings, promoting an atmosphere of civility, and showing appreciation for those who contribute to the city's well being. Participation in the invocation is voluntary. No official, employee, resident, or attendee shall be compelled to take part, or singled out for non-participation.

An invocation shall be limited to two minutes. It may include a prayer, supplication, reflective moment of silence, short solemnizing message, praise, or thanksgiving. The person offering the invocation shall not solicit gestures, such as head bowing, standing, or hand raising from those in attendance. The City does not dictate the form or content of any invocation.

Individuals who wish to be included on a future agenda to offer an invocation may submit their request via writing, electronic or otherwise, to the city recorder. Members of the public are limited to one invocation per calendar year. Council members and staff may invite members of the public to participate. They connect these individuals to the city recorder so the individuals

can volunteer if desired. If the City receives no requests, or if a volunteer fails to appear, a member of the City Council may offer the invocation, with no limit on frequency.

Public Comment

Members of the public in attendance at the City Council's regular business meeting may speak when called forward by the chair. They are allowed up to three minutes to speak on any topic germane to Clinton City or to the authority of the City Council. The chair may allow an increase or require a decrease in speaking time according to circumstances, provided that the time is consistent across a given agenda item.

Speakers shall give their name and city of residency for the record. They are prohibited from yielding their time to other speakers. All remarks and questions shall be addressed to the chair and not to any individual council member, staff member, or other person. Individuals are afforded one speaking privilege per comment period or hearing, but the chair may grant additional privileges if time permits and if other individuals have had their first opportunity.

Public Hearings

The rules for public comment apply to public hearings. The following rules also apply: Speakers are confined to the topic for which the hearing was publicized. The council does not vote on the agenda item the same day the associated public hearing takes place. All ordinances require a public hearing.

Business Items

(1) **Obtaining the floor.** Before speaking, a person must first obtain the floor; that is, the person must be recognized by the chair as having the exclusive right to be heard at that time.

(2) **Presentations.** Each business item begins with a communication or presentation directed to the chair and council: e.g., "Madam Mayor, members of the City Council." The chair calls upon the appropriate staff members or petitioners to present. Council members may not enter discussion or debate without a motion but may seek the floor to ask clarifying questions: e.g., "Mayor, a point of information, please" or "Mr. Mayor, I have a question." The chair recognizes the questioner: "Council Member Smith," who then enters the line of questioning. After obtaining the floor, council members may address staff and petitioners directly.

(3) **Discussion and debate.** After the presentation and questions, business is opened for the council's discussion or debate by the motion of a member, such as a motion to adopt, reject, postpone, etc. The member first obtains the floor: "Mr. Mayor?" The chair then

recognizes the member, "Council Member Smith," after which the member makes the motion: e.g., "I move that the council adopt Ordinance 01-26." In the alternative, the chair may ask if there is a motion.

Another member seconds the motion. If there is no second, the motion fails. If there is a second, the chair restates the question arising from the motion. The motion is then open to debate. The chair does not compel members to speak. The chair allows the member who made the motion to speak first. That member may yield the floor if he or she does not wish to speak. To protect decorum, members are not allowed to carry on debate directly with one another. They obtain the floor and direct their speeches to the chair. No one is entitled to the floor for a second time in debate on the same motion until all other members have had a first opportunity, if desired.

Once a member has obtained the floor, the member shall not be interrupted unless the chair is calling the member to order, or another member is making a point of order or privilege. A member may make a request for information from a member who has the floor: e.g., "Madam Mayor, will the council member yield for a question?" or "Mayor, I have a question for Council Member Smith." If the speaking member agrees to this kind of interruption, the asking member directs the question to the chair.

Voting

A roll call shall be taken and recorded for all ordinances, resolutions, and any action that would create a liability against the municipality. Any member may request a roll call vote. Abstentions or recusals that leave two affirmative and two negative votes create a tie, and the mayor casts a tie-breaking vote.

Consent items

Agenda items that are routine and noncontroversial among the council may be added to the consent items and voted upon in bulk after a motion and a second from the council. The chair may recognize these items individually for the staff to present or for the council to ask questions, but the items may not be amended or debated unless removed from the bundle by a motion from the council. An item that is removed becomes its own agenda item, subject to motions, debate, and voting.

Adjournment

The chair uses a single rap of the gavel. The chair adjourns a meeting if the council has reached the natural end of an agenda. If the council has voted to fix a specific time for adjournment, then the chair adjourns the meeting when that time arrives. No motion is needed. Outside these circumstances, the council may adjourn a meeting with a motion, second, and majority vote.

Making a Motion

If you want to:	Say, for example:	Interrupt speaker?	Second?	Debatable?	Vote
Bring business before the council	I move that...	No	Yes	Yes	Maj
Delay until a future meeting	I move to postpone...	No	Yes	Yes	Maj
Change the motion	I move to amend...	No	Yes	Yes	Maj
Stop talking and vote	I call for the question OR I move to end debate	No	Yes	No	2/3
Temporarily set aside an item in the meeting	I move to table...	No	Yes	No	Maj
Request help with comfort, noise, etc.	Point of personal privilege	Yes	No	No	Chair
Take a break	I move to recess	No	Yes	No	Maj
Adjourn without finishing the agenda	I move to adjourn	No	Yes	No	Maj
Set a time in advance for adjourning	I move to fix the time to adjourn at...	No	Yes	No	Maj
Call attention to a violation of the rules	Point of order	Yes	No	No	Chair
Disagree with the chair	I appeal the decision of the chair	Yes	Yes	Yes	Maj
Alter the agenda	I move to suspend the rules to...	No	Yes	No	2/3
Act outside the rules for a compelling reason	I move to suspend the rules to...	No	Yes	No	2/3
Ask a question	Point of information	Yes	No	No	Chair

RULES OF ORDER AND PROCEDURE

OF THE HILDALE CITY COUNCIL

The City Council for the City of Hildale, Utah has adopted these Rules of Order and Procedure (the “Rules”) to govern its public meetings, with the objective that the Public’s business should be carried out in a fair, open, civilized and orderly manner, in order to preserve the democratic principles that are necessary to good government. These Rules do not diminish the existing powers or authority of the Mayor and City Council under the Constitution of the State of Utah or under Utah law, including the Utah Municipal Code, Utah Code Annotated Section 10-1-101 *et seq.*, and the Open and Public Meetings Act, Utah Code Annotated Section 52-4-101 *et seq.* Where these Rules may conflict with applicable provisions of state law, the latter shall govern.

1. Conduct of Meetings

1.1. Role of the Mayor.

- 1.1.1. The Mayor shall serve as meeting chair.
- 1.1.2. If the Mayor is absent, unable or unwilling to serve as chair of any meeting or portion thereof, the Council may elect a Councilmember to serve as Mayor Pro Tempore, who shall retain the voting rights of a Councilmember.
- 1.1.3. The Mayor has the primary responsibility for ensuring that these Rules are followed.

1.2. Types of Council Meetings

Meetings of the Council shall be categorized as follows:

- 1.2.1. Regular Council Meetings. A regular council meeting is convened at the date, time and place established by the Council for its regular meetings and published in the annual meeting schedule, or as rescheduled in a duly posted and published public notice. The purpose of a public meeting is for the Council to discuss or take final action on items of Council business that are permitted or required by law to be considered in a regular meeting. Regular council meetings are ordinarily open to the public, unless closed in accordance with these Rules and the Open and Public Meetings Act.

1.2.2. Work meetings. A work meeting may be called by the Mayor or by two Councilmembers and shall be chaired by the Mayor or the Mayor's designee. Generally, although work meetings may be called more frequently, the Council will hold at least one work meeting each month, on the last Wednesday of the month. The purpose of a work meeting is for the Council to discuss or study items of Council business that are not ready for final action, or to receive and discuss special training or presentations. No final action shall be taken in a work meeting unless the Council votes to suspend its Rules as provided for below. In a work meeting, the Mayor and Council may sit around a conference table or in any other informal arrangement that may facilitate the subject under discussion. Work meetings must be open to the public.

1.2.3. Special meetings. A special meeting may be called by the Mayor or by two Councilmembers and shall be chaired by the Mayor. The purpose of a special meeting is for the Council to discuss or take final action on items of Council business that are permitted or required by law to be considered in a special meeting. The order convening the meeting shall be included in the minutes and shall state the reason for calling a special meeting. Regular council meetings are ordinarily open to the public, unless closed in accordance with these Rules and the Open and Public Meetings Act.

1.2.4. Emergency Meetings. An emergency meeting may be called by the Mayor or by two Councilmembers and shall be chaired by the Mayor or the Mayor's designee. The purpose of an emergency meeting is for the Council to discuss or take final action on matters of an emergency or urgent nature, when unforeseen circumstances make it necessary to meet without advance public notice. The order convening the meeting shall be included in the minutes and shall state the reason for calling an emergency meeting. The Council must give the best notice practicable to the public and attempt to notify every Councilmember. An emergency meeting may only be convened after at least three hours' notice, and after a majority of the Councilmembers vote to do so. Emergency meetings must be open to the public, unless closed in accordance with these Rules and the Open and Public Meetings Act.

1.3. The Agenda

1.3.1. Before any item of Council business may be discussed in a meeting of the City Council, such item shall have been listed under an agenda item included in a public notice, unless:

- 1.3.1.1. The item is the proper subject of a closed meeting convened in accordance with the provisions of the Open and Public Meetings Act; or
- 1.3.1.2. The item is raised by a member of the public, but only at the discretion of the Mayor.
- 1.3.2. Before any final action may be taken on an item of Council business, such item shall have been listed under an agenda item included in a public notice, unless the item is the proper subject of an emergency meeting convened in accordance with the provisions of the Open and Public Meetings Act.
- 1.3.3. Items may be placed on the agenda by the Mayor, by the City Manager, or by any two Councilmembers.
- 1.3.4. To allow the Council adequate time to study agenda items in advance of meetings, all agenda items and packet materials must be received by the Mayor or City Manager by 8:00 a.m. on the Friday preceding the meeting in which the item will be considered, or the item will be placed on the agenda for the next following meeting.

1.4. Order of Business

Each regular meeting shall be conducted in the following order:

1.4.1. Opening Ceremonies

- 1.4.1.1. Welcome, Introduction and Preliminary Matters
- 1.4.1.2. Serious Moment of Reflection/Pledge of Allegiance
- 1.4.1.3. Special recognitions

1.4.2. Approval of Minutes. Councilmembers will have had prior opportunity to review the minutes of prior meetings. The Mayor will ask the Council if there are any changes or corrections. Requests for verbatim transcriptions are disfavored. Once changes and corrections have been made, if any, the Mayor will solicit a motion to adopt the minutes, and a vote will be taken. Once the minutes have been adopted, they become the final, official record of the relevant meeting.

1.4.3. Public Comment. Members of the public are encouraged to address the Council. Comments on any topic relevant to the public interest in the City are welcome but, at the Mayor's discretion, comments relating

to items on the agenda may be reserved until such agenda items are taken up. Commenters shall begin by stating their full name, place of residence, and any position or relationship relevant to the comment. If numerous public comments are anticipated, each commenter may be limited to three minutes per comment, at the discretion of the Mayor. In the Mayor's discretion, she or he may respond or ask questions to a commenter after a comment is made or may allow a Councilmember or member of the administration to respond or ask questions. No Council action can be taken on a topic raised in public comment until a subsequent council meeting.

1.4.4. Council Comments. Councilmembers may address brief comments to the Council or to the public at large, but the Council shall not discuss or take any action on councilmembers' comments.

1.4.5. Oversight Items

1.4.5.1. Financial and Check Registry Review and Approval

1.4.5.2. Ratification of Utility Board Actions

1.4.5.3. City Manager's Report. The City Manager reports to the Council every month in writing. This report is intended to be a brief oral summary of the written report, and an opportunity for Councilmembers to ask questions regarding the written report.

1.4.5.4. Mayor's Report. The Mayor will report, and councilmembers will have the opportunity to ask questions on the Mayor's recent activities, as well as any other matters the Mayor desires to present that do not require Council action, such as community events or correspondence to the City. The Mayor's Report will also be delivered to the Council in writing.

1.4.6. Action Items

1.4.6.1. Consent Agenda. The consent agenda lists Council action items which require no further discussion or which are routine in nature, such as contracts negotiated by the city administration. The Mayor may ask if any Councilmember has a question regarding a consent agenda item. All items on the consent agenda shall be adopted by a single motion and roll call vote. Prior to the motion to adopt the consent agenda, any Councilmember may

have an item removed from the consent agenda in order to permit discussion on that item under unfinished council business. A motion to adopt the consent agenda will list separately each consent agenda item proposed to be adopted by consent.

- 1.4.6.2. Appointments. After the Council has had the opportunity in a work meeting to be introduced to and ask questions of a candidate subject to appointment by the Mayor or City Manager to a board, committee, or public official position, the City Council gives its advice and consent for the appointment in a subsequent regular meeting.
- 1.4.6.3. Unfinished Council Business. Items of Council business that have been previously considered in a prior council meeting, may after discussion be taken up by motion for final action, or may be referred to another council meeting for further consideration.
- 1.4.6.4. New Council Business. New items of business being recommended for the Council's consideration for the first time will be presented by the item's sponsor (councilmember, mayor, staff member, or other presenter), whose name will be listed with the item on the agenda. If, in the Mayor's discretion, she or he deems that immediate action on the new business item is advisable, or the Council votes to suspend these Rules, the Council may take final action on the item by motion. Otherwise, the Council will discuss the new business item and may by motion (a) decline to address the proposed item, (b) postpone considering the item to a New Council Business agenda on a subsequent regular meeting, (c) refer the item to a work meeting for further study, or (d) refer the item to the unfinished council business agenda of a future regular council meeting for further action.
- 1.4.6.5. Public Hearing (if required). A public hearing provides an opportunity for all interested parties to be heard on a particular item of Council business. Public hearings are sometimes required by law before final action can be taken but may be called by the Council on any topic that the Council would like public input on. First, the Mayor or a member of the administrative staff having knowledge about the issue will present information about it and answer questions. Then, before the Council holds any discussion or takes any action, all parties interested in addressing the issue

will be invited to speak. When all input has been heard, the Mayor will close the public hearing. After discussion, the Council will take action on the topic of the public hearing by motion.

1.4.7. Executive Session. In certain circumstances, the Council may discuss a matter in a closed meeting with only the Councilmembers and essential administrative staff present. Such a meeting may be held upon the affirmative vote of 2/3 of the Councilmembers present at the meeting. (U.C.A. Sec. 52-4-204(1)(a)(iii)). Closed meetings may only be held for purposes deemed lawful under Utah State law, as provided in U.C.A. § 52-4-205, as amended, which are:

- (a) Discussion of the character, professional competence, or physical or mental health of an individual;
- (b) Strategy sessions to discuss collective bargaining;
- (c) Strategy sessions to discuss pending or reasonably imminent litigation;
- (d) Strategy sessions to discuss the purchase, exchange or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration, or prevent the public body from completing the transaction on the best possible terms;
- (e) Strategy sessions to discuss the sale of real property including any form of a water right or water shares, if: (1) public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; (2) the public body previously gave public notice that the property would be offered for sale; and (3) the terms of the sale are publicly disclosed before the public body approves the sale;
- (f) Discussion regarding deployment of security personnel, devices or systems; and
- (g) Investigative proceedings regarding allegations of criminal misconduct.

The reason for holding a Closed Meeting and the vote, either for or against the proposition to hold such a meeting, cast by each member by name, shall be entered on the minutes of the meeting. No ordinance, resolution, rule, regulation, contract, or appointment shall be approved in a Closed Meeting. Unless a meeting is closed to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices or systems, the City Council shall record the closed portion of the meeting, and may keep detailed written minutes that disclose the content of the closed portion of the meeting. Recordings and written minutes of closed meetings are protected records under Title 63G, Chapter 2, Government Records Access and Management Act (GRAMA) and unauthorized disclosure triggers criminal penalties. If the City Council closes a meeting exclusively to discuss the character, professional competence, or physical or mental health of an individual, or to discuss the deployment of security personnel, devices or systems, the person presiding shall sign a sworn statement affirming that such was the sole purpose for closing the meeting. Actions challenging the legality of a closed meeting are governed by U.C.A. § 52-4-304.

1.4.8. Calendar of Upcoming Events

1.4.9. Scheduling. The Recorder will inform those in attendance of the next regular council meeting. The Mayor will consult with the Council and schedule additional dates for work sessions or special meetings, as necessary.

1.4.10. Adjournment.

1.5. Processing of Action Items

Each council meeting shall progress according to the agenda, unless the Mayor by general consent takes up an agenda item out of sequence or postpones an agenda item until later in the meeting. Individual action items on the agenda shall proceed as follows:

1.5.1. The Mayor clearly announces the agenda item number and clearly states what the agenda item subject is.

1.5.2. The Mayor invites the appropriate person to report on the agenda item, including any recommendation that they might have.

- 1.5.3. The Mayor asks members of the Council if they have any technical questions of clarification.
- 1.5.4. If in the context of a public hearing, the Mayor invites public input on the agenda item. If numerous members of the public are anticipated to offer public input, the mayor may limit the time of public speakers. At the conclusion of the public input, the Mayor will announce that the public hearing is closed.
- 1.5.5. If there is no public hearing, the Mayor may invite public comment.
- 1.5.6. The Mayor invites a motion on the action item.
- 1.5.7. If no motion is forthcoming, the Mayor may ask for discussion and then invite a motion again.
- 1.5.8. Once a motion is made, the Mayor asks if any other Councilmember wishes to second the motion.
- 1.5.9. If there is no second for the motion, then the motion is deemed to have died.
- 1.5.10. If the motion is seconded, the Mayor will announce the name of the Councilmember who made the motion and the name of the Councilmember who seconded the motion, and restate the motion that has been made.
- 1.5.11. The Mayor invites discussion of the motion on the table. The sponsor of the motion will be allowed to speak first and last.
- 1.5.12. During discussion, any of the following procedural motions will be considered without debate:
 - 1.5.12.1. Motion to recess
 - 1.5.12.2. Motion to adjourn
 - 1.5.12.3. Motion to adjourn at a set time
 - 1.5.12.4. Motion to suspend the rules (requires a two-thirds majority)
 - 1.5.12.5. Motion to call for a vote
 - 1.5.12.6. Motion to table the motion to later in the same meeting

- 1.5.12.7. Motion to table the motion to a set time and date
- 1.5.12.8. Motion to table the motion indefinitely
- 1.5.12.9. Motion to refer the motion to a committee
- 1.5.12.10. Motion to limit debate on a motion
- 1.5.12.11. Motion to amend the motion
- 1.5.13. At any time before motion amendment or voting, the sponsor of the motion may withdraw the motion, with the consent of the Mayor.
- 1.5.14. Any Councilmember who wishes to speak must raise their hand after the current speaker finishes. The Mayor will call upon each member by name. Once a member has been recognized, they have the floor and may begin speaking. No interruptions will be allowed, except for a procedural motion, or to answer questions posed by the Councilmember who has the floor. After such a question has been answered, the Councilmember will retain the floor unless and until the Councilmember yields the floor.
- 1.5.15. If there is no discussion, or after the discussion has ended, the Mayor will call for a vote on the motion. The Mayor should repeat the motion again if there has been substantial discussion.
- 1.5.16. After a roll call vote, the Mayor announces the result of the vote and what action (if any) the Council has taken.

1.6. Motions

- 1.6.1. General Consent. For procedural motions that do not require a roll call vote, the Mayor may use general consent. After a motion has been made and seconded, and the Mayor feels the council is all in agreement, the Mayor asks if there are any objections to the motion. After a pause, if there are no objections the Mayor states that the motion is approved. If there is an objection, then the motion is put to a regular vote. A Councilmember may vote in favor of a motion after objecting, as when the member feels it is important to have a formal vote.
- 1.6.2. Motions to Reconsider. A Councilmember who voted on the prevailing side of an item previously voted on in the same or an

immediately preceding meeting may make a motion to reconsider the decision. A vote shall not be taken on a motion to reconsider made at a subsequent special meeting unless the number of Councilmembers present at the special meeting is greater than or equal to the number of Councilmembers who voted on the original motion. Any discussion on a motion to reconsider shall relate to the reason for reconsideration only, such as any new information received or mistake discovered since the action was taken, and not to the merits of the original motion. If the motion to reconsider is successful, the Mayor shall announce the names of the members who made and seconded the original motion, and restate the motion, then call for any discussion. If there is no discussion, or after discussion has concluded, the Mayor shall call for a new vote on the original motion.

- 1.6.3. Motions to Amend. The intent of an amendment is to modify the original motion by inserting, adding to, striking out, and striking out and inserting language in the original motion. A motion to amend a motion should relate to the same subject as the original motion. This ensures that the Council will vote on one matter at a time. A motion to amend should not have as its intent a reversal of the main motion. For example, if the main motion is to adopt an ordinance, it is not a proper motion to submit an amendment to "not" adopt the ordinance. Amendments to the main motion are discussed and voted on before the main motion. Only the amendment is discussed - not the main motion. If the amendment fails, then discussion and voting on the main motion, as originally stated, follows. If the amended motion passes, the amended motion becomes the main motion. The Mayor will proceed with an amendment motion in the same manner as a main motion. In conducting a Council discussion on an amendment motion, the sponsor of such motion is allowed to speak first. All other Council Members are allowed to address the issue after that. The author of the amendment motion is also allowed to make a summation. 19 Any Council Member may move to amend any proposed ordinance or proposed resolution; provided, however, that no amendment shall change the original purpose. Any amendments to a proposed ordinance or proposed resolution recommended by a committee of the Council shall be made to the appropriate document prior to its appearing on the Consent Agenda. Such amendment will be noted in the Council minutes

1.6.4. Voting

- 1.6.4.1. Voting shall be in the form of “yes,” “no,” or “abstain.” All votes requiring a majority shall be a majority of the quorum present, except where State law require otherwise.
- 1.6.4.2. A Councilmember voting “abstain” shall be required to state the reason for abstaining and such reason shall be entered in the minutes of the meeting. An abstention shall not be counted as either a yes or a no vote, nor for purposes of calculating a majority. A Councilmember who abstains on a question, or is absent during voting, may not move to reconsider that question.
- 1.6.4.3. In the case of a tie vote, the Mayor shall cast the deciding vote.
- 1.6.4.4. Council members shall not explain their votes during the call of the roll or at the time of a voice vote. However, at the conclusion of the vote, any Council member may request a point of personal privilege to give an explanation of their vote.

1.7. Committees

- 1.7.1. The City Council may, from time to time, create, revise, or abolish any and all Council committees, or make any changes to the committee structure. The City Council may create any special or ad hoc committee for any specific purpose proper for Council consideration. When such committee is created, its purpose and a relevant time frame will be established.
- 1.7.2. Upon completion of a committee’s purpose, the committee through its chair or designee shall deliver its written report in a meeting of the Council and may summarize the report orally. After the final report of the committee, the special or ad hoc committee of the Council will be abolished.
- 1.7.3. The City Council may or may not elect to formally participate, either by its own membership or its designees, in a committee being established by the Mayor.
- 1.7.4. Any standing committee, or the Council as a whole, may resolve to sit as an oversight committee for the purpose of investigating items

relating to the conduct of City business. However, no powers are accorded the committee other than those provided by state law.

- 1.7.5. All meetings of Council committees, standing, ad hoc, oversight, shall provide notice in conformance with the Utah Open and Public Meetings Act.

1.8. Rules to Govern Councilmember Conduct

- 1.8.1. At regular meetings of the City Council, Councilmembers shall speak only after being recognized by the Mayor. Any meeting designated as a work meeting shall be more informal and Councilmembers may freely participate as long as proper decorum is maintained.
- 1.8.2. Councilmembers shall conduct themselves at all times with decorum and respect.
- 1.8.3. Councilmembers shall refrain from making any disparaging remarks concerning any other member of the Council or the public.
- 1.8.4. Councilmembers shall avoid references to personalities, and refrain from questioning motives of other members or staff.
- 1.8.5. No Councilmember shall walk about, in or out of the Council Chamber while the Mayor is calling the vote.
- 1.8.6. Councilmembers should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the Council or the audience from the business before the Council or interfere with any person's right to be heard after recognition by the Mayor.
- 1.8.7. When debating a specific subject before the Council, Councilmembers shall confine their remarks to the topic under discussion or debate. Anyone engaging in discussion or debate beyond the topic before the Council shall be ordered to stop by the Mayor.
- 1.8.8. Any Councilmember may be expelled from a portion or the remainder of a meeting in the event of : (a) disorderly conduct at the open public meeting; (b) a member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the open public meeting; or (c) commission of a crime during the open public meeting.

1.9. Rules to Govern Conduct of Members of the Public

- 1.9.1. Other than at public hearing or public comment portions of the meeting, members of the public shall not be allowed to participate in the meeting unless they are on the agenda or requested to present to the Council by the Mayor.
- 1.9.2. No member of the public shall be heard until recognized by the Mayor.
- 1.9.3. Members of the public shall avoid personal attacks, demonstrations, or outbursts without being recognized.
- 1.9.4. Members of the public must address their remarks directly to the Council as a body concerning the agenda business.
- 1.9.5. Members of the public shall observe proper decorum and must not behave disruptively.
- 1.9.6. When speaking or discussing before the Council, members of the public shall confine their remarks to the question under discussion, avoiding personalities. Anyone engaging in discussion beyond the question before the Council shall be ordered to stop by the Mayor, and no further discussion will be allowed by said person.
- 1.9.7. It is the Council's goal that residents of the City resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that residents may from time to time believe it is necessary to speak to City Council on matters of concern. Accordingly, the City Council expects any person presenting to the city council to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.
- 1.9.8. Personal attacks made publicly toward any person or city employee are not allowed. Speakers are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the City's Personnel Policies.
- 1.9.9. Any member of the public interrupting City Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in

addressing City Council, shall be deemed to have disrupted a public meeting and, upon a two-thirds vote of the Council, shall be removed from Council chambers by Police Department personnel or other agent designated by City Council or City Manager

1.10. Investigations

1.10.1. Hildale City takes seriously allegations of official misconduct of all kinds, whether malfeasance and nonfeasance; particularly regarding fraud, misrepresentation, theft, and ethical breaches of elected or appointed public officials and employees, and discrimination based on membership in any class protected by law.

1.10.2. If a member of the City Council or the public alleges or suspects that official misconduct has been or is being committed by a public official or city, they should notify the Mayor, the City Manager and the City Attorney. If the Mayor, City Manager and City Attorney determine there is a reasonable suspicion of official misconduct, the matter should be placed on the next council meeting agenda for an executive session. In the discretion of the Mayor, the individual accused of misconduct may or may not be invited to participate in the executive session. After the conclusion of the executive session provided for hereunder, the Mayor shall in an open meeting call for a motion to refer the matter for an investigation into the conduct discussed in the executive session, without being specific as to the nature of the alleged conduct or the identity of the alleged perpetrator. If such a motion is made and is successful, the Mayor shall direct the Recorder to prepare a summary of the executive session recording in a memorandum to the City Attorney. The City Attorney shall thereafter investigate the allegations and report their findings in writing to the Mayor and City Manager. If the City Attorney finds that official misconduct probably occurred, the Mayor and City Manager shall take any appropriate administrative action, then they shall place the matter on the next council meeting agenda for an executive session and there review their findings and actions taken with the members of the City Council.

1.10.3. No member of the public or the City Council may initiate investigative proceedings within the City except through the process described herein but may resort to any other processes and remedies provided by state law.

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton

Dave Pond

Janene Burton

Mark Hendrickson

Justin Caplin

CITY COUNCIL

Meeting Date: October 14, 2026

Agenda Item: 3

Applicant: N/A

Requested by: Lance Haynie

Subject: 2027 State and Federal Legislative Priorities

Description:

Discussion of the city's 2027 state and federal legislative priorities.

Recommendation: Discussion

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

LEGISLATIVE PRIORITIES

2027 State Legislative Priorities

State Policy Priorities for Santa Clara



Executive Summary

The City of Santa Clara seeks a productive partnership with the State of Utah that supports the needs of Santa Clara and respects the authority of locally elected officials. The City will advocate for policies and investments that protect stable municipal revenues, support responsible growth, strengthen public infrastructure, maintain reliable and affordable energy, improve public safety, and preserve effective local services. Santa Clara will also work to ensure that smaller municipalities have a meaningful voice in state decisions and equitable access to state funding opportunities. These priorities will guide the City's engagement with the Governor's Office, the Utah Legislature, state agencies, and intergovernmental partners throughout 2027.

Core Principles

- **Strengthen State-Local Partnerships.** Santa Clara and other municipalities should be recognized as essential partners in developing and implementing state policy. The Governor's Office, the Utah Legislature, and state agencies should consult municipalities early and consider the practical experience of local officials when making decisions that affect municipal services, infrastructure, revenues, and development.
- **Promote Practical and Fully Supported State Policy.** State laws, regulations, funding conditions, and administrative requirements should address a demonstrated need, be cost effective, and avoid unnecessary burdens on local governments. When state action creates new municipal responsibilities or costs, it should provide adequate funding, reasonable implementation timelines, technical assistance, and flexibility that recognizes the limited administrative capacity of smaller municipalities.
- **Safeguard Local Authority and Fiscal Stability.** State policy should preserve the ability of Santa Clara's elected officials to make decisions that reflect the City's growth, infrastructure capacity, available resources, and community priorities. The City will oppose unnecessary state preemption of local authority and actions that materially weaken the revenues and tools necessary to provide municipal services.

1. Municipal Fiscal Stability and Local Revenues

Stable and predictable revenues allow Santa Clara to provide public safety, water, streets, parks, planning, and other essential services. The City supports state policies that preserve or expand the revenue tools available to municipalities and opposes measures that reduce municipal revenues or unnecessarily restrict local fiscal decisions. Decisions about whether and how to use those tools should remain with locally elected officials who are accountable to their residents.

- **SUPPORT:** Preservation of municipal property tax and sales tax authority, including equitable distribution of sales tax revenue and reliable funding for locally provided services.
- **SUPPORT:** Clear public notice and transparent budgeting requirements that provide residents meaningful information while preserving adequate time and flexibility for responsible municipal budget development.
- **SUPPORT:** Municipal authority to establish reasonable service fees, recover lawful costs, and use appropriate collection mechanisms.
- **SUPPORT:** State appropriations, grants, and financing programs for locally identified infrastructure, public safety, housing, and disaster mitigation needs, with application and matching requirements accessible to smaller cities.
- **OPPOSE:** Revenue caps, premature tax commitments, constitutional spending limitations, or state directed reductions that erode municipal revenues without an equivalent and dependable replacement.

2. Local Authority and Municipal Governance

Utah's municipalities differ substantially in geography, growth, infrastructure, resources, and community priorities. Santa Clara's elected officials must retain sufficient authority to respond to local conditions and remain accountable to residents for municipal decisions.

- **SUPPORT:** Early and meaningful consultation with municipalities before legislation or policies affecting local authority, operations, revenues, or services is introduced or substantially amended.
- **SUPPORT:** Local authority over land use, development standards, building and fire administration, public property, municipal services, fees, right of way, and other traditional municipal responsibilities.
- **SUPPORT:** State legislation that addresses documented statewide concerns through narrowly tailored standards while providing flexibility for differing local circumstances.
- **OPPOSE:** Broad state preemption, one size fits all mandates, or procedural restrictions that displace local judgment without demonstrating a compelling statewide need.

3. Housing, Growth, and Community Infrastructure

Santa Clara is experiencing sustained growth within significant land, water, transportation, and infrastructure constraints. State housing policy should help communities expand attainable housing opportunities while ensuring that new development can be served safely and without shifting disproportionate costs to existing residents.

- **SUPPORT:** State financing tools, infrastructure assistance, and voluntary incentives that increase attainable homeownership and rental opportunities appropriate to local needs.
- **SUPPORT:** Preservation of proportionate impact fees and other lawful tools necessary to provide roads, water, public safety, parks, and municipal facilities for new development.
- **SUPPORT:** Flexible housing approaches that recognize local infrastructure capacity, water availability, public safety conditions, topography, and neighborhood context.
- **OPPOSE:** Mandatory densities, lot sizes, approval standards, or permitting requirements that override locally adopted plans or require growth without adequate infrastructure and water.

4. Water Security and Resource Planning

Reliable water supplies are essential to public health, economic stability, housing, and the long term future of Santa Clara and Southern Utah. State water policy should support conservation, infrastructure, and regional planning while recognizing local system conditions, existing rights, and the cost of municipal water service.

- **SUPPORT:** State investment in drinking water infrastructure, storage, conservation, reuse, watershed health, drought resilience, and development of reliable long term water supplies for Washington County.
- **SUPPORT:** Coordinated water planning based on accurate data, transparent assumptions, and meaningful participation by affected municipalities and water providers.
- **SUPPORT:** Practical water efficiency measures that provide local flexibility and account for climate, system age, customer mix, public spaces, and community development needs.
- **SUPPORT:** Local authority to establish water rates and conservation programs that reflect system costs, supply conditions, infrastructure needs, and locally adopted policy.
- **OPPOSE:** State rate mandates, prescriptive landscaping requirements, reporting obligations, or transfers of local water authority that impose disproportionate costs or disregard regional and municipal conditions.

5. Reliable and Affordable Energy

Reliable and reasonably priced electricity is essential to City operations, public safety, household affordability, and economic development. Regional growth, increasing demand, generation needs, and transmission constraints require coordinated long term planning and timely infrastructure development.

- **SUPPORT:** A diverse, technology neutral energy portfolio that includes dependable generation, timely transmission development, grid hardening, energy storage, and other investments that improve reliability and resilience.
- **SUPPORT:** Research, licensing, and deployment of emerging power technologies, including modular and next generation systems, with appropriate safety and community protections.
- **SUPPORT:** Streamlined and predictable state permitting for generation, transmission, storage, and related energy infrastructure while preserving appropriate local coordination.
- **SUPPORT:** Transparent transmission planning, demand forecasting, interconnection, and cost allocation policies that account for significant new electrical demand while maintaining reliability and protecting existing customers from costs not reasonably attributable to them.
- **OPPOSE:** State policies or mandates that unnecessarily delay needed energy infrastructure, reduce system reliability, restrict necessary resource flexibility, or impose disproportionate costs on municipal customers.

6. Municipal Liability and Tort Reform

Expanding tort liability can create significant and difficult to predict costs for municipalities and their taxpayers. State liability laws should preserve access to appropriate remedies while providing clear standards, reasonable limits, and procedural protections that allow cities to manage risk and continue providing essential public services.

- **SUPPORT:** A fair and predictable municipal liability framework that balances appropriate remedies for legitimate claims with protection of public funds and essential municipal services.
- **SUPPORT:** Reasonable damage limits, notice requirements, filing deadlines, standards of liability, and other procedural protections that provide certainty for claimants, municipalities, insurers, and taxpayers.
- **SUPPORT:** Tort reforms that allocate liability according to responsibility, discourage excessive or unsupported claims, and reduce unnecessary litigation costs borne by local taxpayers.
- **OPPOSE:** Retroactive liability, unlimited or unpredictable damages, weakened procedural protections, or statutory changes that materially increase municipal exposure without a demonstrated public need and careful evaluation of the fiscal consequences.

7. Public Safety, Emergency Response, and Local Code Administration

Santa Clara relies on effective law enforcement, fire protection, emergency medical services, emergency management, prosecution, code enforcement, and building inspection to protect life, property, and community safety. State policy should preserve the City's authority and provide the practical tools necessary to deliver these services, ensure that new development meets adopted safety standards, and respond to the hazards facing Southern Utah.

- **SUPPORT:** State resources for wildfire mitigation and response, interoperable communications, emergency preparedness, disaster recovery, and coordinated regional public safety services.
- **SUPPORT:** Practical laws, funding, equipment, training, and technical assistance that strengthen municipal law enforcement, fire protection, emergency medical services, emergency management, prosecution, and code enforcement.
- **SUPPORT:** Local authority to adopt and enforce ordinances addressing nuisances, property maintenance, building and fire safety, and other conditions that affect public health, safety, and neighborhood quality.
- **SUPPORT:** Municipal authority to administer development and building inspections, establish reasonable inspection procedures, determine inspector qualifications, and coordinate the timing and sequence of inspections, provided inspections are completed within clear and reasonable timeframes.
- **SUPPORT:** State resources, training, technology, and cooperative arrangements that help municipalities maintain timely inspection services and address temporary staffing or workload constraints without relinquishing local oversight.
- **SUPPORT:** Local flexibility to organize, administer, and coordinate public safety, emergency response, inspection, and enforcement services according to community needs and available regional resources.
- **OPPOSE:** Requirements allowing developers or contractors to select and use private inspectors without municipal approval and oversight. Such arrangements can create conflicts of interest, inconsistent code enforcement, fragmented inspection records, and uncertainty regarding responsibility for the safety of new development.
- **OPPOSE:** Unfunded operational mandates or state restrictions that impair municipal emergency response, public safety administration, prosecution, inspection services, or enforcement of locally adopted ordinances.

8. Government Transparency, Data Privacy, and Technology

Santa Clara is committed to transparent government while protecting personal, investigative, security sensitive, and legally restricted information. Rapid changes in records law, privacy, artificial intelligence, cybersecurity, and electronic government require clear and workable statewide standards.

- **SUPPORT:** Clear and consistent government records laws that promote public access, protect legitimate privacy and security interests, and provide reasonable response, retention, and appeal procedures.
- **SUPPORT:** State funding, shared services, training, and technical assistance for local cybersecurity, data protection, records management, and responsible use of artificial intelligence.
- **SUPPORT:** Technology neutral standards developed with municipal participation and sufficient flexibility to accommodate evolving systems and local operations.
- **SUPPORT:** Privacy protections that distinguish legitimate law enforcement and municipal uses of technology from commercial collection or misuse of personal information.
- **OPPOSE:** Requirements that compel disclosure of protected information, create conflicting data obligations, or impose significant technology and records costs without funding or adequate implementation time.

9. Public Lands and Community Development

Federal land ownership surrounding Santa Clara affects housing, infrastructure, public facilities, recreation, conservation, and long term community planning. State partnership can strengthen locally supported solutions and Utah's engagement with federal land management agencies.

- **SUPPORT:** State advocacy for responsible and predictable conveyance of appropriate federally managed land for attainable housing, public facilities, infrastructure, and other locally identified needs.
- **SUPPORT:** Site specific processes that protect valid existing rights and include meaningful consultation with municipalities, tribal governments, state agencies, recreation users, conservation interests, and other stakeholders.
- **SUPPORT:** State assistance with planning, infrastructure, surveying, environmental review, and intergovernmental coordination necessary to make approved land conveyances useful to affected communities.
- **OPPOSE:** Categorical restrictions or state actions that disregard locally adopted plans or prevent consideration of responsible, locally supported land solutions.

10. Direct Impacts to Santa Clara Residents

State legislation and regulations can have direct and significant effects on Santa Clara residents. The City will exercise restraint in addressing such matters and engage only when the benefit or adverse impact to residents is clear and substantial and the issue is appropriate for municipal advocacy.

- **SUPPORT:** State legislation, regulations, or programs that would provide a clear and substantial benefit to Santa Clara residents when the impact is direct, readily identifiable, and appropriate for municipal advocacy.
- **OPPOSE:** State legislation, regulations, or administrative actions that would impose a clear and substantial adverse impact on Santa Clara residents when the impact is direct, readily identifiable, and appropriate for municipal advocacy.
- **LIMITED ENGAGEMENT:** The City should exercise restraint under this priority and generally avoid taking positions on broad statewide policy debates, matters with indirect or speculative local effects, or issues that are not reasonably within the scope of municipal government.

11. Intergovernmental Advocacy

The City of Santa Clara will work closely with the Utah Legislature, the Governor's Office, and state agencies. The City will also collaborate with Washington County, neighboring municipalities, special districts, the Utah League of Cities and Towns, and other partners when coordinated advocacy advances the City's objectives.

Emerging Issues

This document is intended to guide, rather than limit, the City's state advocacy. The Mayor, City Council, and authorized staff may support, oppose, or seek amendments to legislation, appropriations, administrative rules, and other state actions affecting Santa Clara when those positions are consistent with the principles and priorities in this document.

The City will use its internal legislative tracking process to document and communicate significant state issues and advocacy positions. When a proposed position materially departs from this document or the City's position is uncertain, staff will seek input from the Mayor and City Council members through appropriate internal communication and tracking procedures.

LEGISLATIVE PRIORITIES

2027 Federal Legislative Priorities

Federal Policy Priorities for Santa Clara



Executive Summary

The City of Santa Clara seeks a productive federal partnership that supports the needs of Santa Clara and respects the authority of locally elected officials. The City will advocate for policies and investments that advance responsible community development, strengthen public infrastructure, maintain reliable and affordable energy, improve disaster preparedness, increase attainable housing options, and support effective public services. Santa Clara will also work to ensure that smaller municipalities have equitable access to federal funding opportunities and a meaningful voice in federal decisions affecting their communities. These priorities will guide the City's engagement with Congress, federal agencies, and intergovernmental partners throughout 2027 and the 120th Congress.

Core Principles

- **Strengthen Local-Federal Partnerships.** Santa Clara and other local governments should be recognized as essential partners in developing and implementing federal policy. Congress and federal agencies should consult municipalities early, provide direct access to relevant programs and funding opportunities, and consider the practical experience of communities such as Santa Clara when making decisions that affect local services, infrastructure, and development.
- **Promote Practical and Fully Supported Federal Policy.** Federal laws, regulations, grant conditions, and administrative requirements should address a demonstrated need, be cost effective, and avoid unnecessary burdens on local governments. When federal action creates new municipal responsibilities or costs, it should provide adequate funding, reasonable implementation timelines, technical assistance, and flexibility that recognizes the limited administrative capacity of smaller municipalities.
- **Safeguard Local Authority.** Federal policy should preserve the ability of Santa Clara's elected officials to make decisions that reflect the City's growth, infrastructure capacity, available resources, and community priorities. The City will oppose unnecessary federal preemption of local authority over land use, public right of way, municipal infrastructure, revenues, services, public safety, and community development.

1. Federal Lands and Community Development

Federal land ownership surrounding Santa Clara affects the City's ability to address housing, infrastructure, public facilities, economic opportunity, and other long term community needs.

- **SUPPORT:** Responsible and predictable pathways for conveying appropriate federally managed land to municipalities for attainable housing, public facilities, infrastructure, and other locally identified needs.
- **SUPPORT:** Site specific processes that preserve congressional oversight, protect valid existing rights, and provide meaningful consultation with affected municipalities, tribal governments, state agencies, recreation users, conservation interests, and other stakeholders.
- **OPPOSE:** Categorical restrictions that prevent consideration of locally supported land conveyances before the need, impacts, and appropriate safeguards can be evaluated.

2. Reliable and Affordable Energy

Reliable and reasonably priced power is essential to City operations, public safety, economic development, and household affordability. Regional growth, increasing demand, transmission constraints, and prolonged federal permitting can delay needed infrastructure, increase costs, and create reliability risks.

- **SUPPORT:** A diverse, technology neutral energy portfolio that includes dependable generation, timely transmission development, grid hardening, energy storage, and other investments that improve reliability and resilience.
- **SUPPORT:** Federal research, licensing, and deployment programs for emerging power technologies, including modular and next generation systems, with appropriate safety and community protections.
- **SUPPORT:** Federal permitting and National Environmental Policy Act reforms that provide coordinated agency reviews, clear schedules, reduced duplication, and timely decisions for generation, transmission, storage, and related infrastructure while preserving meaningful environmental review.
- **SUPPORT:** Transparent transmission planning, demand forecasting, interconnection, and cost allocation policies that account for significant new electrical demand while maintaining reliability and protecting existing customers from costs not reasonably attributable to them.
- **OPPOSE:** Federal processes or mandates that unnecessarily delay needed energy infrastructure, reduce system reliability, restrict necessary resource flexibility, or impose disproportionate costs on municipal customers.

3. Resilient Infrastructure, Disaster Mitigation, and Emergency Response

Santa Clara & Southern Utah faces wildfire, drought, extreme heat, flooding, and other hazards that require coordinated planning and investment across jurisdictional boundaries. Our response capabilities depend on reliable water, communications, facilities, equipment, and trained personnel.

- **SUPPORT:** Federal investment in infrastructure, drought resilience, watershed protection, emergency communications, critical facilities needed to maintain essential services during emergencies.
- **SUPPORT:** Pre disaster mitigation, hazardous fuels reduction, wildland urban interface projects, wildfire response, interoperable communications, and equipment and training for local first responders.
- **SUPPORT:** Timely and flexible federal disaster assistance that recognizes wildfire, extreme heat, and other regionally significant hazards and provides direct assistance to affected local governments.

4. Federal Appropriations and Accessible Grant Programs

Major local projects can exceed the capacity of our small municipal tax base even when they provide substantial community and regional benefits. Complex federal applications and compliance requirements can also disadvantage smaller cities like ours with limited administrative capacity.

- **SUPPORT:** Congressionally directed spending with strong public disclosure and accountability, along with continued formula and competitive funding for locally identified infrastructure, public safety, housing, and community facility projects.
- **SUPPORT:** Direct municipal eligibility, simplified applications, coordinated reporting, reasonable local matches, technical assistance, and compliance requirements proportionate to the size and complexity of an award.
- **OPPOSE:** Blanket elimination of congressionally directed spending or funding structures that unnecessarily require municipalities to apply through state or regional intermediaries.

5. Housing Affordability and Supply

Housing costs affect Santa Clara's families, workforce, public safety personnel, and long term economic vitality. Limited developable land and the cost of water, transportation, and public infrastructure can constrain housing production. Federal policy should help communities address these barriers while preserving local land use authority.

- **SUPPORT:** Federal financing tools, tax incentives, infrastructure assistance, and public private partnerships that increase the supply of attainable homeownership and rental housing appropriate to local needs.
- **SUPPORT:** Continued and expanded funding for the Community Development Block Grant program, including broader eligibility and improved access for smaller and growing municipalities, along with continued support for the HOME Investment Partnerships Program and Low Income Housing Tax Credit.
- **SUPPORT:** Responsible conveyance of appropriate federal land and voluntary technical assistance that help communities address locally identified barriers to housing development.
- **OPPOSE:** Federal zoning mandates, preemption, or funding penalties that disregard local water supplies, infrastructure capacity, public safety, neighborhood conditions, or locally adopted plans.

6. Permitting and Regulatory Reform

Duplicative reviews, sequential agency processes, and uncertain timelines increase costs and can delay water, transportation, housing, energy, broadband, and public land projects without improving substantive outcomes.

- **SUPPORT:** Lead agency coordination, concurrent reviews, electronic permitting, clear schedules, timely decisions, and documentation requirements proportionate to a project's scale and potential impacts.
- **SUPPORT:** Programmatic reviews, categorical exclusions, and other streamlined procedures for routine, previously studied, or limited impact activities while preserving meaningful review for projects with significant effects.
- **SUPPORT:** Practical, proportionate federal procurement and grant requirements, including reasonable flexibility and waiver processes when compliance would substantially increase project costs, limit bidder competition, or make necessary materials or services unavailable.
- **OPPOSE:** Duplicative, open ended, or unnecessarily burdensome federal requirements that delay locally supported projects, materially reduce the purchasing power of federal funding, or make otherwise viable municipal projects impracticable without a corresponding public benefit.

7. Broadband, Technology, and Municipal Right of Way

Broadband, communications, cybersecurity, and emerging technologies are increasingly important to residents, businesses, public safety, and City operations. Santa Clara remains responsible for the safety, condition, coordination, and long term management of its public right of way.

- **SUPPORT:** Broadband deployment, digital inclusion, reliable communications, cybersecurity assistance, and resources that help local governments protect critical systems and responsibly deploy emerging technology.
- **SUPPORT:** Local authority to coordinate construction, issue appropriate permits, manage infrastructure placement, recover reasonable costs, and protect public assets and safety.
- **OPPOSE:** Federal preemption that imposes inadequate review periods, below cost fees, or mandatory access requirements that transfer private deployment costs and risks to municipal taxpayers.

8. Direct Impacts to Santa Clara Residents

Federal legislation and regulations can have direct and significant effects on Santa Clara residents. The City will exercise restraint in addressing such matters and engage only when the benefit or adverse impact to residents is clear and substantial and the issue is appropriate for municipal advocacy.

- **SUPPORT:** Federal legislation, regulations, or programs that would provide a clear and substantial benefit to Santa Clara residents when the impact is direct, readily identifiable, and appropriate for municipal advocacy.
- **OPPOSE:** Federal legislation, regulations, or administrative actions that would impose a clear and substantial adverse impact on Santa Clara residents when the impact is direct, readily identifiable, and appropriate for municipal advocacy.
- **LIMITED ENGAGEMENT:** The City should exercise restraint under this priority and generally avoid taking positions on broad national policy debates, matters with indirect or speculative local effects, or issues that are not reasonably within the scope of municipal government.

9. Intergovernmental Advocacy

The City of Santa Clara will work closely with Utah's Congressional Delegation and, when appropriate, engage other members of Congress, congressional committees, and federal policymakers in coordination with the delegation. The City will also collaborate with federal agencies, the State of Utah, Washington County, neighboring municipalities, tribal governments, special districts, the Utah League of Cities and Towns, the National League of Cities, and other partners when coordinated advocacy advances the City's objectives.

Emerging Issues

This document is intended to guide, rather than limit, the City's federal engagement. The Mayor, City Council, and authorized staff may support, oppose, or seek amendments to legislation, regulations, appropriations, grant programs, and administrative actions affecting Santa Clara when those positions are consistent with the principles and priorities in this agenda.

The City will use its internal legislative tracking process to document and communicate significant federal issues and advocacy positions. When a proposed position materially departs from this document or the City's position is uncertain, staff will seek input from the Mayor and City Council members through appropriate internal communication and tracking procedures.

Mayor

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CITY COUNCIL

Meeting Date: October 14, 2026

Agenda Item: 4

Applicant: Casey Stratton

Requested by: Casey Stratton

Subject: Addition of section 4.3.5 to Construction Standards

Description:

Discussion to add section to add section 4.3.5 (Rockery and segmental block retaining walls) to construction standards

Recommendation: Discussion

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

PROPOSED ADDITION TO SANTA CLARA CITY CONSTRUCTION DESIGN STANDARDS

4.3.5 ROCKERY AND SEGMENTAL BLOCK RETAINING WALLS. The requirements for design and construction of Rockery and Segmental Block Retaining Walls within the City.

4.3.5.1 HEIGHT LIMITATIONS. The height of any single rockery and segmental block retaining wall shall not exceed a maximum height of ten feet (10').

4.3.5.2 TERRACING. The total combined height of all rockery and segmental block walls shall not exceed sixteen feet (16').

Terraced retaining walls shall be separated by a minimum distance of one-half ($\frac{1}{2}$) the largest exposed of the two walls as measured from the top face of the lower wall to the bottom face of the upper wall. The bench between the two walls shall have a maximum slope of 10 horizontal to 1 vertical (10h:1v).

Terraced retaining walls with a separation of at least two times the height (2h) of the largest exposed height of the two walls from face of wall to face of wall shall be considered as separate walls for analysis purposes and applicability to this section. If walls are within 2h, then the combined height of the terraced walls shall be used for limitation of height not to exceed sixteen feet (16').

B. Any rockery or segmental block retaining walls that are adjacent to public streets, or visible to the public, shall be designed to include landscaping between the walls (bench area). Landscape design shall include the following factors: separation between walls, backfill zone for drainage, controlled drip systems, no deep-rooted vegetation, and maintenance of landscaping.

The rockery or segmental block wall design must explicitly state that the walls were designed to accommodate water. If the walls cannot be designed to accommodate water, rock mulch and desert scape or xeriscape plants should be used.

4.3.5.3 SEPARATION REQUIREMENTS. The separation from the face of rockery and segmental block walls to a building/ structure footing and/or pool shall be at least ten feet (10'), or as outlined in the International Building Code. This provision applies to building/ structure footings and/or pools at the low and high sides of the wall.

Ornamental fences, guards, or screen walls shall be a minimum of three feet (3') from the front face at the top of the rockery/segmental block retaining wall, or to the back of the rock/block. Ornamental fences, guards, or screen walls shall have their own foundations and not rely on the retaining wall for structural support.

Where the minimum retaining wall separation requirements exceed that of the land use setback zone, additional design analysis and calculations, along with a geotechnical letter shall be submitted to the City for a retaining wall separation exception to this standard for accessory buildings, structures, and/or pools.

At property lines, the retaining wall shall be constructed on the property it is retaining. No retaining wall component shall extend beyond the property line. Property lines may be located between (in the middle of) terraced retaining walls provided the walls are separated by a distance of at least $2h$ (h of tallest exposed height of the 2 walls), from face of wall to face of wall.

No component of a rockery or segmental block retaining wall shall be constructed within public rights of way or trails.

4.3.5.4 SITE PREPARATION. As a minimum, subgrade preparation within the limits of the wall construction shall be performed in accordance with the City Standard Specifications 4.3.2.3. Additional subgrade preparation such as over excavation and recompaction may be required in the geotechnical report. Groundwater discovered during construction shall not be ignored and shall be addressed by the Geotechnical Engineer.

4.3.5.5 MONITORING. The phases of rockery and segmental block wall construction, including site preparation, shall be monitored in accordance with the inspection frequency schedule specified on the construction drawings prepared by the Design Engineer. The Geotechnical Engineer employed by the Owner/Contractor shall verify that the nature and quality of the materials being used are appropriate and that the construction is in accordance with the engineered design. The Geotechnical Engineer shall verify to the City in writing that the materials and construction of the rockery/segmental block wall as-built is in accordance with the engineered design after construction is complete.

4.3.5.6 BACKFILL. Backfill materials shall consist of quality fill materials meeting the requirements specified by the Design Engineer and the geotechnical report. Backfill shall be placed in uniform lifts not to exceed six to twelve inches (6" - 12") in thickness as specified by the geotechnical report before compaction.

4.3.5.7 BACKFILL COMPACTION AND TESTING. Compaction shall be in

accordance with the geotechnical report recommendations. The maximum lift thickness shall be decreased as necessary to obtain the specified density. Compaction within three feet (3') of the back of the facing units shall be accomplished with walk-behind compactors. No heavy equipment shall be operated within three feet (3') of the back of the rocks/blocks. Density tests to verify compaction shall be taken at random locations. At least two (2) tests per one hundred feet (100') of wall length per one and a half feet (1½') of backfill shall be taken. In critical locations, the Geotechnical Engineer may request additional testing.

4.3.5.8 GEOGRID REINFORCEMENT. Mechanically stabilized earth (MSE) retaining walls shall be reinforced with geogrid as specified by the Design Engineer. Geogrid design embedment length shall be measured from the back of the rock or segmental block facing units. Geogrid shall be positively connected to the block facing units. No substitutions of geogrid reinforcement products shall be allowed unless specifically approved by the Design Engineer. Gravity segmental block retaining walls generally do not require fill reinforcement in their design.

4.3.5.9 ROCK SELECTION AND PLACEMENT. The rock source shall be preapproved by the Geotechnical Engineer. The Contractor shall have sufficient space and stockpile material available to select from among a number of rocks for each space in the rockery wall to be filled. Rock shall be of a generally cubical, tabular or rectangular shape. Rounded rocks shall not be used. Internal void spaces in the facing shall be kept to a minimum. Prior to being placed, rocks shall be inspected and approved by the Geotechnical Engineer. Basal keyway rocks shall have a minimum width extending back into the wall of at least one third (1/3) the exposed height of the wall tier. Rocks shall be placed to decrease in size with increasing wall height. Cap rocks shall have a minimum width of two feet (2') extending back into the wall.

Rocks shall be placed to bear on good flat-to-flat surfaces. The long dimension of the rocks shall extend back toward the cut/fill face. Except for basal rocks, rocks shall bear on at least two (2) or more other rocks. The base rocks shall be embedded at least one foot (1') to provide a keyway into unyielding soil competent subgrade soils. Additional embedment may be required by the Design Engineer.

4.3.5.10 SEGMENTAL BLOCK RETAINING WALL UNITS Concrete used in the production of the precast modular block units shall be first-purpose, fresh concrete. It shall not consist of returned, reconstituted, surplus or waste concrete. It shall be an original production mix meeting the requirements of ASTM C94 and have a minimum net average twenty-eight (28) days compressive strength of 4,000 psi. The concrete shall have adequate freeze/thaw protection and meet the requirements of ASTM C 1372. Higher strengths may be required by the Design Engineer based on site conditions.

All units shall be: (a) obtained from the same manufacturer, (b) sound, and (c) free of cracks or other defects that would interfere with the proper placing of the unit or significantly impair the strength or permanence of the construction. Any cracks or chips observed during construction shall fall within the guidelines outlined in ASTM C 1372.

Except for basal blocks, each block unit shall bear on at least two (2) blocks. The base blocks shall be embedded at least 1 foot to provide a keyway into unyielding soil competent subgrade soils. Additional embedment may be required by the Design Engineer.

Segmental block units shall match the color, surface finish, and dimension for height, width, depth, and batter as shown on the drawings.

If pins or clips are used to interconnect block units, they shall consist of a non-degrading polymer or galvanized steel and be made for the express use with the block units supplied.

Any cap adhesives shall meet the requirements of the block unit manufacturer.

4.3.5.11 WALL DRAINAGE. Wall drainage behind the retaining walls shall include a free draining gravel layer and filter fabric with a drainpipe daylighting to a proper outlet. A synthetic drainage composite may be used behind segmental block walls if a materials specific shear testing is completed to determined friction properties between the backfill and synthetic drainage composite. A synthetic drainage composite shall not be used behind rock walls.

If the engineering can substantiate proper filtering between the retained soils and the drain rock, then the filter fabric may be omitted. If the retained soils or backfill is free draining as substantiated through appropriate testing, then drainage material may be omitted from the design.

4.3.5.12 SURFACE DRAINAGE. Surface drainage shall be directed away from the rockery/block wall face to a positive and permanent discharge well away and beyond the retaining walls. The surrounding site shall be graded such that water cannot flow over the top of the retaining walls.

4.3.5.13 BATTER. The batter (steepness) of a rock wall face shall not exceed one horizontal to six vertical (1h:6v).

Batter requirements for segmental block retaining wall shall be noted on the design drawings from the Design Engineer. The steepness of the wall face shall not

exceed the block Manufacturer's design recommendations.

4.3.5.14 SLOPES. Slopes above and below rockery and segmental block retaining walls shall not exceed two horizontal to one vertical (2:1); shall be noted on the drawings; and shall be included in the stability analyses and the design considerations.

4.3.5.15 STRUCTURAL ANALYSIS. Structural analysis of rockery retaining walls should be in general accordance with the current Federal Highway Administration (FHWA) Guidelines for Rockery Walls for both static and seismic forces with minimum factors of:

	Static	Seismic
Sliding	1.5	1.1
Overturning	2.0	1.5
Bearing	2.5	1.5
Global	1.5	1.1

Structural analysis of stacked segmental block retaining walls should be in general accordance with the current National Concrete Masonry Association (NCMA) Design Manual for both static and seismic forces with minimum factors of:

	Static	Seismic
Sliding	1.5	1.1
Overturning	2.0	1.1
Bearing	3.0	1.5
Global	1.5	1.1

The following analysis provisions shall apply:

1. The maximum unit weight of the rocks and blocks used in the design of a wall system shall be specific to the construction material used.
2. The maximum coefficient of friction between rocks or blocks in a wall system shall be specific to the construction material used.
3. Terraced walls shall be considered as a single retaining wall system for design purposes, unless separated by a horizontal distance equal to or greater than 2h (h of

tallest exposed height of the walls) measured from top of exposed face of the lower wall to base of exposed face of the upper wall.

4. Surcharge loading conditions with a horizontal distance equal to the height of the upper most wall shall be taken into consideration in the analysis. The distance shall be measured from the exposed face of the upper most wall.
5. Specifications shall be provided to clearly define acceptance criteria for rock or block materials.
6. Retaining wall shall be designed assuming wet conditions.

The design engineer shall provide design details specific to the location and conditions with a professional stamp. The design engineer shall provide upon request a printout of the input and output of the files with factors of safety within the applicable design standard used as follows:

1. Design calculations ensuring stability against overturning, base sliding, excessive foundation settlement, bearing capacity, internal shear, and global stability.
2. Calculations shall include analysis under static and seismic loads.
3. Factors of safety results shall be presented to the nearest hundredth.
4. Seismic loads shall be based on the Peak Ground Acceleration (PGA) as determined from probabilistic analysis for the maximum credible earthquake, with spectral acceleration factored for site conditions in accordance with the current International Building Code.
5. Upon request, a cross-sectional view of each analysis shall be provided, and the printout of the input and output files in an appendix.
6. The Design Engineer shall include wall drainage details, if applicable.
7. The Design Engineer shall acknowledge that the site is suitable for the retaining wall.
8. The Design Engineer shall specify an inspection frequency schedule on the drawings

4.3.5.16 INSPECTIONS. Construction of rockery and segmental block retaining walls shall be observed by a qualified geotechnical engineer employed by the owner/contractor and shall include all phases of construction. Testing shall be at the frequency specified by the design engineer. Rock material used in construction shall be specifically preapproved by the geotechnical engineer.

Upon completion of the wall, the geotechnical engineer shall submit a final compliance report to the authority having jurisdiction. The report shall include a summary of testing and observations per the Pre-Wall Geotechnical Data Sheet provided as part of the construction permit. The report shall provide a professional opinion as to the compliance with the design recommendations and acceptance of the construction. All pertinent compaction testing results shall be included with the final report.

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton

Dave Pond

Janene Burton

Mark Hendrickson

Justin Caplin

CITY COUNCIL

Meeting Date: October 14, 2026

Agenda Item: 4

Applicant: Ryan VonCannon

Requested by: Ryan VonCannon

Subject: 2026 Impact Fee Amendment Parks

Description:

Discuss new Impact Fee Amendment

Recommendation: Discussion

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

**FIRST AMENDMENT
TO THE
MAY 2025 UPDATE
OF THE
SANTA CLARA, UTAH
PARKS & TRAILS MASTER PLAN
IMPACT FEE FACILITIES PLAN AND ANALYSIS**

INTRODUCTION

This document amends the May 2025 Update to the Santa Clara, Utah Parks and Trails Impact Fee Facilities Plan & Impact Fee Analysis (the Adopted Plan) to reflect changes in planned facilities and impact fee calculations. The amendment is twofold. First, it revises the methodology used to calculate cemetery impact fees by basing the Level of Service (LOS) calculation on the number of cemetery plots rather than total cemetery acreage. Second, it modifies the planned alignment of the Lava Flow Trail to accommodate the proposed widening of Pioneer Parkway and changes the bike lane on Clary Hills Drive to a paved trail. The two changes outlined in this amendment affect Sections III and IV of the Adopted Plan. All tables, figures, and equations requiring updates in the Adopted Plan are included in this amendment. Population growth projections and the estimated construction cost per unit remain consistent with the Adopted Plan and have not been modified as part of this amendment.

PARKS & TRAILS IMPACT FEE FACILITIES PLAN

RECOMMENDED IMPROVEMENTS

The cemetery parks have been analyzed based on the number of plots in this amendment. There are currently 3,116 plots owned and 200 remaining to be purchased, for a total of 3,316 plots. This amendment changes the recommended cemetery improvements to have an increase of 3,944 plots. Additional plots can come from either an expanded cemetery footprint or columbarium options. The cost estimates in this amendment assume all 3,944 plots will be columbarium plots at \$430 per plot. This is based on historic columbarium construction pricing.

The Adopted Plan also identified 158,053 linear feet of proposed trails. The adjustment to Lava Flow Trail and Clary Hills Drive Trail increases the proposed trails to 162,815 linear feet. Table III.B-1 of the Adopted Plan has been amended to show these changes.

Amended Table III.B- 1: Recommended Improvements

Park/Trail Project	Total Cost	% I.F. Eligible	I.F. Eligible Cost
Gubler Park Phase 4	\$ 1,736,000	100.0%	\$ 1,736,000
Graf River Park	\$ 84,000	100.0%	\$ 84,000
Linear Park	\$ 10,000	100.0%	\$ 10,000
Skate Park	\$ 450,000	100.0%	\$ 450,000
Cemetery Park Addition	\$ 1,696,000	100.0%	\$ 1,696,000
Tobler Park	\$ 884,000	100.0%	\$ 884,000
Planned Trails	\$ 1,867,000	100.0%	\$ 1,867,000
Future Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis Updates	\$ 70,000	100.0%	\$ 70,000
Engineering & Incidentals	\$ 2,200,000	100.0%	\$ 2,200,000
TOTALS	\$ 8,997,000	100.0%	\$ 8,997,000

PLANNED PARKS

The amended Existing Cemetery Parks LOS calculation is given below.

Amended Existing Cemetery Parks LOS:

$$\frac{3,316 \text{ plots}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{375.3 \text{ plots/1,000 people}}}$$

The target LOS is set to maintain a LOS of 375 plots/1,000 people for cemetery parks. The amended additional cemetery plots required to maintain the target LOS is given below for each planning period.

Amended Additional Cemetery Plots Required in 2034:

$$\left(\frac{375 \text{ plots}}{1,000 \text{ people}}\right)(13,079) = \mathbf{4,905 \text{ plots}}$$

Amended Additional Cemetery Plots Required in 2044:

$$\left(\frac{375 \text{ plots}}{1,000 \text{ people}}\right)(19,361) = \mathbf{7,260 \text{ plots}}$$

Amended Additional Cemetery Plots Required at Build-out:

$$\left(\frac{375 \text{ plots}}{1,000 \text{ people}}\right)(24,466) = \mathbf{9,175 \text{ plots}}$$

Table III.C-1 has been updated to show the cemetery LOS over each planning period based on the amended recommended improvements.

Amended Table III.C- 1: Santa Clara Parks Level of Service

Category	Existing LOS	LOS by 2034 with only Recommended Improvements	LOS by 2044 with only Recommended Improvements	LOS by Build-out with only Recommended Improvements	Target LOS by Build-out
Recreational Parks (acres/1,000 people)	4.8	4.3	2.9	2.3	4.5
Cemetery (plots/1,000 people)	375	375	375	375	375
Aesthetic/Historical (acres/1,000 people)	3.4	2.5	1.7	1.3	2.0

PLANNED TRAILS

The trail realignment for the Lava Flow Trail is planned to be completed by 2044 and be paved. The Clary Hills Drive trail was originally categorized as a future bike lane in the Adopted Plan but has been amended to be a planned paved trail. Table III.D-1 has been amended to show these changes.

Amended Table III.D- 1: Santa Clara Existing and Planned Trails

EXISTING & PLANNED TRAILS		
Description	Length	
Existing Trails- Paved (2024)	45,698	Feet
Existing Trails- Unpaved (2024)	74,986	Feet
Planned Trails- Paved (2044)	15,561	Feet
Planned Trails- Unpaved (2044)	26,570	Feet
TOTAL	162,815	Feet

The amended Trails LOS calculation is given below.

Amended Trails LOS by 2044 after Recommended Improvements:

$$\frac{162,815 \text{ Feet}}{19,361 \text{ People}} = \underline{8.4} \text{ ft/capita}$$

The target LOS for trails has been set to 5 feet per person. The following calculation shows the additional trail needed by subtracting the projected planning horizon LOS from the target LOS and multiplying by the 2044 population.

Amended Additional Trail Requirement:

$$\left(\frac{5 \text{ feet}}{\text{person}} - \frac{8.4 \text{ feet}}{\text{person}} \right) (19,361 \text{ people}) = -65,827.4 \text{ feet}$$

These calculations suggest that the City could decrease their trails by 65,827.4 feet or delay improvements and reach the existing LOS target goal. As with parks, it should be noted that it is acceptable to exceed the target goal so a decrease in trail length or delay in construction is not necessary.

Table III.D-2 lists all the existing and planned parks and trails that have not yet been completed. This table shows the effective area anticipated after the improvements recommended in this amendment are complete.

Amended Table III.D- 2: Santa Clara Existing and Planned Improvements

EXISTING & PLANNED PARKS			
Description	Area (Acres)	% Comp. After Rec.	Area after
<i>Recreational Parks</i>			
Blackrock Park (Vineyards)	2.3	100%	2.3
BMX Bike Park	2.0	100%	2.0
Gubler Park Ph. 1	13.6	100%	13.6
Gubler Park Ph. 2-3	9.3	100%	9.3
Gubler Park Phase 4	2.1	100%	2.1
Graf River Park	8.4	100%	8.4
Little League Park	5.0	100%	5.0
Canyon View Park	6.1	100%	6.1
Linear Park	4.5	100%	4.5
Skate Park	1.0	100%	1.0
Swiss Pioneer Memorial Park	1.2	100%	1.2
Swiss Days Park	0.7	100%	0.7
Boomer Park	0.5	100%	0.5
<i>Cemetery</i>			
Cemetery Park	3.7	100%	3.7
Cemetery Park Addition	2.8	100%	2.8
<i>Aesthetic/Historical</i>			
Pioneer Memorial Park	0.5	100%	0.5
Leavitt Park (City Hall Reception Park)	0.6	100%	0.6
Santa Clara Dr. Streetscape	1.1	100%	1.1
Arboretum	26.4	100%	26.4
Heritage Square	1.0	100%	1.0
Tobler Park	2.5	100%	2.5
TOTAL PARKS	95.4		95.4
<i>Trails</i>			
Trail- Paved	17.4	100%	17.4
Trail- Unpaved	9.3	100%	9.3
TOTAL TRAILS	26.7		26.7
GRAND TOTAL PARKS & TRAILS	122.1		122.1

PARKS & TRAILS IMPACT FEE FACILITIES PLAN

PROPOSED IMPACT FEE

Methodology for the amendment has remained consistent with the Adopted Plan for determining the percent impact fee eligibility. All improvements remain 100% impact fee eligible. The proposed impact fee is found by dividing the total impact fee eligible amount for the recommended improvements among the new users projected by the end of the planning horizon in 2044. The new Maximum Impact Fee has been determined to be \$2,380 per ERU. Figure IV.C-1 shows this calculation and the amended Figure is included below.

AMENDED TABLE IV.C-1 CITY OF SANTA CLARA IMPACT FEE ANALYSIS FY2024 PARKS AND TRAILS PLAN Jul-26			
IMPACT FEE CALCULATIONS (See Appendix B for probable costs for each project)			
<i>Recreational Parks</i>			
Total Estimated Project Cost		\$	2,280,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,280,000
Existing Level of Service (Acres/1,000 People)	4.8		
Level of Service with Recommended Improvements	2.9		
Target Level of Service	4.5		
Additional Park Area (Acres) Needed to Meet Requirement	31.0		
Total Impact Fee Eligible Cost		\$	2,280,000
<i>Cemetery</i>			
Total Estimated Project Cost		\$	1,696,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	1,696,000
Existing Level of Service (plots/1,000 People)	375.3		
Level of Service with Recommended Improvements	375.0		
Target Level of Service	375.0		
Additional Park Area (plots) Needed to Meet Requirement	0.0		
Total Impact Fee Eligible Cost		\$	1,696,000

AMENDED TABLE IV.C-1 (CONT.)

CITY OF SANTA CLARA
IMPACT FEE ANALYSIS FY2024
PARKS AND TRAILS PLAN

Jul-26

Aesthetic/Historical

Total Estimated Project Cost \$ 884,000

% of New Project Cost Due to New Growth 100.0%

Impact Fee Eligible Cost for Recommended Improvements \$ 884,000

Existing Level of Service (Acres/1,000 People) 3.4

Level of Service with Recommended Improvements 1.7

Target Level of Service 2.0

Additional Park Area (Acres) Needed to Meet Requirement 5.8

Total Impact Fee Eligible Cost \$ 884,000

Trails

Total Estimated Project Cost \$ 1,867,000

% of New Project Cost Due to New Growth 100.0%

Impact Fee Eligible Cost for Recommended Improvements \$ 1,867,000

Existing Level of Service (Ft./Person) 13.7

Level of Service with Recommended Improvements 8.3

Target Level of Service 5.0

Additional Trail (Feet) Needed to Meet Requirement 0.0

Total Impact Fee Eligible Cost \$ 1,867,000

Miscellaneous

Total Estimated Project Cost \$ 2,270,000

% of New Project Cost Due to New Growth 100.0%

Impact Fee Eligible Cost for Recommended Improvements \$ 2,270,000

Total Impact Fee Eligible Amount \$ 8,997,000

No. of ERUs (2024) 3,174

Future ERU's (2044) 6,954

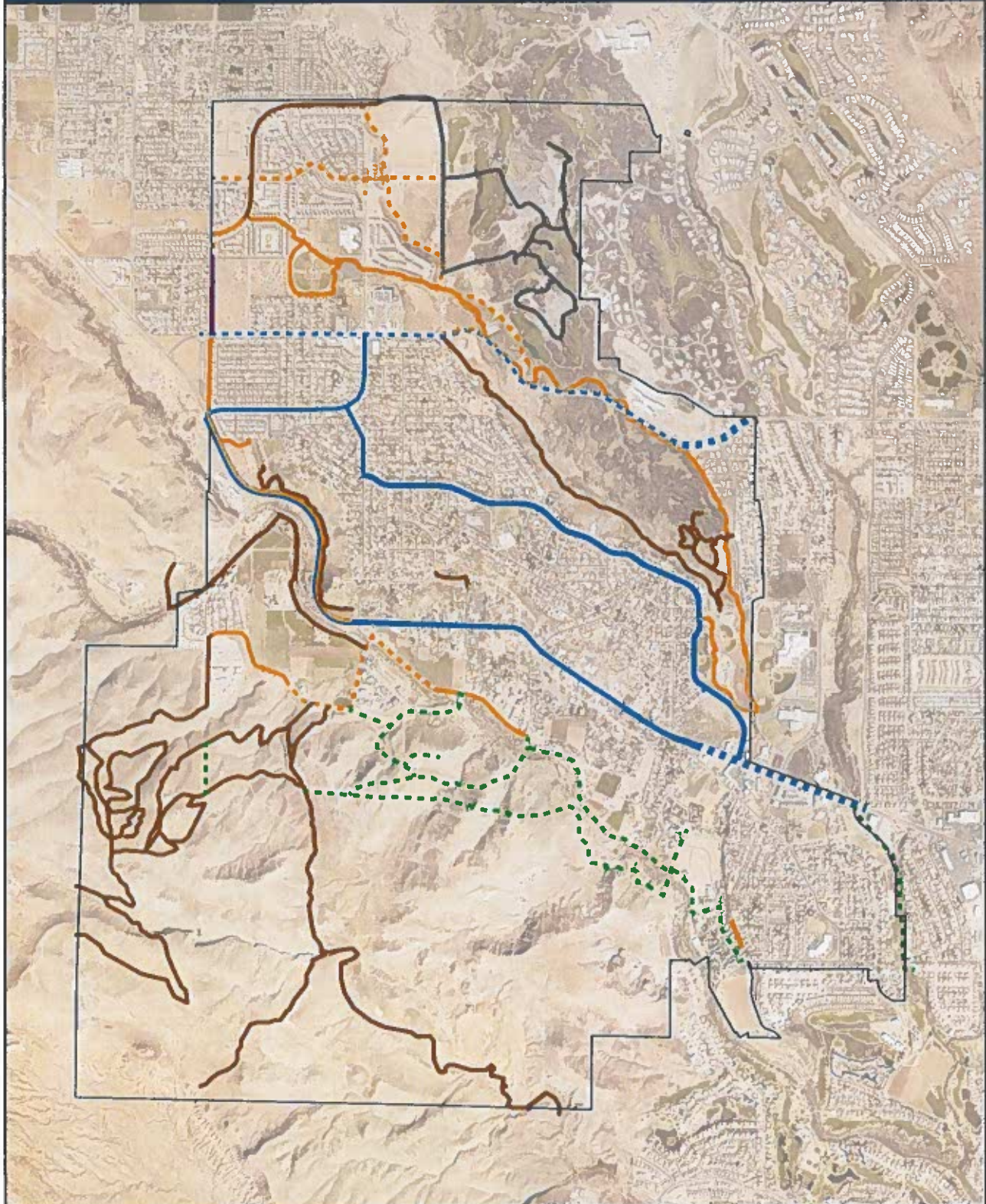
No. of New ERU's Due to Growth 3,780

Maximum Impact Fee = Total Eligible Cost / New ERU's \$ 2,380 /ERU

Proposed Impact Fee for Santa Clara City (FY2024) = \$ 2,380 /ERU

MAP DATE: 07.22.2026

Exhibit III.D-1 Santa Clara City Planned Trail System



Legend

- Existing Bike Lane
- Existing Paved Trail
- Existing Unimproved Trail
- Black Desert Installed Paved
- Developer Installed Paved Trail

- Future Bike Lane
- Future Paved Trail
- Planned Trails

City Boundary

0 0.15 0.3 Miles



Engineer's Opinion of Probable Cost

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Recreational Park Improvements						
Gubler Park Phase 4						
1	Pickleball Courts	6	EA	\$ 85,000.00	100.0%	\$ 510,000
2	20 X 20 Pavilion	1	EA	\$ 120,000.00	100.0%	\$ 120,000
3	Landscaping	80,000	SF	\$ 2.50	100.0%	\$ 200,000
4	Dugout Covers	8	EA	\$ 12,000.00	100.0%	\$ 96,000
5	New Splash Pad	1	LS	\$ 750,000.00	100.0%	\$ 750,000
6	Batting Cages	4	EA	\$ 15,000.00	100.0%	\$ 60,000
					Total	\$ 1,736,000.00
Graf River Park						
7	Neighborhood Park	8.4	ACRE	\$ 10,000.00	100.0%	\$ 84,000
					Total	\$ 84,000.00
Linear Park						
8	Landscaping	1	LS	\$ 10,000.00	100.0%	\$ 10,000
					Total	\$ 10,000.00
Skate Park						
9	Skate Park	1	AC	\$ 450,000.00	100.0%	\$ 450,000
					Total	\$ 450,000.00
					Total Recreational Park Improvements	\$ 2,280,000.00

SUNRISE ENGINEERING, INC.

11 North 300 West, Washington, Utah 84780

Tel: (435) 652-8450 Fax: (435) 652-8416

Engineer's Opinion of Probable Cost

2024 - PARKS & TRAILS IMPACT FEE ANALYSIS

Santa Clara, Utah

Aug-26

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Cemetery Park Improvements						
Cemetery Park Addition						
10	Columbarium Wall Plots	3,944	EA	\$ 430.00	100.0%	\$ 1,695,920
Total						\$ 1,696,000.00
Cemetery Park Addition (Land Acquisition)						
11	Landscaping	0	LS	\$ 200,000.00	100.0%	\$ -
12	Land Acquisition	0	AC	\$ 500,000.00	100.0%	\$ -
Total						\$ -
Total Cemetery Park Improvements						\$ 1,696,000.00
Aesthetic/Historical Improvements						
Tobler Park						
13	40 x 60 Educational Building and Restroom	1	LS	\$ 540,000.00	100.0%	\$ 540,000
14	20 x 30 Storage Building	1	LS	\$ 105,000.00	100.0%	\$ 105,000
15	Fencing	1,500	LF	\$ 50.00	100.0%	\$ 75,000
16	Pavilions and outdoor seating	1	LS	\$ 75,000.00	100.0%	\$ 75,000
17	Bituminous surface course 2-1/2"	15,500	SF	\$ 0.45	100.0%	\$ 6,975
18	Curb and Gutter	575	LF	\$ 28.00	100.0%	\$ 16,100
19	Sidewalk 6"x4'	575	LF	\$ 30.00	100.0%	\$ 17,250
20	Landscaping	15,500	SF	\$ 1.50	100.0%	\$ 23,250
21	Bonnelli Road Improvements	1	LS	\$ 15,000.00	100.0%	\$ 15,000
22	Bonnelli Trail	1	LS	\$ 10,000.00	100.0%	\$ 10,000
Total						\$ 884,000.00
Total Aesthetic/Historical Park Improvements						\$ 884,000.00
Trail Improvements						
Planned Trails						
23	Planned Trails- Paved	15,561	LF	\$ 120.00	100.0%	\$ 1,867,363
24	Planned Trails- Unpaved	26,570	LF	\$ 80.00	100.0%	\$ 2,125,562
Total						\$ 1,867,000.00
Total Trail Improvements						\$ 1,867,000.00

SUNRISE ENGINEERING, INC.

11 North 300 West, Washington, Utah 84780

Tel: (435) 652-8450 Fax: (435) 652-8416

Engineer's Opinion of Probable Cost**2024 - PARKS & TRAILS IMPACT FEE ANALYSIS**

Santa Clara, Utah

Aug-26

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Miscellaneous Improvements						
Future Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis Updates						
25	Impact Fee Facilities Plan & Impact Fee Analysis	2	EA	\$ 35,000.00	100%	\$ 70,000
					Total	\$ 70,000.00
					Total Miscellaneous Improvements	\$ 70,000.00
					Grand Total Improvements-Construction	\$ 6,797,000.00
Engineering & Incidentals						
26	Administrative Services	1%	Est.			\$ 150,000
27	Engineering Design	11%	L.S.			\$ 1,000,000
28	Construction Observation	11%	Est.			\$ 1,000,000
29	Miscellaneous Engineering		Est.			\$ 50,000
					Total	\$ 2,200,000.00
					TOTAL PROJECT COST	\$ 8,997,000.00

In providing opinions of probable construction cost, the Client understands that the Engineer has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinion of probable construction cost provided herein is made on the basis of the Engineer's qualifications and experience. The Engineer makes no warranty, expressed or implied, as to the accuracy of such opinions compared to bid or actual costs.