

RESOLUTION NO. R2026-45

October 13, 2026

A RESOLUTION OF THE MAGNA CITY COUNCIL ADOPTING STANDARD OPERATING PROCEDURES FOR THE COUNCIL, MAYOR, CITY MANAGER, AND STAFF

RECITALS

WHEREAS, Utah Code Ann. § 10-3-717 authorizes the Magna City Council (the “Council”) to exercise all administrative powers by resolution;

WHEREAS, the Council has adopted Ordinance 2026-O-20, restating Title 1 (General Provisions) and Title 2 (Administration and Personnel) of the Magna Municipal Code (the “Code”);

WHEREAS, pursuant to its administrative powers, the Council desires staff to prepare and adopt Standard Operating Procedures that convert the processes described in Titles 1 and 2 of the Code into working instructions for the Council, the Mayor, the City Manager, City staff, and City service providers (the “SOPs”);

WHEREAS, the SOPs identify, for each procedure, the source authority in the Code, the responsible roles, the sequence of actions, the applicable timing, and the records to be kept;

WHEREAS, the SOPs have been prepared by the City Attorney’s office and reviewed by the Council; and

WHEREAS, the Council has determined that adopting the SOPs attached to this Resolution as Exhibit A will serve the best interests of Magna City and the general public.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Magna City Council as follows:

1. The Standard Operating Procedures attached to this Resolution as Exhibit A are hereby approved and adopted in substantially the form attached, subject only to minor administrative errors or clarifications which may be modified by staff with the approval of the City Attorney.
2. The Mayor, the Council, the City Manager, the Recorder, and City staff shall follow the SOPs in carrying out the processes they address.
3. The SOPs implement, and do not amend or supersede, the Code or state law. If an SOP conflicts with the Code or state law, the Code or state law controls.
4. The SOPs may be amended by resolution of the Council. The City Attorney may recommend conforming changes when the Code is amended.
5. The Recorder shall maintain the adopted SOPs with the City’s official records and make them available to the public.

6. This Resolution takes effect immediately, and the SOPs are effective on the later of the date of this Resolution or the effective date of Ordinance 2026-O-20.

APPROVED and ADOPTED this 13th day of October, 2026.

MAGNA CITY

By: _____
Mick Sudbury, Mayor

ATTEST

Diana Baun, Recorder

APPROVED AS TO FORM

Clayton H. Preece, City Attorney

Voting:

Council Member Prokopis voting _____

Council Member Olsen voting _____

Council Member George voting _____

Council Member Larson voting _____

Council Member Jensen voting _____

Exhibit A: Magna City Standard Operating Procedures, Titles 1 and 2 (attached)

Standard Operating Procedures

Magna City Council, Mayor, City Manager, and Staff

Based on restated Title 1 (General Provisions) and Title 2 (Administration and Personnel) of the Magna Municipal Code

Who does what

Role	Main responsibilities under Titles 1 and 2	SOPs
Mayor	Chief executive officer; chairs the Council and presides; ceremonial functions; no veto; declares and directs emergency response.	4, 7, 14, 15, 26
Council	Governing body of six members: the Mayor and five Council members. Legislates by ordinance, acts administratively by resolution, approves fees and budgets, appoints officers, adopts policies.	2 to 13, 16, 17, 20
City Manager	Chief administrative officer if appointed; supervises all staff; budget officer; oversees, prepares, and approves the Council agenda; receives hearing requests; may sign contracts and approve invoices.	2, 13, 15, 16, 21
Recorder	Agenda, notices, minutes, ordinance attestation, contract countersignature, seal, oaths, records manager.	2, 3, 8, 9, 18, 24
Treasurer	Receives and accounts for City money; reconciles monthly with the Recorder; pays only appropriated and authorized expenditures.	19
City Attorney	Legal counsel; advises on conflicts, closed meetings, and litigation; delivers files on succession.	1, 5, 20, 23
MSD	Serves as Recorder, Treasurer, and Engineer unless the Council appoints otherwise; provides administrative services; hears records appeals; reviews budgets.	13, 18, 19, 20, 24
All staff	Report through the City Manager; follow ethics, records, and personal identifier rules.	15, 22, 24, 25

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Part 1. Applying the Code and running Council meetings

SOP 1. Applying and interpreting the Code

Code: 1.02.010 through 1.02.110

Who acts: All officers and staff; City Attorney for conflicts

Purpose: Give everyone one consistent method for reading and applying the Code, resolving conflicts between provisions, and counting deadlines.

- 1.1 Start with Title 1. It governs interpretation of the whole Code unless a provision says otherwise (1.02.050).
- 1.2 Read words in context and by ordinary usage. Give technical and legal terms their legal meaning. Apply the definitions in 1.02.060 plus any definitions in the specific title or chapter. Key Title 1 definitions: the Council has six members, one of whom is the Mayor; the “governing body” is the Council; the “Director” is the Greater Salt Lake Municipal Services District Director of Planning and Development Services, unless clearly indicated otherwise; and an Administrative Law Judge is appointed by the City Manager or the City Manager’s designee, must be an attorney licensed in Utah, and must not be a City employee (1.02.060(C)).
- 1.3 Read “shall” and “will” as mandatory, “may” as permissive, “may not” as prohibited, and “must” as mandatory in the sense the context requires (1.02.060).
- 1.4 If two Code provisions conflict, the more specific one governs. If the conflict remains, the more recent enactment governs (1.02.050).
- 1.5 If a Code provision conflicts with state law, state law governs, and the Code provision has no effect for as long as the conflict lasts. Refer the question to the City Attorney (1.02.050).
- 1.6 Treat any statute or Code section cited in the Code as including later amendments, restatements, and replacements (1.02.050).
- 1.7 Do not apply a provision retroactively unless it says so expressly. Repeal of an ordinance does not revive an earlier repealed ordinance or affect accrued rights, duties, penalties, or pending proceedings (1.02.050).
- 1.8 Count deadlines by excluding the first day and including the last. If the last day is a Saturday, Sunday, or holiday, the deadline moves to the next business day. For periods shorter than seven days, skip intermediate weekends and legal holidays (1.02.080).
- 1.9 Where the Code prescribes no penalty, a violation is a Class B misdemeanor (1.02.100). The City has sole discretion to choose civil remedies or administrative enforcement, and the Code does not limit the district attorney’s criminal charging authority (1.02.110).

- 1.10** Remember that both the person who commits a prohibited act and the employer (if the act was within the course and scope of employment) can be liable, as can anyone who aids or abets (1.02.090).
- 1.11** If a provision is held invalid, the rest of the Code remains in effect (1.02.070).

Records to keep. Written City Attorney guidance on any conflict or interpretation question.

SOP 2. Meeting schedule, notice, and agenda

Code: 2.01.100, 2.01.110, 2.01.120, 2.01.160, 2.01.190, 2.02.050, 2.08.020

Who acts: Recorder, City Manager, Mayor, Council

Purpose: Make sure every meeting is on a published schedule, properly noticed, and has a posted agenda before any action is taken.

Schedule

- 2.1** Prescribe the time and place of regular meetings by ordinance, and hold a regular meeting at least once each month (2.01.120).
- 2.2** Give public written notice at least once each year of the annual regular meeting schedule, stating the date, time, and place of each meeting (2.01.100).
- 2.3** Schedule or cancel work meetings as public business requires. The Mayor sets them in consultation with the Council. Work meetings are open to the public, noticed the same way as regular meetings, and need a quorum (2.01.110).

Agenda

- 2.4** The Recorder prepares the agenda in consultation with the City Manager before each meeting, including emergency meetings to the extent possible (2.01.160). The City Manager oversees, prepares, and approves the Council agenda for each meeting (2.02.050).
- 2.5** Place items requested by the Mayor or a Council member on the agenda. Place requests from anyone else at the City Manager's discretion (2.01.160).
- 2.6** When a majority of the Council suggests a policy or procedure, the City Manager prepares it and includes it on the appropriate agenda (2.08.020).
- 2.7** Attach any proposed ordinance to the agenda, and post copies in accordance with state law (2.01.190).
- 2.8** Post the agenda and notice at least 24 hours before the meeting on the Utah Public Notice Website, and post written notice at the Council office or the meeting location. For an emergency meeting, give the notice practicable under the circumstances, including notice to the news media (2.01.160).

Changing the agenda

- 2.9** The Council may change the agenda only by majority vote. It shall not act on a new matter unless 24 hours' notice has been given, or the matter is an emergency approved by a separate majority vote of the members present (2.01.160).
- 2.10** Treat every pending item as a proposal for adoption. If no one moves to adopt, postpone, or table it, the Mayor declares at the end of discussion that the proposal fails or, at the Mayor's discretion, holds it over to a later meeting (2.01.160).

Records to keep. Annual schedule notice, posted agendas, and proof of posting on the Utah Public Notice Website.

SOP 3. Special and emergency meetings

Code: 2.01.120, 2.01.140, 2.01.160

Who acts: Mayor, Council members, Recorder

Purpose: Convene meetings outside the regular schedule without defeating notice and open-meeting requirements.

Special meetings

- 3.1** The Mayor, or any two Council members, may order a special meeting (2.01.120).
- 3.2** Enter the order in the Council minutes and provide at least three hours' notice of the meeting (2.01.120).
- 3.3** The Recorder serves notice on each Council member who did not sign the order, by personal delivery or by leaving it at the member's usual place of abode. A member's personal appearance at the meeting waives notice (2.01.120).
- 3.4** Post the agenda and public notice as in SOP 2. The agenda rule in 2.01.160 covers special meetings.

Emergency meetings

- 3.5** Use an emergency meeting only for matters of an emergency or urgent nature arising from unforeseen circumstances (2.01.140).
- 3.6** Attempt to notify every Council member and give the public and news media the best notice practicable (2.01.140, 2.01.160).
- 3.7** Hold the meeting only if a majority of the Council votes in the affirmative to hold it. The Council shall not take action unless a quorum is present (2.01.140).
- 3.8** Keep a record of the means used to contact members, the number voting, and the names of the members who voted to hold the meeting (2.01.140).

Records to keep. Special meeting order; proof of notice to members; emergency meeting contact record and vote.

SOP 4. Conducting a Council meeting

Code: 2.01.070, 2.01.100, 2.01.150, 2.01.160, 2.01.190, 2.01.200, 2.01.210, 2.02.050

Who acts: Mayor (presiding), Council, Recorder, City Manager, City Attorney

Purpose: Run each meeting so that every action is taken in an open meeting, with a quorum, on a noticed agenda.

Opening

- 4.1** The Mayor presides as Chair of the Council (2.01.070). If the Mayor is absent, follow SOP 14.
- 4.2** Confirm a quorum. The quorum is three Council members (2.01.200). The Council has six members: the Mayor and five Council members (2.01.010, 2.01.030). The Council shall not act without one (2.01.140, 2.01.180).
- 4.3** Conduct business under the Utah Open and Public Meetings Act. Take official action only in open public meetings unless state law permits otherwise (2.01.100).
- 4.4** Apply the Council's Rules of Order and Procedure, adopted by resolution, to any procedural question the Code, state law, and ordinances do not answer (2.01.210).

Taking action

- 4.5** Confirm that any ordinance is in written form before the vote (2.01.190).
- 4.6** Treat each pending item as a proposal. If no one moves to adopt, postpone, or table, the Mayor declares the proposal failed or held over (2.01.160).
- 4.7** Before discussion of a matter, any member with a conflict of interest follows SOP 22 (and SOP 23 for quasi-judicial matters).
- 4.8** Remember that the Mayor may not veto any ordinance, tax levy, or appropriation passed by the Council (2.01.070).
- 4.9** The City Manager may attend and participate but shall not vote (2.02.050). The City Attorney or designee may attend and assist the Council, and shall attend and assist at all meetings when requested (2.01.100).

Order in the room

- 4.10** By majority vote of the members present, the Council may direct removal of a person who willfully disrupts the meeting so that orderly conduct is seriously compromised (2.01.100).

Committees and after the meeting

- 4.11** Committees shall take no official action other than adopting non-binding recommendations to the Council (2.01.150).
- 4.12** The Recorder prepares minutes under SOP 8.

Records to keep. Minutes; written ordinances and resolutions as voted.

SOP 5. Closed meetings

Code: 2.01.130, 2.01.100, 2.07.050

Who acts: Mayor, Council, Recorder, City Attorney

Purpose: Close a meeting only for reasons the Open and Public Meetings Act allows, by the required vote, and without taking official action.

- 5.1** Confirm the topic falls within a purpose allowed by the Open and Public Meetings Act. No closed meeting is allowed otherwise (2.01.130).
- 5.2** Hold the closed meeting only from an open meeting for which notice was given under state law, with a quorum present (2.01.130).
- 5.3** Move to close the meeting and state the reason. The motion needs the affirmative vote of two-thirds of the members present (2.01.130).
- 5.4** Enter the reason or reasons for closing and the vote in the minutes of the open meeting (2.01.130).
- 5.5** Take no official action in the closed meeting. Return to open session to vote on anything that requires action (2.01.130).
- 5.6** Follow state law on recording and keeping the closed meeting record.
- 5.7** For quasi-judicial bodies, close only the deliberation, and only for good cause and in compliance with state law (2.07.050).

Records to keep. Open-meeting minutes showing reason and vote; closed-meeting record as state law requires.

SOP 6. Electronic meetings

Code: 2.01.180

Who acts: Recorder, Mayor, Council members

Purpose: Let Council members (and, in some cases, the public) participate electronically while keeping notice, quorum, and anchor-location requirements.

- 6.1** A Council member who wants the meeting held electronically makes the request at least 24 hours before the meeting (2.01.180).
- 6.2** The Recorder gives at least 24 hours' public notice to members and the public. The notice includes the agenda, date, time, location, and a description of how each member can connect. Post written notice at the principal office, or at the meeting building if there is no principal office (2.01.180).
- 6.3** Provide an anchor location. At least one anchor location is the principal office building where the Council normally meets. A quorum need not be at one anchor location, and as few as one member may be there (2.01.180). If all members attend remotely, no anchor location for the public is required unless the Council receives a written request for one at least 12 hours before the meeting (2.01.180).

- 6.4 The member chairing the meeting must be physically present at the anchor location. If neither the Mayor nor the Mayor Pro Tem is at the anchor location and there is a quorum, a Council member who is physically present there presides (2.01.180).
- 6.5 Members attending electronically count toward the quorum and may make and second motions, vote, and take part in discussion as if present (2.01.180). Section 2.01.180 describes the quorum for an electronic meeting as a simple majority of the Council, while 2.01.200 sets the quorum at three. Refer the conflict to the City Attorney (see SOP 1).
- 6.6 A member of the public may attend remotely to monitor an open meeting by sending a written request to the Recorder, if the Council need not acquire new equipment, facilities, or expertise. Except for public hearings, the Council need not allow public participation in an electronic meeting (2.01.180).
- 6.7 For a public hearing, provide an anchor location where the public can attend, monitor, and participate (2.01.180).
- 6.8 The Mayor may decide, before or during the meeting, that an electronic meeting is not in the Council's best interest because of budget, public policy, logistics, or health or safety. In that case, give public notice of the determination, the facts behind it, and alternative ways for the public to participate. The Mayor may also limit the number of connections and deny a public member's request on the same grounds (2.01.180).

Records to keep. Member requests, public requests, notice with connection instructions, and any Mayor determination.

SOP 7. Public hearings and rehearings

Code: 2.01.170, 2.16.050, 2.16.070

Who acts: Mayor (presiding), Council, Recorder

Purpose: Conduct noticed hearings consistently and handle requests to rehear a decision.

- 7.1 Decide whether a hearing is required. Public hearings are those specifically noticed and required by state law or otherwise, such as planning and zoning, ordinances, budgets, bonds or debt, or other matters of significant public interest. The Council may schedule others at its discretion (2.01.170).
- 7.2 The Council decides to hold a hearing at a regular, special, or emergency meeting. A hearing may be held as part of any of those meetings (2.01.170).
- 7.3 The Mayor announces the hearing schedule. Give public notice as state law and the Code require, stating the subject matter, time, date, and place (2.01.170).
- 7.4 At the start, the Mayor may state the rules of conduct, including speaker time limits and any requirement to submit written materials with enough copies for each Council member and the Recorder (2.01.170).
- 7.5 The Mayor opens the hearing by declaring that the Council is in a public hearing and stating its specific purpose (2.01.170).

- 7.6** For quasi-judicial matters, also follow SOP 23.
- 7.7** To close, a member moves, another seconds, and a majority carries the motion. The Mayor then declares the hearing concluded, or continued to another date if the law permits, and states the conditions of any continuance (2.01.170).
- 7.8** Rehearing: an aggrieved person may file a written request within 10 calendar days of the original decision, including new evidence. The Council decides whether the evidence justifies reconsideration. If granted, the rehearing follows the same procedures as the original hearing. No rehearing is allowed where state law forbids it (2.01.170).
- 7.9** Budget hearings follow SOP 13.

Records to keep. Notice and proof of posting; written materials submitted; minutes; any rehearing request and the Council's decision.

SOP 8. Minutes and Council records

Code: 2.01.060, 2.01.090, 2.01.120, 2.01.130, 2.01.140, 2.03.040, 2.12.030, 2.12.050

Who acts: Recorder, Mayor

Purpose: Keep complete, signed minutes and make Council records available.

- 8.1** The Recorder keeps correct records and minutes of all Council proceedings (2.03.040).
- 8.2** Make sure the minutes contain each required entry: the designation of a Mayor Pro Tem (2.01.060); any order selecting a temporary Mayor (2.01.060); each special meeting order (2.01.120); the reasons for and vote on each closed meeting (2.01.130); the emergency meeting contact record and vote (2.01.140); conflict declarations and ex parte disclosures in quasi-judicial matters (2.12.030, 2.12.050); and memorials adopted (2.01.190).
- 8.3** The Recorder or designee gives members copies of the minutes in the manner and within the times the Council establishes and the Recorder agrees to (2.01.090).
- 8.4** The Council approves prior minutes at a later meeting.
- 8.5** The Mayor and the Recorder sign the records and minutes (2.01.090).
- 8.6** Keep the books, records, and accounts of the Council at the Recorder's office, open for public inspection during usual business hours (2.01.090).
- 8.7** Retain and dispose of minutes and records under SOP 24.

Records to keep. Signed minutes; recordings; meeting packets.

Part 2. Ordinances, resolutions, policies, fees, and the budget

SOP 9. Adopting an ordinance

Code: 2.01.190, 2.03.040, 2.03.050, 1.02.050, 1.02.060

Who acts: Deputy City Attorney (drafting), Council, Mayor, Recorder

Purpose: Take an ordinance from draft to filed original with every required element.

Draft

- 9.1** Put the ordinance in written form with these parts, in substantially this order: ordinance number and date; a title describing the subject; an explanation of the need and a summary of contents; the ordaining clause “The Magna Council ordains as follows;”; the body; the penalty for violation, when applicable; the effective date; a Mayor signature line; a Recorder attestation line; the Council votes; a space showing when it was posted under state law; and an ordinance summary if a statute requires one (2.01.190).
- 9.2** Draft using the Code’s conventions: “shall” for requirements, and avoid “should,” “must” where “shall” works, “shall not,” “must not,” “should not,” and “but not limited to” after “include” (1.02.060).
- 9.3** Identify every Code section the ordinance amends or repeals and check for conflict with state law (1.02.050).

Introduce and notice

- 9.4** Introduce the ordinance in writing, and read or describe it to the Council before the Council considers adopting it. The exceptions are exigent circumstances or direction from a majority of the members present (2.01.190).
- 9.5** Post copies of the proposed ordinance with the agenda for the meeting where it will be considered, as state law requires (2.01.190). Hold a public hearing first if one is required (SOP 7).

Adopt

- 9.6** Vote in an open meeting, and record each member’s vote on the ordinance (2.01.190).

After adoption

- 9.7** The Mayor signs the ordinance within five business days of adoption (2.01.190).
- 9.8** The Recorder signs and attests the ordinance, certifies its publication, and keeps proof of posting (2.03.040, 2.03.050).
- 9.9** Deposit the ordinance in the Recorder’s office before it takes effect, and file the original there (2.03.050).
- 9.10** Number, record, and maintain the ordinance as state law requires (2.01.190).

Records to keep. Signed original ordinance with attestation, vote record, and proof of posting, filed with the Recorder.

SOP 10. Resolutions, memorials, and commemorative street names

Code: 2.01.190, 2.08.030

Who acts: Council, Mayor, Recorder, addressing office

Purpose: Use the right form of action for administrative decisions, commendations, and commemorative street names.

Resolutions

- 10.1** Use a resolution for administrative powers, including fees and rates for municipal services, administrative policies and guidelines, the use and operation of Magna property, matters the law requires, policy declarations, and statements of policy and communication (2.01.190).
- 10.2** Prepare the resolution in the same form as an ordinance, leaving out the posting and ordinance-summary elements (2.01.190).
- 10.3** Do not use a resolution to impose a punishment, fine, or forfeiture (2.01.190).
- 10.4** Number, record, and maintain the resolution as state law requires (2.01.190). Resolutions that adopt policies and procedures carry the Mayor's and Recorder's signatures (2.08.030).

Memorials

- 10.5** Adopt a memorial as a resolution or a motion, to respond to or commend persons or groups for notable activities brought to the Council's attention. It may be adopted at the meeting where it is proposed, and it is recorded in the minutes (2.01.190).

Commemorative street names

- 10.6** Start with a written request from a person, organization, or entity. The request states the requested commemorative name, the reason justifying it, the existing street number or name, the range or length of street affected, and any requested signage or plaques (2.01.190).
- 10.7** Confirm the proposed name meets all applicable Salt Lake County and State of Utah requirements (2.01.190).
- 10.8** Review the request against these factors: a sense of place, continuity, and belonging; recognition of historical significance; reflection of unique characteristics of the area; or honoring a person, organization, or event of great import to the City (2.01.190).
- 10.9** Adopt approved names by resolution. The addressing office then records the commemorative name as officially adopted. Official records continue to use the street's numerical designation or certified name (2.01.190).

10.10 The requester pays all costs, including making and installing plaques or signs (2.01.190).

Records to keep. Signed resolution; written street-name request and staff review.

SOP 11. Adopting and maintaining policies and procedures

Code: 2.01.190, 2.08.010 through 2.08.050, 2.07.130, 2.14.060

Who acts: Council, City Manager, Mayor, Recorder

Purpose: Adopt, sign, record, and keep current every Council-approved policy and procedure, including the Personnel Policy.

11.1 The Council adopts policies, procedures, rules, and regulations it considers appropriate and that state law does not prohibit (2.01.190).

11.2 When a majority of the Council suggests a policy or procedure, the City Manager prepares it and places it on the appropriate agenda (2.08.020).

11.3 Present, consider, and give notice of each policy in the same manner as an ordinance, in the form the Council directs (2.01.190).

11.4 After adoption, obtain the signatures of the Mayor and the Recorder. Every adopted policy and procedure must bear both (2.08.030).

11.5 Number, record, and maintain the policy as state law requires (2.01.190). The Council keeps a current record of all approved policies and procedures (2.08.040).

11.6 Keep a Personnel Policy in force. The Council adopts and amends it, and it must follow federal and state law, including Title 10, Chapter 3, Part 11 of the Utah Code. It creates no contractual rights (2.08.010).

11.7 Keep a nepotism policy in force that complies with Utah Code §52-2-3 (2.07.130).

11.8 If a policy conflicts with state law, state law governs (2.08.050).

11.9 Send any records policy to the Utah State Division of Archives within 30 calendar days after its effective date (2.14.060).

Records to keep. Signed policies; the Council's current policy register.

SOP 12. Establishing and amending fees

Code: 2.10.010, 2.10.020, 2.10.030, 2.01.190

Who acts: Council, City Manager, Recorder

Purpose: Set fees that recover cost, approve them in the right form, and publish them.

12.1 Prepare a cost basis for each fee. A fee reimburses the City's expense of enforcing regulations or providing the service and may not significantly exceed that cost (2.10.010).

12.2 The Council may consider costs and other elements it deems relevant, including: employee expenses (full compensation costs of employees normally required to provide the service); direct costs, with internal division costs under accepted accounting standards

and indirect costs in amounts the auditor's office sets; payments the City must make to other governments, contractors, or third parties; reserves for liability, asset replacement, and capital improvements; and other direct operating costs (2.10.020).

- 12.3** The Council approves every City fee and reviews and approves the full fee schedule (2.10.020, 2.10.030). Adopt fees and rates by resolution (2.01.190).
- 12.4** Post the fee schedule, electronically or physically, at the City offices or another public place in the City (2.10.020).
- 12.5** To change a fee outside the budget process, submit a letter requesting the amendment to the Council for review and approval (2.10.020).

Records to keep. Fee cost analysis; adopted resolution; current posted schedule.

SOP 13. Annual budget cycle

Code: 2.16.010 through 2.16.080, 2.02.050, 2.03.040

Who acts: Council, City Manager (budget officer), MSD and its Board of Trustees, Recorder

Purpose: Move the budget through proposed, tentative, and final stages on time and within revenue limits.

Proposed and tentative budget

- 13.1** The City Manager, as budget officer, prepares and submits the annual budget and any amendments to the Council (2.02.050).
- 13.2** The Council prepares the proposed budget on the MSD's forms, in the detail the Uniform Fiscal Procedures Act for Cities requires. It shows projected revenues, projected expenditures, and budget requests for all funds, and shall include a capital improvements and maintenance budget (2.16.040).
- 13.3** Review the proposal for consistency with statute, ordinance, and fiscal and budget policies, and consult the MSD Board of Trustees, other cities, and affected offices and departments (2.16.040).
- 13.4** Submit the proposed budget to the MSD before the deadline the MSD Board of Trustees sets. The Board may extend the deadline if a majority requests (2.16.040).
- 13.5** The Council and MSD Board may hold joint meetings to prepare the tentative budget, which the budget officer completes no later than the first regularly scheduled Council meeting in May. The Council adopts the tentative budget under state law, and the MSD approves it (2.16.040, 2.16.050).
- 13.6** Update revenue and expenditure projections as needed, and tell the MSD as soon as possible about changes to revenue projections in any stage (2.16.040).

Final budget

- 13.7** Make the tentative budget available to the public under state law. Set the date, time, and place of the public hearing, and publish and post notice as state law requires (2.16.050).
- 13.8** Hold the hearing, hear all interested parties under rules the Council sets, and make any adjustments (2.16.050; SOP 7).
- 13.9** Adopt the final budget on or before June 30 for the following fiscal year (2.16.050).
- 13.10** The Recorder files a certified copy of the final budget with the state auditor within 30 calendar days after adoption (2.16.050).

Limits and amendments

- 13.11** Do not propose or adopt any budget, or appropriate in any fund, more than that fund's estimated expendable revenue, including fund balances and reserves (2.16.060).
- 13.12** To increase a budget in any fund, give five days' notice and hold a public hearing, unless the Council has declared emergency conditions. After the Council amends the budget, the MSD amends the budget to match (2.16.070).
- 13.13** The Council may adopt policies or issue orders on the budget process that are consistent with law and the Code (2.16.080).

Records to keep. Proposed, tentative, and final budgets; hearing notices; certified copy filed with the state auditor.

Part 3. Roles, appointments, and officers

SOP 14. Mayor Pro Tempore and temporary presiding officers

Code: 2.01.060, 2.01.180, 2.15.040, 1.02.060

Who acts: Mayor, Council, Recorder

Purpose: Make sure someone with authority presides and acts whenever the Mayor is absent.

- 14.1 At a duly noticed open meeting, with the consent of the Council, the Mayor designates a Council member to serve as Mayor Pro Tempore, with the Council's consent (2.01.060).
- 14.2 The Recorder enters the appointment in the minutes (2.01.060).
- 14.3 The Mayor Pro Tempore carries out all of the Mayor's duties and responsibilities when the Mayor is absent or unable to perform them (2.01.060).
- 14.4 If neither the Mayor nor the Mayor Pro Tempore can act, the remaining Council members present at a duly noticed open meeting select one member to act as Mayor temporarily, by an order entered in the minutes (2.01.060).
- 14.5 At an electronic meeting where neither is at the anchor location, a Council member physically present there presides, provided there is a quorum (2.01.180).
- 14.6 In an emergency, the Mayor Pro Tempore holds the Mayor's emergency authority. If both are unavailable, that authority passes to the Chief of the Unified Fire Authority (2.15.040).

Records to keep. Minutes entry of the designation or order.

SOP 15. Council, Mayor, and staff: chain of command

Code: 2.01.070, 2.01.080, 2.02.050, 2.03.040

Who acts: Mayor, Council members, City Manager, all staff

Purpose: Keep policy direction with the Council and day-to-day direction with the City Manager.

- 15.1 The Mayor is the chief executive officer, chairs the Council, performs ceremonial functions, and holds the powers in Utah Code §§10-3b-104 and 10-3b-302, subject to the Council's direction and any delegation to the City Manager (2.01.070).
- 15.2 The Council exercises any executive or administrative power not delegated to the Mayor or City Manager. By ordinance, it may remove or reinstate Mayor powers (but not the Mayor's legislative or judicial powers, ceremonial functions, role as Chair, or ex officio positions), delegate powers to the Mayor, assign members to supervise departments, and appoint or dismiss a City Manager (2.01.080). Removing or reinstating a Mayor power requires the affirmative vote of the Mayor or all Council members except the Mayor (2.01.080).

- 15.3** All City employees, contractors, and agents report to the City Manager, and employees are subordinate to the City Manager (2.02.050). The City Manager oversees, prepares, and approves the Council agenda for each meeting and is responsible to the Council for the City's day-to-day operations (2.02.050).
- 15.4** Except to make an inquiry, the Council and its members, including the Mayor, deal with the administrative service only through the City Manager. No member may give orders to the City Manager's subordinates, publicly or privately (2.02.050).
- 15.5** When a Council member or the Mayor directs a staff member to do something, the staff member refers the request to the City Manager (this implements 2.02.050).
- 15.6** The City Manager answers directly to the Council, advises it on policy, procedure, and matters needing its approval or awareness, and uses best efforts to implement and defend its final decisions (2.02.050).
- 15.7** The City Manager notifies the Council and the Mayor of emergencies in any department, may examine the books and records of any office, department, agency, board, or commission, and may require reports from personnel (2.02.050).
- 15.8** The City Manager shall have authority to sign contracts and approve invoices, subject to any Council approvals the Code requires. The Recorder countersigns every City contract, and a contract is void without the Recorder's signature (2.02.050, 2.03.040).
- 15.9** Without a City Manager, the Council delegates the City Manager's duties among Council members and the Mayor (2.02.050).

Records to keep. Council delegation ordinances or resolutions; signed and countersigned contracts.

SOP 16. Appointing and contracting with a City Manager

Code: 2.02.010 through 2.02.050

Who acts: Council

Purpose: Appoint, contract with, compensate, and (if needed) replace a City Manager in the way the Code requires.

- 16.1** Budget for the position and appoint a City Manager by majority vote after a competitive selection process (2.02.020).
- 16.2** Approve a written contract by resolution before the appointment takes effect. The contract states the term, salary, benefits, duties, and termination provisions (2.02.030). The contract must also comply with 2.02.020 (2.02.030).
- 16.3** Limit the term to four years or less, with no automatic renewal. The Council may renew at any time (2.02.030).
- 16.4** Set the City Manager's salary, benefits, and other compensation under state law and the Code (2.02.040).

- 16.5** Treat the City Manager as an at-will employee who serves at the Council's pleasure. The Council may terminate at any time for any legal reason (2.02.020).
- 16.6** The City Manager takes the ethics statement and ethics training (SOP 22).
- 16.7** During a vacancy, delegate the City Manager's duties as SOP 15 describes (2.02.050).

Records to keep. Selection record; contract resolution and signed contract.

SOP 17. Appointments to boards, committees, and advisory committees

Code: 2.01.060, 2.01.150, 2.01.220, 1.04.010 through 1.04.060

Who acts: Council, Mayor, City Manager

Purpose: Make and renew appointments consistently, and keep advisory committees within their limits.

Council and board appointments

- 17.1** Make appointments and reappointments of Council members to boards annually, with the consent of a majority of the Council (2.01.220).
- 17.2** For non-Council members on boards with terms of three years or less, allow reappointment to a consecutive term with the consent of a majority of the Council, unless the Code says otherwise (2.01.220).
- 17.3** For boards with terms longer than three years, do not reappoint to a consecutive term unless the Council approves it for good cause shown and to prevent significant disruption of current board activities (2.01.220).
- 17.4** Where federal or state law sets or limits appointments, those laws control over these restrictions (2.01.220).
- 17.5** A Council member representing Magna on a board votes according to the Council's will where the Council has taken an official position. Without one, the member uses best judgment in Magna's best interests (2.01.220).
- 17.6** The Council may make staff appointments needed for its business, and may establish additional boards or committees as the Code allows. No official action may be taken in committee meetings beyond adopting non-binding recommendations (2.01.060, 2.01.150).

Administrative advisory committees and organizations (AACOs)

- 17.7** The City Manager creates or dissolves an AACO with the advice and consent of the Council, appoints its members, and may remove or suspend members at any time (1.04.020). The City Manager may require members to attend trainings relevant to the nature, risks, or duties of the AACO
- 17.8** Keep AACOs within their purpose, which is to provide information, data, evidence, and recommendations to the City Manager and Council on community problems and goals,

social, educational, cultural, and recreational activities, community safety, and community pride (1.04.040).

- 17.9** AACOs may not collect or disburse City funds or be supported by public funds, are not public bodies, and have no legislative or executive authority (1.04.030, 1.04.040).
- 17.10** AACOs submit their findings to the City Manager in a written report. Their records become public under GRAMA once submitted to the City (1.04.040).
- 17.11** AACOs set their own meeting time, place, and frequency. Elected officials and City employees may attend. Officers and incorporation are optional. If the AACO's bylaws conflict with Chapter 1.04, the Chapter governs (1.04.010, 1.04.050, 1.04.060).

Records to keep. Appointment and reappointment votes in minutes; AACO written reports.

SOP 18. Recorder: duties checklist

Code: 2.03.020 through 2.03.060, 2.01.060, 2.14.060

Who acts: Recorder (the MSD unless the Council appoints someone else), Deputy Recorder

Purpose: Keep the Recorder's required duties in one working checklist.

Appointment

- 18.1** The Council appoints the MSD as Recorder under Utah Code §17B-2a-1104, and may appoint someone else by majority vote. The Recorder takes and subscribes the constitutional oath before assuming duties. A properly qualified employee whom the Recorder appoints as Deputy Recorder shall act whenever the Recorder is unavailable or unable to act, and the deputy's acts are as valid as the Recorder's (2.03.020, 2.03.030, 2.03.040).

Meetings

- 18.2** Prepare agendas (SOP 2), issue notices of special meetings, and issue notices to Council members and committees when directed (2.03.040, 2.01.120).
- 18.3** Keep correct minutes of all Council proceedings (SOP 8).

Ordinances, resolutions, and contracts

- 18.4** Deliver resolutions and communications to the officers or committees they are referred to, without delay. Deliver to the Mayor, without delay, every ordinance or resolution needing the Mayor's action, with supporting papers (2.03.040).
- 18.5** Sign and attest ordinances, certify publication of ordinances, resolutions, and other official documents, and keep ordinances, proofs of posting, and originals (2.03.040, 2.03.050).
- 18.6** Countersign every City contract. A contract is void unless the Recorder signs it. Keep indexed records of all contracts open to inspection (2.03.040).

- 18.7** Endorse a certificate on each bond, warrant, or other evidence of debt stating that it is within the lawful debt limit and issued according to law (2.03.040).

Licenses, seal, oaths, and copies

- 18.8** Attest all licenses granted under the Code and keep a record of their issuance (2.03.040).
- 18.9** Keep and affix the corporate seal, and attest all papers the Mayor signs officially (2.03.040).
- 18.10** Administer oaths when needed for official duties (2.01.060, 2.03.040).
- 18.11** On request and payment of the Council-set fee, make, seal, and certify copies of papers and transcripts of records the Recorder holds (2.03.060).

Other duties

- 18.12** Attend to official correspondence and report it to the Council as needed. Act as ex officio City collector unless an ordinance says otherwise (2.03.040).
- 18.13** Serve as records manager (SOP 24), reconcile accounts monthly with the Treasurer (SOP 19), and file the certified final budget with the state auditor (SOP 13).
- 18.14** On leaving office, deliver the seal and all books, papers, records, and property to the successor (2.03.040).

Records to keep. As listed in each step; Recorder's office files.

SOP 19. Treasurer: receipts, payments, and investments

Code: 2.04.020 through 2.04.070

Who acts: Treasurer (the MSD unless the Council appoints someone else), Deputy Treasurer, Recorder, Council

Purpose: Handle City money in the way the Code requires.

- 19.1** The Council appoints the MSD as Treasurer under Utah Code §17B-2a-1104, and may appoint someone else by majority vote. The Treasurer takes the constitutional oath before assuming duties and may designate a qualified Deputy Treasurer, whose acts are as valid as the Treasurer's (2.04.020 through 2.04.040).
- 19.2** Receive all City money, including taxes, license fees, utility billings, fines, and other funds owed to or held by the City. Keep an accurate, detailed account, and collect special taxes and assessments (2.04.050, 2.04.060).
- 19.3** Give every person who pays the City a receipt stating the date and the account paid. File a duplicate with the Recorder at the date of the monthly report (2.04.070).
- 19.4** Each month, reconcile all accounts with the Recorder as the Council directs. Turn over redeemed warrants, interest coupons, bonds, and other evidence of indebtedness, take the Recorder's receipt, and cancel each item with the payment or redemption date written or

stamped on it (2.04.050). The Treasurer shall present a financial report once a quarter, or at such other interval as requested, for review and approval by the Mayor and Council.

19.5 Pay City funds out only when the expenditure is duly appropriated and authorized by Council action, the purchasing agent, or the City Manager (if appointed), as otherwise provided by law (2.04.050).

19.6 Use investment opportunities only at banking institutions approved under the Utah Money Management Act (including sweep, zero-balance, and automatic transfer accounts), and present to the Council for approval the resolutions designating depository institutions and authorized signatories (2.04.060).

Records to keep. Receipts and duplicates; monthly reconciliation; depository resolutions.

SOP 20. Engineer, City Attorney, MSD services, and litigation authority

Code: 2.05.010 through 2.05.030, 2.06.010 through 2.06.040, 2.09.010 through 2.09.030, 2.01.230

Who acts: Council, City Attorney, MSD, all employees

Purpose: Appoint professional officers, use MSD services, and control who may start or defend litigation and spend City funds on it.

Engineer

20.1 The Council appoints the MSD as Engineer under Utah Code §§10-3-917 and 17B-2a-1104, and may appoint someone else by majority vote. Whoever serves must be a registered professional engineer and performs the duties in Title 10, Part 9 of the Utah Code (2.05.010 through 2.05.030).

City Attorney

20.2 The Council appoints the City Attorney, who serves at the Council's pleasure. The Council may appoint different people or firms for civil and criminal matters and may retain special counsel. Every legal services contract must let the Council terminate it at any time (2.06.020).

20.3 Anyone providing legal representation must be a licensed attorney in good standing with the Utah State Bar (2.06.020).

20.4 On termination of services or at the City's request, the City Attorney promptly delivers to any successor or person the City designates copies of all books and papers, including electronic ones, on pending and concluded matters (2.06.040).

MSD services

20.5 Magna is a member of the Greater Salt Lake Municipal Services District, which provides services such as human resources, finance and budgeting, IT, communications, planning and zoning, engineering, business licensing, and code enforcement, and may act as

Magna's official agent. The Council may add or remove services as the law permits (2.01.230).

Litigation

- 20.6** Litigation involving or against the City is governed by state law and applicable case law (2.09.010).
- 20.7** An employee acting officially may take part in litigation for or against the City or against a City official, officer, or employee only with express authority in state law or the Code (2.09.020).
- 20.8** Without that authority, City funds may not pay attorney's fees or costs unless the Council and the City Attorney approve in advance, or the litigation ultimately and substantially succeeds on the merits or a court orders payment (2.09.020).
- 20.9** Nothing in the Code authorizes an employee to sue the City (2.09.030).
- 20.10** Hold litigation strategy discussions in a closed meeting under SOP 5.

Records to keep. Appointment votes; legal services contracts; advance approvals for litigation spending.

Part 4. Appeals, ethics, records, and emergencies

SOP 21. Administrative appeals and hearings

Code: 1.03.010 through 1.03.100, 1.02.060

Who acts: City Manager, administrative law judge (ALJ), responsible person or aggrieved party, MSD Director

Purpose: Run appeals of enforcement actions and other City actions through one consistent process, with the deadlines that protect the City's decisions.

Scope and notice

- 21.1** Use Chapter 1.03 for appeals of City actions unless the Code gives a specific title, chapter, or section its own appeal process. In that case the specific process applies (1.03.010). If Chapter 1.03 is not followed, no judicial review is available, and failing to timely request and take part in administrative review bars any action in state or federal court (1.03.010).
- 21.2** Use a notice form approved by the Director (the Greater Salt Lake Municipal Services District Director of Planning and Development Services, unless clearly indicated otherwise). Serve it by personal service; by regular mail, postage prepaid, to the responsible person's last known address; by conspicuous posting on or in front of the property; by newspaper publication if the first three methods fail after reasonable effort; or as the ALJ directs (1.03.020, 1.02.060).
- 21.3** Mailed notice is treated as served on the fourth day after mailing. Failure to actually receive properly served notice does not invalidate the action (1.03.020). Failure to serve a person other than a responsible person does not affect the validity of a proceeding (1.03.020).

Request for a hearing

- 21.4** A responsible person served with an enforcement action, or a party adversely affected by a City action, may ask for a hearing. Adverse effects include decisions on an employee's employment status, pay, or treatment; denial, revocation, or termination of a license; zoning or permitted-use decisions; bid or proposal awards (within the time limits of the procurement rules); animal services actions; and any other violation, assessment, or action designated by the Code or other City ordinance, policy, regulation, or state law (1.03.050).
- 21.5** The request must be in writing and received by the City Manager within 15 calendar days after the enforcement action was served. Missing the deadline waives the right to a hearing and to appeal to any state or federal court or agency (1.03.050).

- 21.6** If no hearing is requested, the corrective action in the enforcement action becomes the final administrative order (1.03.050). The person is deemed to have waived any appeal of that order (1.03.050).
- 21.7** The City may itself request a hearing within 15 days after issuing an enforcement action, to compel compliance (1.03.050).

The hearing

- 21.8** As soon as practicable after receiving the request, the City Manager appoints an ALJ if one has not been previously appointed (or assigns the appeal to one already appointed). The ALJ sets the date, time, and place (1.03.060). Section 1.03.030 has the Council appoint the attorneys who serve as ALJs, who must be in good standing with the Utah State Bar, while 1.02.060(C) has the City Manager or designee appoint the ALJ. Confirm with the City Attorney how the two apply together.
- 21.9** Serve written notice of the hearing on the responsible person as soon as practicable before the hearing, using the methods in 1.03.020 (1.03.060).
- 21.10** The ALJ may issue a scheduling order covering discovery limits, witnesses, exhibits, and stipulations, arranges for the hearing to be recorded, and may issue subpoenas. Willful refusal to obey a subpoena is a Class B misdemeanor (1.03.040).
- 21.11** Formal rules of evidence and civil procedure do not apply. The ALJ decides the scope of discovery and the admissibility and weight of evidence (1.03.070).
- 21.12** The ALJ issues written findings of fact and conclusions of law within 45 days after the hearing ends (1.03.070).

Judicial review

- 21.13** The City or an adversely affected party may petition the Third Judicial District Court for review within 30 days after the administrative order is final, unless a statute provides otherwise. The filing party transmits the record and pays for any transcript (1.03.090).
- 21.14** Filing a petition does not stay the order. Before filing, a responsible person may ask the ALJ for a stay, and the ALJ may grant one pending review if it is in the City's best interest (1.03.090).
- 21.15** The Council may adopt additional hearing rules for different categories of violations and appeals (1.03.100).

Records to keep. Served notices with proof of service; written request with date received; ALJ order and findings; hearing recording.

SOP 22. Ethics, conflicts of interest, and gifts

Code: 2.07.010 through 2.07.160

Who acts: All officers, employees, and representatives; Council; City Attorney

Purpose: Apply the Ethics Code to disclosures, recusals, gifts, outside activity, and political activity.

Onboarding and training

- 22.1** Before starting duties, each employee reads the ethics statement (2.07.030). “Employee” includes elected and appointed officers (1.02.060).
- 22.2** Every employee attends mandatory ethics training every two years, on a curriculum the Council approves (2.07.040).

Conflicts of interest

- 22.3** Classify the interest. A restricted conflict is a financial interest held by the employee or representative, a household member, or a person providing regular financial support. An unrestricted conflict is any other interest (political, family, fraternal, social, or similar) that creates an appearance or actuality of conflict, including a campaign contribution of more than \$500 in the prior calendar year (2.07.020).
- 22.4** For a restricted conflict, disclose fully and publicly, recuse, and have no involvement in the governmental action. If you learn of the interest later, disclose and recuse as soon as you learn of it (2.07.060).
- 22.5** An action taken by someone with a restricted conflict can be terminated by the body that took it or by the officer with authority to void it. That body or officer may also ratify it (2.07.060).
- 22.6** For an unrestricted conflict, disclose it publicly at any meeting, hearing, or deliberation where it could impair judgment. Recusal is optional (2.07.060).
- 22.7** File written disclosures as state law and the Code require, keep them current, and file them with your chain of command and the Council (2.07.060).
- 22.8** Never use non-public information for personal or another’s gain, never use your position to get special privileges, and avoid outside activity or investment that creates a restricted conflict (2.07.060).

Gifts and honoraria

- 22.9** Do not knowingly accept or solicit a gift for yourself, family, your organizations, or others, unless an exception in 2.07.110 applies (2.07.080). Exceptions include token items of nominal value, snacks and materials at meetings, educational conference costs tied to your duties, awards for public service, gifts to the City, and items given among City officers and employees.

- 22.10** Receiving or soliciting a gift or employment request from a vendor, seller, or service provider is illegal without exception. Contracts resulting from a violation are voidable and payments recoverable (2.07.090).
- 22.11** Do not accept honoraria for activities related to your City duties, except as the exceptions allow (2.07.100).

After leaving, outside representatives, and politics

- 22.12** For one year after voluntarily leaving City service, a former employee may not communicate directly with the City for compensation to influence a pending matter. A business whose employee or contractor violates this is barred from contracting with the City for one year (2.07.120).
- 22.13** Contractors who represent the City disclose their other clients on the same or similar issues, and need the Council's written permission to represent others on them. Contractors hired to lobby the Legislature or another government office for the City may not lobby City officers or employees (2.07.060).
- 22.14** Officers and employees may participate in politics voluntarily, but not during work hours, and may not coerce political contributions or tie job status to political support. No one may use City property, time, staff, equipment, the City seal, or facilities for political activity except as City policy allows. Candidates may take unpaid leave and may not be penalized for filing (2.07.140, 2.07.150).
- 22.15** Discrimination in City services based on age, marital status, color, disability, national origin, sex, sexual orientation, gender identity, race, or religion is prohibited (2.07.160).

Records to keep. Signed ethics acknowledgments; training attendance; written disclosures; minutes showing disclosures and recusals.

SOP 23. Quasi-judicial proceedings: conflicts and ex parte contact

Code: 2.12.010 through 2.12.060, 2.07.050

Who acts: Council members and board members acting in a quasi-judicial capacity; City Attorney

Purpose: Protect the fairness of hearings where the Council or a board decides specific cases.

- 23.1** Decide which capacity applies. Quasi-judicial means investigating facts and exercising judicial-type discretion on a matter before the body, including appeals of administrative determinations. Legislative means adopting or amending ordinances, policies, and rules. The nature of the activity controls, not the body's title (2.12.020).
- 23.2** Test for a conflict: a direct or indirect financial interest likely to be affected by the outcome, or a likely material personal gain or advantage to relatives, friends, agents, business associates, or groups holding your loyalty. Membership in a group alone is not a conflict unless a reasonable, informed person would conclude it prevents objective consideration (2.12.020).

- 23.3** If you have a conflict, declare it and its nature publicly before any discussion and enter it in the record. Abstain from deliberating and voting, and do not discuss the matter with other officials, publicly or privately. The vote of an official who fails to disqualify is disallowed (2.12.030).
- 23.4** If you or another official may have a conflict, raise it at a public meeting and with the attorney's office so a determination can be made (2.12.030).
- 23.5** Do not accept a gift, favor, or advantage from a party with a matter before the body, or from someone you know commonly brings matters to it. A meal worth under \$25, provided in connection with a meeting where the proceeding is discussed, is allowed but must be disclosed. Campaign contributions are governed by other law (2.12.040).
- 23.6** Do not initiate contact with a party, representative, or person who may be adversely affected about an issue of law or fact in a pending or likely matter, unless all parties get notice and a chance to participate at a duly noticed open meeting, with the discussion made part of the record (2.12.050).
- 23.7** If you receive an ex parte communication, enter the following in the minutes or record at the next public meeting: the name of the party, a copy (if written) or a summary (if oral), and the date (2.12.050).
- 23.8** After disclosure, give the public and opposing parties a chance to submit written responses before the evidentiary phase closes. After the evidentiary phase closes, all ex parte communication is prohibited except procedural matters such as hearing dates and times (2.12.050).
- 23.9** Understand that prohibited ex parte communication, or failure to disclose it, is grounds for voiding your vote (2.12.050). Procedural scheduling and communications with City employees or representatives are not ex parte contact (2.12.050).
- 23.10** Gather evidence and deliberate in open meetings with notice and minutes unless state law allows closing the hearing (2.07.050).

Records to keep. Minutes entries for conflict declarations and ex parte disclosures, with copies of written communications.

SOP 24. Records management, GRAMA, and retention

Code: 2.14.010 through 2.14.080, 2.07.050, 2.01.090

Who acts: Recorder (records manager), City Manager, MSD, Council, all custodians of records

Purpose: Keep records accurately, release public records consistently, and dispose of them on schedule.

Access

- 24.1** Members of the public may see, review, and copy any record designated public under Chapter 2.14 and GRAMA. The City need not create a record it does not regularly maintain (2.14.030).
- 24.2** Classify records by content, not by medium, whether paper, email, text, or social media. Apply the GRAMA balancing test, and where other considerations are equal, favor openness while giving due consideration to privacy (2.07.050).
- 24.3** If a record is only temporarily held by another agency for storage, investigation, litigation, or audit, treat it as the usual keeping agency's record and send requests there (2.14.030).

Appeals of records decisions

- 24.4** A person aggrieved by a record's classification, a fee, or a response files a written notice of appeal with the MSD within 30 calendar days after notice of the action was sent. The notice states the basis and the relief requested (2.14.040).
- 24.5** Respond to the underlying request within 7 calendar days after the MSD receives the notice of appeal, or 14 calendar days after the City sends notice of the appeal to a person who made a business confidentiality claim, unless the parties agree otherwise (2.14.040).
- 24.6** The MSD, consulting with the City Manager, hears the appeal using a reasonable process and issues a written decision. If the denial is affirmed, or the City misses the deadlines, the person may appeal further under state law (2.14.040).

Management and retention

- 24.7** The Recorder serves as records manager: oversees access, records management, and archives, makes an annual report to the Council, and develops Council-approved standards and procedures. Forward any records rule or policy to the Utah State Division of Archives within 30 calendar days after it takes effect (2.14.060).
- 24.8** Monitor how records are created, copied, and disposed of, including quality, permanence, and admissibility standards. Media and format policies need Council approval (2.14.070).
- 24.9** City records remain City property and may not be permanently transferred to a private person or entity, apart from copies provided for release. An officer or employee who leaves delivers custody of all records to a successor, supervisor, or the records manager (2.14.070).
- 24.10** To correct a record, make a written request stating the specific change and the reason. Generally keep both the original and the corrected record (2.14.050).
- 24.11** Schedule every record for retention under GRAMA and the chapter. The Council develops retention schedules with the records manager's advice, considering legal requirements, business standards and storage, legal needs including likely litigation, statutes of limitation, audits, administrative and policy needs, and historical value (2.14.080).

- 24.12** Follow the schedules, and delete or destroy records that reach the end of their retention in a timely manner. A record with very limited retention may be deleted immediately (2.14.080).

Records to keep. Records access log and appeals file; annual records report; retention schedules.

SOP 25. Protecting personal identifiers

Code: 2.13.010 through 2.13.040

Who acts: All City agencies and staff, contracting officers, City Attorney

Purpose: Collect and handle personal identifiers only when necessary, and protect them.

- 25.1** Recognize what counts. Personal identifiers include home address, home phone, personal cell number, signature, Social Security number, birth date, personal email, driver's license number, passport number, and financial identification numbers such as bank account and credit card numbers (2.13.010).
- 25.2** Collect or keep personal identifiers only where law or ordinance provides, or where necessary for the City to function. Collecting credit card numbers is permitted for agencies that accept card payments (2.13.020).
- 25.3** Before collecting, keeping, or sending personal identifiers, the agency makes a written determination of why they are needed and exactly which identifiers are necessary, and collects only those (2.13.020).
- 25.4** Each agency, other than outside contractors providing administrative services, keeps a written policy for the secure collection, maintenance, transmission, transfer, and disposal of personal identifiers (2.13.020).
- 25.5** Keep identifiers confidential and secure, and use them only for a bona fide government necessity. Follow state and federal law on public and confidential records, including GRAMA and HIPAA (2.13.020).
- 25.6** Any contract with a private entity that involves personal identifiers includes mandatory provisions requiring care to protect them and making the contractor legally liable for a breach (2.13.030).
- 25.7** A City officer or employee who knowingly violates the chapter may be guilty of a Class B misdemeanor and is subject to discipline (2.13.040).

Records to keep. Written necessity determinations; agency handling policies; contract clauses.

SOP 26. Emergency declaration and response

Code: 2.15.010 through 2.15.100, 2.02.050

Who acts: Mayor, Mayor Pro Tempore, Council, City Manager, Unified Fire Authority, Unified Police Department, MSD

Purpose: Act quickly in an emergency while keeping the Council informed and records complete.

Declaring and succession

- 26.1** When the Mayor finds the City or part of it is suffering or in imminent danger of an emergency or disaster, the Mayor may declare a state of emergency (2.15.030).
- 26.2** Announce the declaration through general publicity. It takes effect immediately, and general dissemination to the public through news media is the only required publication. Promptly notify the Council (2.15.030).
- 26.3** State, to the extent possible, the nature of the emergency, the area threatened, and any duration, conditions, actions, or needs. Amend it as needed (2.15.030).
- 26.4** The declaration lasts as the Mayor determines, up to 30 calendar days. Continuing or renewing it requires Council approval. The Council may express its opinion by resolution (2.15.030).
- 26.5** If the Mayor is unavailable, the Mayor Pro Tempore has the Mayor's authority. If both are unavailable, the Chief of the Unified Fire Authority has it (2.15.040).
- 26.6** If the Mayor is unavailable to issue an evacuation order, only the fire official assigned to the City by the Unified Fire Authority may issue one, with evacuation routes, for up to 36 hours and only if necessary to preserve life. The Mayor may ratify, modify, or revoke it when available (2.15.040).

Response

- 26.7** In a state of emergency declared by the Mayor or the governor, the Mayor may use all City resources, issue evacuation orders and routes, suspend alcohol sales, control entry to and exit from a disaster area, clear debris, invoke mutual aid, secure supplies and equipment, waive time-consuming procedures including notices, and issue other orders needed to protect people and property. The Mayor's rules and regulations have the force of law on filing and expire when the emergency ends (2.15.050).
- 26.8** The Mayor coordinates private volunteers and keeps their records, keeps records and receipts of emergency spending to FEMA's needs, speaks with one consistent voice to the media, and keeps in contact with the Council, the MSD, the Unified Fire Authority, and other governments (2.15.050).
- 26.9** In a public health emergency, the Mayor may declare a state of emergency at the request of the health department director or board of health. Together with the director, the Mayor may issue orders to close public places and prohibit gatherings, exercise physical

control over property and individuals as the health department finds necessary, and exclude infectious persons from school, as the cited provisions of Utah Code §26A-1-114 allow (2.15.050).

- 26.10** The Unified Police Department and other officers the Mayor authorizes enforce emergency orders. During a declared emergency, it is unlawful to enter closed establishments without authority, violate emergency orders, or obstruct officials. Knowingly refusing an evacuation or other emergency order after notice is a Class B misdemeanor (2.15.050, 2.15.100).
- 26.11** The Mayor may enter mutual aid and similar agreements for protecting life and property. The City may participate under the Statewide Mutual Aid Act (2.15.080).
- 26.12** The City may acquire needed goods and services, and the Mayor may suspend or waive time-consuming purchasing requirements (2.15.090).

Council and continuity

- 26.13** The Council continues as the legislative body: it may legislate, budget, and appropriate, and performs duties any emergency order assigns it that do not conflict with law (2.15.060).
- 26.14** If regular locations are imprudent or impossible, the Council may meet at any safe, convenient place inside or outside Salt Lake County. Official acts performed there are valid, and the temporary location continues until a new one is set, the emergency ends, or normal operations resume (2.15.070).
- 26.15** The City Manager notifies the Council and Mayor of emergencies in any department (2.02.050). Emergency meetings follow SOP 3.

Records to keep. Declaration and any renewal; FEMA volunteer and spending records; filed emergency rules.

Appendix A. Deadlines and thresholds at a glance

Matter	Requirement	Code
Public agenda and meeting notice	At least 24 hours before the meeting	2.01.160
Notice of a special meeting to Council members	At least 3 hours	2.01.120
Member request for an electronic meeting	At least 24 hours before the meeting	2.01.180
Public notice of an electronic meeting	At least 24 hours before the meeting	2.01.180
Quorum	Three Council members (six-member Council)	2.01.200
Vote to close a meeting	Two-thirds of members present	2.01.130
Request for rehearing after a public hearing	Within 10 calendar days of the decision	2.01.170
Mayor signs an adopted ordinance	Within 5 business days	2.01.190
Request for an administrative hearing	Received within 15 calendar days of service	1.03.050
Mailed notice is treated as served	4th day after mailing	1.03.020
ALJ written findings and conclusions	Within 45 days after the hearing ends	1.03.070
Petition for judicial review	Within 30 days after the order is final	1.03.090
City Manager contract term	No more than 4 years; no automatic renewal	2.02.030
Ethics training	Every 2 years	2.07.040
Post-employment lobbying bar	1 year	2.07.120
Records appeal to the MSD	Within 30 calendar days of notice of the action	2.14.040
Response to the records request after an appeal	7 calendar days (14 if a business confidentiality claim)	2.14.040
Records policy sent to State Archives	Within 30 calendar days of its effective date	2.14.060
Tentative budget	No later than the first regular Council meeting in May	2.16.040

Matter	Requirement	Code
Final budget	On or before June 30	2.16.050
Certified final budget filed with the state auditor	Within 30 calendar days of adoption	2.16.050
Budget increase in any fund	5 days' notice and a public hearing	2.16.070
Emergency declaration	Up to 30 calendar days; renewal needs Council approval	2.15.030
Fire official's evacuation order	Up to 36 hours	2.15.040

MAGNA CITY COUNCIL

RESOLUTION NO. R2026-47

DATE: October 13, 2026

A RESOLUTION OF THE MAGNA CITY COUNCIL AUTHORIZING MAGNA CITY TO CO-SIGN MODIFICATION NO. 2 TO THE FEDERAL AID AGREEMENT WITH THE GREATER SALT LAKE MUNICIPAL SERVICE DISTRICT AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE 2810 SOUTH AT 8000 WEST REALIGNMENT PROJECT

WHEREAS, the Greater Salt Lake Municipal Service District (“MSD”) and the Utah Department of Transportation (“UDOT”) entered into a Federal Aid Agreement, UDOT Agreement No. 248026, executed on January 18, 2024, for the 2810 South at 8000 West Realignment – Magna project, UDOT PIN No. 15912, Project No. F-LC35(315) (the “Project”);

WHEREAS, UDOT has prepared a Federal Aid Agreement Supplement for Local Agency Project, Modification No. 2 (the “Modification”), attached hereto as “Attachment A,” which updates Project funding and establishes a maximum Project value of \$9,262,264, consisting of \$8,838,309 in federal aid, \$0 in State funds, and \$423,955 in local government funds, of which \$400,000 is in-kind;

WHEREAS, under the Modification, the Local Agency(ies) agree to pay their estimated matching share in phases when requested by UDOT, to pay 100% of any costs exceeding \$9,262,264 and any ineligible costs, and to comply with applicable federal aid project requirements;

WHEREAS, the Project is located within Magna City, and the MSD has requested that Magna City join the MSD as a Local Agency by co-signing the Modification; and

WHEREAS, the Magna City Council has determined that co-signing the Modification will serve the best interests of Magna City and the general public.

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

1. Approval of the Modification: The Modification is hereby approved in the form attached as “Attachment A,” and Magna City is authorized to co-sign the Modification with the MSD. The Modification may be modified or revised prior to execution by the Mayor, provided that any such modifications or revisions do not substantially alter the material terms.

2. Authorization to Sign: The City Manager is authorized to execute the Modification on behalf of Magna City, and the City Recorder is authorized to attest the Mayor’s signature.

3. Direction to Mayor and Staff: The Mayor and staff are authorized and directed to take such steps as may be needed: (a) to carry out Magna City’s obligations under the Modification; (b) for this Resolution to become effective under Utah law; and (c) to finalize and post the Resolution to MuniCode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

4. Severability: If a court of competent jurisdiction determines that any part of this Resolution is unconstitutional or invalid, then such portion of this Resolution, or specific application of this Resolution, shall be severed from the remainder, which shall continue in full force and effect.

5. Effective Date: This Resolution shall take effect immediately.

APPROVED and ADOPTED this 13th day of October, 2026.

MAGNA CITY COUNCIL

BY: _____
MICK SUDBURY, MAYOR

ATTEST

DIANA BAUN, CITY RECORDER

VOTE BY COUNCIL:

		AYE	NAY
Council Member George	voting	_____	_____
Council Member Jensen	voting	_____	_____
Council Member Olsen	voting	_____	_____
Council Member Larson	voting	_____	_____
Council Member Prokopis	voting	_____	_____

ATTACHMENT A



Department of Alcoholic Beverage Services

Effective Date: May, 2026

Local Authorization for Proximity to a Community Location Expressly for Restaurant and Hotel Licenses

The local business licensing authority acknowledges proximity to a park, playground, or library and has conducted a public meeting at which members of the public were provided an opportunity to comment on the proposed location of the restaurant or hotel at least 30 days prior to the issuance of Local Consent, pursuant to Utah Code Sections 32B-1-202 and 32B-1-202.1.

Magna City, Utah

hereby acknowledges proximity of the license for:

Business Name (DBA): GEM Pizzeria, llc

Entity Name (or owner's name if sole proprietor): GEM Pizzeria, llc

Physical Location Street Address: 8945 west Main Street

City: Magna **Zip Code:** 84044

Authorized Licensing Authority Signature: Jeff Isbell

Printed Name: Jeff Isbell **Title:** Owner **Date:** 10-11-2026

Date of Public Hearing (must be held 30 days prior to issuance of the Local Consent): _____

**A copy of the meeting minutes or link to the public meeting must be submitted with this form*

This local authorization document must be submitted to the DABS by the applicant as part of a complete application.

This is a suggested format. A local authority produced form is also acceptable.