



## **CLINTON CITY COUNCIL AGENDA**

2267 N 1500 W Clinton, UT 84015

**October 13, 2026**

Live stream can be found on YouTube at [youtube.com/@ClintonCityUtah](https://www.youtube.com/@ClintonCityUtah)

**This meeting may be attended electronically by one or more members.**

**Mayor  
Marie Dougherty**

**City Council  
Spencer Arave  
Jennifer Christensen  
Chris Danson  
Adam Larsen  
Dane Searle**

### **7:00 PM REGULAR COUNCIL MEETING**

1. Pledge of Allegiance
2. Invocation – Councilmember Jennifer Christensen
3. Roll Call
4. Recognition of Marilyn Peterson for 24 years of dedicated service as a crossing guard.

### **PUBLIC INPUT**

*Any public member who wishes to address the Council will be allowed up to three minutes to make their presentation. According to the Utah State Code, the Council cannot vote on items not advertised on the agenda.*

### **BUSINESS**

1. Ambulance Service RFP
2. Proposed Amendments to the Clinton City Personnel Policy Sections XII – XVII Leave Policy
3. Discussion on Proposed Fee for Community Garden Plots

### **CONSENT ITEMS**

1. Approval of Minutes: September 8, 2026 City Council Work Session and City Council Meeting
2. Approval of Accounts Payable: None

### **OTHER BUSINESS**

1. Staff / City Manager Reports
2. Council Reports
3. Mayor's Report
4. Action Item Review

### **ADJOURN**

**Dated this 6<sup>th</sup> day of October 2026  
/s/Lisa Titensor, Clinton City Recorder**

- **Supporting documentation for this agenda is posted on the Clinton City website at [www.clintoncity.com](http://www.clintoncity.com) and on the Utah Public Notice Website [www.utah.gov/pmn](http://www.utah.gov/pmn)**
- **In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Lisa Titensor, City Recorder, at (801) 614-0700 at least 24 hours prior to the meeting.**
- **This meeting may involve electronic communications for some members of this public body. The anchor location for the meeting shall be the Clinton City Council Chambers at 2267 N 1500 W Clinton UT 84015. Elected Officials at remote locations may be connected to the meeting electronically to participate.**
- **Notice is hereby given that by motion of the Clinton City Council, pursuant to Utah State Code Title 52, Chapter 4 sections 204 & 205, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.**
- **The order of agenda items may change to accommodate the needs of the city council, staff and/or public**

# CLINTON CITY COUNCIL STAFF REPORT

2267 N 1500 W, Clinton, UT 84015

|                |                              |                 |       |             |   |
|----------------|------------------------------|-----------------|-------|-------------|---|
| MEETING DATE:  | October 13, 2026             |                 |       |             |   |
| CONSENT AGENDA |                              | BUSINESS AGENDA |       | RECOGNITION | X |
| PETITIONER(S): | Police Chief Shawn Stoker    |                 |       |             |   |
| TYPE OF VOTE:  | ROLL CALL                    | N/A             | VOICE | N/A         |   |
| SUBJECT:       | Recognizing Marilyn Peterson |                 |       |             |   |

**FISCAL IMPACT: N/A**

## SUMMARY:

Recognition of Marilyn Peterson for 24 years of dedicated service as a crossing guard.

## RECOMMENDATION:

The Police Department respectfully recommends that the City Council recognize Marilyn Peterson upon her retirement after 24 years of dedicated service as a crossing guard.

For nearly a quarter of a century, Marilyn has played an important role in protecting some of the City's most valuable residents, our children. Through all types of weather, changing traffic patterns, and the many changes our community has experienced over the past 24 years, Marilyn has faithfully reported for duty, helping students safely cross the roadway and providing reassurance to parents, teachers, and the community.

While the physical duties of a crossing guard may appear simple, and are often overlooked, the responsibility is significant. Each day requires attentiveness, consistency, sound judgment, resilience, and a genuine commitment to the safety and well-being of our children. Marilyn has demonstrated those qualities throughout 24 years of service.

During that time, countless students have benefited from Marilyn's presence at the crosswalk. Many of those students have grown into adults, while new generations have taken their place. Although Marilyn may not know every child whose safety she helped protect, her daily service has made a lasting contribution to our community.

The Police Department is grateful for Marilyn's extraordinary commitment and years of dependable service. On behalf of the Department, we extend our sincere appreciation and congratulations on a well-deserved retirement.

**ATTACHMENTS: None**

# CLINTON CITY COUNCIL STAFF REPORT

2267 N 1500 W, Clinton, UT 84015

|                |                       |                 |       |             |  |
|----------------|-----------------------|-----------------|-------|-------------|--|
| MEETING DATE:  | October 13, 2026      |                 |       |             |  |
| CONSENT AGENDA | X                     | BUSINESS AGENDA |       | RECOGNITION |  |
| PETITIONER(S): | Chief Poulsen         |                 |       |             |  |
| TYPE OF VOTE:  | ROLL CALL             | XXX             | VOICE |             |  |
| SUBJECT:       | RFP Ambulance Service |                 |       |             |  |

## FISCAL IMPACT:

## RECOMMENDATION:

### Purpose

Clinton City Fire Department currently provides its own emergency services and has long prioritized high standards of public safety and service delivery. In compliance with the requirements of Senate Bill 215, Clinton City Corporation is issuing this Request for Proposals (RFP) to evaluate available options and ensure continued excellence in emergency service provision. While the City is currently very satisfied with its in-house services, it remains committed to transparency and due diligence in exploring all qualified proposals in accordance with state law.

### Fiscal Impact



## **Emergency Medical Services Performance Evaluation Briefing Packet**

Cost, Quality, and Access Review

Clinton City Fire Department

## Table of Contents

1. Cover Letter
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  - a. Ambulance Rates
  - b. Mutual Aid & Hospital Contracts

## Executive Summary

In response to Utah Senate Bill 215 (2025), the Clinton City Fire Department has prepared this briefing packet to satisfy the State of Utah's mandated evaluation of local Emergency Medical Services (EMS) systems. SB 215 identifies **Cost**, **Quality**, and **Access** as the core pillars of performance review and places the responsibility on municipalities to assess and demonstrate system effectiveness. This document outlines Clinton City Fire Department's EMS structure, financial model, and service performance in alignment with the criteria established by the State.

### Key highlights:

- **Cost:** Over \$1.3M billed in 2025, with a 46% net revenue collection rate. Efficient staffing and vehicle strategies reinforce financial sustainability.
- **Quality:** Ongoing QA/QI, paramedic training pipeline, and implementation of industry best safety practices compliant with NFPA 1917 Ambulance requirements.
- **Access:** 24/7 ALS/BLS response across Clinton, mutual aid agreements with all Davis County Fire Departments, and response times that meet all NFPA 1710 response standards.

Clinton City Fire Department is fully compliant with SB 215 mandates and stands ready to engage in a formal RFP process. This briefing is intended to support city leadership in understanding performance metrics and making informed, transparent service decisions.

## Legislative Background---Executive Summary: 2024 Performance Audit of Emergency Medical Transportation in Utah

### **Purpose and Context**

The Utah Office of the Legislative Auditor General conducted this performance audit in response to legislative interest in understanding the current state, challenges, and opportunities in Utah's Emergency Medical Services (EMS) system. The report focused primarily on ground ambulance services, with attention to inter-facility transfers and 911 response systems. The findings helped shape key provisions in Utah SB 215 (2025), including required evaluations of EMS systems based on cost, quality, and access.

### **Key Findings**

#### ***1. System Fragmentation and Governance Challenges***

- EMS oversight is split across multiple entities, including the Bureau of EMS (BEMS), municipalities, counties, and private providers.
- Confusion over licensing, oversight responsibilities, and inconsistent standards has led to inefficiencies and limited accountability.
- The BEMS lacked authority to initiate or intervene in local EMS service decisions beyond basic licensing compliance.

#### ***2. Lack of Standardized Performance Review***

- Local governments were not consistently reviewing EMS providers' performance.
- Performance data (e.g., response times, patient outcomes, financial efficiency) was often incomplete, not shared, or not analyzed.

- No standardized framework existed for comparing EMS providers or guiding decision-making.

### **3. *Inefficiencies in the Provider Selection Process***

- The "public convenience and necessity" process for selecting EMS providers was slow, unclear, and susceptible to political influence.
- The report noted cases where competitive proposals were never sought, even when services were underperforming.
- Small providers expressed concerns about barriers to entry due to the complexity and cost of navigating the existing system.

### **4. *Financial Disparities and Sustainability Questions***

- Medicaid and Medicare reimbursements remain well below actual costs, forcing providers to rely on commercial payers or subsidies.
- Urban and rural agencies experience different financial pressures, requiring flexible policy solutions.

## **Key Recommendations**

- Establish clear statutory authority and review responsibilities for the Bureau of EMS to monitor service outcomes and enforce minimum standards.
- Mandate periodic performance evaluations for all EMS license holders, based on metrics for cost, quality, and access.
- Require competitive requests for proposals (RFPs) at the expiration of service licenses, including a formal review process.

- Increase transparency of EMS performance data and facilitate state-level comparisons.
- Clarify inter-facility transfer oversight to avoid duplication and ensure equitable patient access.

## Conclusion

The audit highlighted critical weaknesses in Utah's EMS governance and accountability. Its recommendations aim to foster a more transparent, efficient, and outcome-driven EMS system. These insights directly influenced legislative reforms, particularly SB 215 (2025), which restructured EMS oversight, enhanced competitive provider evaluations, and emphasized measurable performance in cost, quality, and access domain.

## Summary of Utah Senate Bill 215 (2025)

In 2025, the Utah State Legislature passed **Senate Bill 215**, a comprehensive measure aimed at improving the delivery, accountability, and transparency of Emergency Medical Services (EMS) statewide. The bill emerged from findings in the 2024 Legislative Audit, which identified inconsistent EMS performance, limited financial transparency, and a lack of standardized evaluation criteria across agencies within the State.

**SB 215** establishes a framework for evaluating EMS providers based on three core performance pillars:

- **Cost:** Financial sustainability, transparency of billing practices, and cost recovery effectiveness.
- **Quality:** Clinical care outcomes, provider training and credentialing, quality assurance practices, and equipment standards.
- **Access:** Timely service delivery, geographic availability, equitable care across populations, and response capacity under surge conditions.

The legislation requires **municipalities and counties** to evaluate their EMS systems every four years using these criteria and to make decisions regarding future service contracts or operational models based on demonstrated performance.

Additional provisions of the bill include:

- Authorization for local governments to issue Requests for Proposals (RFPs) from third-party EMS providers.
- Mandated performance reviews for agencies operating under enterprise fund models, like Clinton City Fire Department.
- Inclusion of inter-facility transfer services in the broader evaluation, particularly regarding cost efficiency and coverage equity.

SB 215 places responsibility on local leaders to ensure their communities receive high-quality, accessible, and financially responsible EMS care. This briefing packet was developed to fulfill the intent and requirements of SB 215, demonstrating Clinton City Fire Department's alignment with these legislative goals.

## Cost

### **Focus: Affordability and financial sustainability**

#### 911 EMS Providers

- **Rate Structure:** Base Rates (set by the Utah Bureau of EMS Effective 6/1/26):
  - ALS Paramedic Transport: \$2,426.64
  - BLS AEMT Transport: \$1,659.66
  - Mileage: \$42.24 per mile

**Billing:** Updates (H.B. 301):

- Disposable supplies now included in base rate
- Medications charges now included in base rate
- *Billed Revenue – fy26*
  - **Total Billed:** \$1.3 million
  - **Net Revenue Collected:** \$593K
  - **Required Write-offs:** \$660,696 (Medicare/Medicaid/Tricare/VA)
  - **Bad Debt:** \$188,000
- Operational Efficiency
  - *Department Personnel:*
    - Fire Chief, Deputy Fire Chief, Admin Assistant.
    - 18 Full-time and 15 Part-time Operational Firefighters
  - *Daily Staffing:*
    - 3 rotating shifts with 7 assigned personnel each; minimum daily staffing: 6
    - 2 ambulances (2 personnel minimum)
    - 1 paramedic engine (4 personnel, 2 paramedics minimum)
    - 1 brush truck
    - 1 Truck
  - *Emergency Management: **Emergency Management Chief***
- Call Volume
  - **Total Calls (2025):** 1,551
  - **EMS Transports:** 530

## Quality

Focus: Clinical care, patient safety, and provider competency

### 911 EMS Providers

- Credentialing and Training Level of Personnel
  - 20 licensed Paramedics
  - 14 licensed Advanced EMTs
- Medical Director Oversight and QA/QI Programs
  - Mathew File, M.D. Board-Certified Emergency Medicine Physician
    - Over 16 years with Clinton City; ED Attending Physician Lakeview Hospital
  - Provides medical oversight of the department's medical license including 100% post incident analysis of performance.
  - Annually presents CME to department & recommends educational topics to EMS Educators.
  - Administers medical QA/QI process via EMS Educators. Actively involved in protocol development/review.
- Response Times to Critical Emergencies
  - Compliant with NFPA 1710 (5 min 20 sec: 80 sec turnout, 4 min drive time.
- Incident Documentation and Protocol Compliance
  - EMS Care/Treatment Protocols consistent with the Bureau of Emergency Medical Services (BEMS) guidelines; routinely reviewed and/or amended when standard of care changes or new medications/procedures implemented.
  - Image Trend RMS system supports full NEMSIS compliance

- Equipment Quality and Readiness
  - Each ambulance/paramedic rescue meets minimum equipment standards established by the BEMS.
  - Each paramedic unit equipped with additional set of ALS equipment/medications/supplies for stacked EMS call.
  - Each paramedic unit is equipped with High Flow O2
  - Each paramedic unit is equipped with mechanical ventilator, IV/Medication infusion pumps for optimal patient management during critical care transports.
  - All department equipment maintained under annual service contracts
- Safety Record
  - Overall excellent safety record
  - All ambulances constructed to NFPA 1917 standards
- Communication with Sending/Receiving Facilities
  - Active coordination with hospital staff to ensure patient readiness and continuity of care
  - EMS Chief is the chair of the Davis County EMS council
  - EMS Chief participates in trauma committees, trauma recertification, stroke committees.
- Monitoring and Medication Administration Capabilities
  - ALS equipment supports IV/IO access, IV infusion capabilities, mechanical ventilation, high flow O2, 12-lead cardiac monitoring/pacing/sync cardioversion/defibrillation.
  - Video laryngoscopy as primary intubating method via Glidescope
  - Antibiotic administration for open wounds

- All other medications/procedures/equipment as required by the BEMS.
- Clinical Skill Sets for Inter-facility Care
  - Department paramedics/AEMTS are trained in critical care procedures, medications, & equipment.
    - Includes advanced cardiac care medication administration, advanced stroke care, administration/monitoring of IV infusions, administration of blood products, sedation, analgesia, & paralytic medications, mechanical ventilation including CPAP/BiPAP & high flow NC.
- QA Processes and Adverse Event Tracking
  - Incidents are reviewed for accuracy, adherence to protocols/guidelines, and time benchmarks.
  - Incidents are also reviewed when asked by our hospital partners/physicians.
  - Incident review begins with a peer review, usually the EMS Educator/Captain, then referred to the EMS Battalion Chief with recommendations, and then the Medical Director.
  - Once a review has been completed and a course of action (if necessary) is determined, the affected crews/individuals will receive feedback from the medical director.
  - Remediation (if necessary) will be completed as directed by the EMS Battalion Chief, assigned Captain(s), and the Fire Department Administration.
  - If requested by a hospital/physician, Dr. File prepares a written response to their inquiry.

## Access

Focus: Availability, equity, and timely response

### 911 EMS Providers

- Response Time Reliability
  - Meets NFPA 1710 standards (5 min 20 sec: 80-sec turnout + 4-min drive time)
- 24/7/365 Availability
  - EMS units are staffed and fully operational every day, including weekends and holidays.
- Backup & Surge Capacity
  - Mutual Aid Agreements with all Davis County fire and EMS agencies
  - MOU
- Equitable Service Delivery
  - All services rendered regardless of race, income, language, or ability to pay
  - Strong customer service culture embedded in daily practice

## Appendix:

The following materials are included as supporting documentation for the Clinton City Fire Department's EMS operations:

### a. Ambulance Rates

- Current ALS and BLS base rates and mileage charges
- Breakdown of cost structure under H.B. 301 (disposable supplies, medications)

**b. Mutual Aid & Hospital Contracts**

- Interlocal agreements for EMS coverage within Davis County

**Ambulance Rates (Effective 5/7/25)**

| <b>Service Type</b>     | <b>Rate</b>      |
|-------------------------|------------------|
| ALS Paramedic Transport | \$2,383.73       |
| BLS AEMT Transport      | \$1,630.31       |
| Mileage                 | \$42.24 per mile |

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**Important Billing Updates (per H.B. 301):**

- **Disposable supplies** used during transport are **now included in the base rate**.
- **Medications** administered during transport are **now included in the base rate**.
- Inter-local agreement with all Davis County Fire Departments for mutual aid on both 911 incidents and inter-facility transports.
- Inter-local agreement between all Davis County agencies for compensation for Paramedic transport.

## Letter of Selection: Emergency Medical Services

**To:**

Bureau of Emergency Medical Services (BEMS)  
Department of Public Safety  
4501 South 2700 West  
Salt Lake City, Utah 84114

**Subject: Formal Letter of Selection for EMS Provider–Utah Code § 144B-103**

To the Bureau of Emergency Medical Services,

In accordance with the requirements detailed in Utah Code § 144B-103 and following the updates under Senate Bill 215, this letter serves as the formal notice of selection for emergency medical services.

The governing body of Clinton City Corporation has officially selected Clinton City Fire Department to serve as the primary provider of emergency medical services within our jurisdictional boundaries. This selection is intended to fulfill statutory requirements and ensure the continued delivery of high quality, life-saving care to our residents.

The terms of this selection are as follows:

- **Service Boundary:** The selection covers all incorporated and unincorporated areas within the licensed boundary of Clinton City & unincorporated areas of Davis County.
- **Duration:** This selection is effective for a period of four (4) years.
- **Compliance:** This designation is made to ensure full compliance with Utah Administrative Rule R911-3-10 and to maintain the agency's standing with the Bureau of Emergency Medical Services.

We value the dedication of our local responders and are committed to maintaining a seamless partnership with the Bureau to protect the health and safety of our community.

Should you require any further documentation or have questions regarding this selection, please contact our administrative office.

Sincerely,

Madam Mayor Marie Dougherty

# CLINTON CITY COUNCIL STAFF REPORT

2267 N 1500 W, Clinton, UT 84015

|                 |                                                                       |                 |       |             |  |
|-----------------|-----------------------------------------------------------------------|-----------------|-------|-------------|--|
| CONSENT AGENDA  |                                                                       | BUSINESS AGENDA | X     | RECOGNITION |  |
| PETITIONER(S):  | Trevor Cahoon, City Manager                                           |                 |       |             |  |
| TYPE OF VOTE:   | ROLL CALL                                                             |                 | VOICE | X           |  |
| SUBJECT:        | Amendments to City Personnel Policy Sections XII – XVII Leave Policy  |                 |       |             |  |
| RECOMMENDATION: | Approve Amendments to City Personnel Policy Effective January 1, 2027 |                 |       |             |  |

## SUMMARY:

Staff is recommending a comprehensive update to the City's Leave Policy. Most of the proposal restructures and reclassifies existing benefits rather than creating new benefits. The primary purpose is to change the way the organization thinks about leave: employees should use their leave, take meaningful time away from work, and be able to disconnect without feeling that the organization depends on them being continuously available.

### Issues the Policy Is Intended to Address

- 1. Encourage employees to use leave and disconnect.** Historically, many employees, particularly Department Heads and other key staff, have accumulated large leave balances rather than consistently taking time away. The proposed policy intentionally reinforces that taking leave is expected and supported. The goal is to reduce burnout and create a culture where employees can step away without feeling pressure to remain continuously connected.
- 2. Reduce the City's leave liability.** The current culture of saving leave has resulted in significant accrued balances and future payout exposure. The new Annual Leave structure substantially lowers normal carryover and separation payout amounts for all new employees and current employees who adopt the new policy. Employees transitioning into the new structure will have a much smaller ongoing bank, while use-or-lose benefits such as Personal Leave and Public Safety Holiday Leave do not become separation liabilities.
- 3. Provide a competitive and more flexible benefit.** Front-loading Annual Leave gives employees access to their yearly benefit up front so they can plan work around life events rather than waiting for leave to accrue. This provides a stronger work-life balance message for both current employees and new hires and allows the City to remain competitive without significantly increasing compensation costs.
- 4. Improve cross-training and operational continuity.** The Mandatory Leave and No-Access requirement for covered full-time employees is designed to ensure that departments can operate without depending on one individual. Requiring leadership and other key employees to step away creates opportunities for cross-training, identifies process gaps, and sets the expectation that employees throughout the organization can take leave. Employees may still receive incidental information about significant events, but they are not expected to access City systems, direct work, or perform their normal duties during the No-Access Period unless specifically authorized.
- 5. Better manage Public Safety scheduling and overtime.** Police and Fire Holiday Leave will be front-loaded and scheduled through a fourth-quarter bidding process for the upcoming year. This allows departments to spread leave throughout the year instead of dealing with large balances and concentrated leave requests at year end. Police holiday cash payments will also be reduced from all City holidays to four major holidays, while the remaining benefit is provided as scheduled paid time off.

**6. Strengthen support during critical life events.** Parental Leave and Bereavement Leave are the two areas where the proposal meaningfully expands benefits. These changes are intended to support employees during significant family and personal events. The financial impact is expected to remain limited because these events occur for a relatively small number of employees each year and existing public safety budgets already account for shift coverage.

## MAJOR POLICY CHANGES

| AREA                                    | BASIC CHANGE                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Annual Leave</b>                     | Creates a front-loaded Annual Leave Bank for employees participating in the new plan. Annual Leave is based on years of service, generally allows only 40 hours of carryover, and normally pays out no more than 40 hours at separation.                                                                                                                  |
| <b>Grandfathered and 48/96 Vacation</b> | Grandfathered employees retain existing accrual schedules and carryover limits of 240 hours for regular full-time employees and 288 hours for exempt employees. Fire employees on the 48/96 schedule retain their accrual-based Vacation structure with a 240-hour carryover limit.                                                                       |
| <b>Police Holiday Benefit</b>           | Police receive bonus pay for Thanksgiving, Christmas Eve, Christmas Day, and New Year's Day. The remaining benefit is a front-loaded Holiday Leave Bank of 80 hours for 10-hour shifts or 96 hours for 12-hour shifts, scheduled through a fourth-quarter bidding process. The Holiday Leave Bank is generally use-or-lose and is not paid at separation. |
| <b>Fire Holiday Benefit</b>             | The Fire holiday benefit remains 156 hours annually. Instead of accruing 6 hours each pay period, the full bank is front-loaded and scheduled during the fourth quarter for the upcoming year. It is generally use-or-lose and is not paid at separation.                                                                                                 |
| <b>Leave Reconciliation and Buyback</b> | If paid leave is later unnecessary because the employee works enough actual hours, the leave is restored rather than paid in addition to worked hours. Vacation buyback is limited to a one-time, up-to-40-hour exception when circumstances outside the employee's control prevented reasonable use.                                                     |
| <b>Columbus Day</b>                     | Changes from a fixed City holiday to an 8-hour Floating Holiday for eligible full-time employees, allowing Columbus Day to be used for Citywide training while preserving the paid-time-off benefit.                                                                                                                                                      |
| <b>Parental Leave</b>                   | Adds up to three normally scheduled workweeks of paid Parental Leave for eligible employees following birth, adoption, or foster placement.                                                                                                                                                                                                               |
| <b>Bereavement Leave</b>                | Provides up to 48 hours for a close family member or demonstrated close personal connection, and up to 24 hours for extended family.                                                                                                                                                                                                                      |
| <b>Mandatory Leave / No-Access</b>      | Covered full-time employees must take annual leave that includes seven consecutive calendar days without City-system access or normal work responsibilities. Incidental awareness-only communication is allowed, but the employee is not expected/allowed to perform work.                                                                                |
| <b>Contact During Leave</b>             | Clarifies that employees on approved leave should not be routinely required to work and establishes leave restoration or other compensation when work is required during leave.                                                                                                                                                                           |
| <b>Compensatory Time</b>                | No benefit change. Existing Compensatory Time rules are incorporated into the Leave Policy for completeness, including the 1.5-to-1 accrual rate and 48-hour maximum accrual unless additional accumulation is approved by the City Manager.                                                                                                              |

## FISCAL IMPACT:

The proposed policy is intended to be largely budget neutral while reducing the City's long-term leave liability.

The largest direct recurring savings is the Police holiday pay change. Current Police holiday cash payments are approximately \$100,000 annually; the proposed four-holiday bonus structure is estimated at approximately \$35,000 annually, a reduction of about \$65,000 in direct holiday pay.

Actual net savings may vary based on overtime and staffing needs.

Expanded Parental and Bereavement Leave are expected to have limited budget impact because public safety budgets already include overtime coverage for shift vacancies, traditional positions are generally not backfilled during leave, and qualifying events occur for a limited number of employees each year.

Lower carryover and payout limits are also expected to materially reduce the City's accrued leave liability over time.

**ATTACHMENTS:**

1. Proposed Leave Policy
2. Current vs. Proposed Leave Policy Comparison

# Clinton City Leave Policy Comparison

## Current 2024 Personnel Policy vs. Updated Proposed Leave Policy

### Executive Summary

The proposed policy preserves meaningful paid leave while shifting the City's overall structure away from large accumulating balances and automatic cash payouts. The biggest changes are the new Annual Leave Bank, front-loaded and pre-scheduled Police and Fire Holiday Leave, tighter payout rules, leave restoration when additional hours make leave unnecessary, expanded Parental and Bereavement Leave, and a mandatory No-Access Period for designated full-time employees. Existing employees who remain on grandfathered accrual plans retain the 240-hour regular full-time and 288-hour exempt Vacation carryover limits.

### Key Messages for Council

- Less long-term payout liability:** The new Annual Leave structure limits routine carryover to 40 hours and routine separation payout to 40 hours, while Personal and Holiday Leave are generally use-or-lose and non-payable.
- Public Safety holiday benefits become more schedulable:** Police and Fire Holiday Leave is front-loaded and bid during the fourth quarter for the upcoming year. This should reduce large year-end balances and give departments much better advance visibility into staffing needs.
- Police direct holiday cost decreases substantially:** Based on City estimates, direct Police holiday compensation is expected to decrease from approximately \$100,000 to \$35,000 annually by limiting bonus holiday pay to Thanksgiving, Christmas Eve, Christmas Day, and New Year's Day. This is a gross reduction of approximately \$65,000 or 65% before considering any overtime needed to cover scheduled Holiday Leave.
- Fire keeps the same annual holiday value:** The 48/96 Fire holiday benefit remains 156 hours annually. The change is administrative: the hours are front-loaded, scheduled in advance, and generally use-or-lose instead of accruing 6 hours every pay period.
- Leave and overtime are reconciled more cleanly:** When an employee uses leave and later works enough actual hours that the leave is no longer needed, the unnecessary leave is restored to the employee's bank instead of being paid on top of worked hours.
- The policy also adds employee-positive benefits:** The proposal expands dedicated paid Parental Leave and Bereavement Leave and establishes clearer protections when employees are required to work during approved leave.
- Mandatory leave is now a No-Access requirement:** The goal is not to isolate employees from information. Covered full-time employees may be kept informed of significant events, but they may not access systems, direct work, approve transactions, or resume their normal duties during the No-Access Period unless specifically authorized.

### Detailed Comparison

| Area                            | Current 2024 Policy                                                                                                                                                 | Updated Proposed Policy                                                                                                                  | Organizational Impact / Why Change                                                                                                                          |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Overall leave philosophy        | Most leave is earned through ongoing accrual, with substantial balances capable of carrying forward and, particularly for vacation, becoming payable at separation. | Moves many employees toward defined annual leave banks and converts Police and Fire holiday benefits into front-loaded, scheduled leave. | Shifts the City from 'accrue and eventually pay' toward 'provide the benefit, schedule it, and use it.' This should reduce long-term leave liability.       |
| Regular Vacation / Annual Leave | Regular full-time employees accrue 12 days at 1-5 years, 15 days at 6-10, 18 days at 11-15, 21 days at 16-21, and 24 days after 21 years.                           | New Annual Leave Plan: 96 hours at 0-2 years, 112 at 3-5, 124 at 6-10, 144 at 11-15, and 156 at 16+ years.                               | More competitive in some early and mid-career years, flatter at higher tenure, and significantly reduces the ability to build large future payout balances. |

| Area                                       | Current 2024 Policy                                                                                                                                                          | Updated Proposed Policy                                                                                                                                   | Organizational Impact / Why Change                                                                                                                                           |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>New Annual Leave carryover</b>          | Current Vacation allows significant accumulation.                                                                                                                            | Only 40 hours of Annual Leave may carry into the next anniversary year.                                                                                   | Major reduction in future payable liability and a stronger incentive for employees to actually use leave.                                                                    |
| <b>Annual Leave separation payout</b>      | All accrued Vacation is generally paid at termination, resignation, or retirement.                                                                                           | Annual Leave separation payout is generally capped at 40 hours.                                                                                           | One of the strongest long-term liability reductions in the proposal.                                                                                                         |
| <b>Grandfathered Vacation employees</b>    | Regular full-time employees may carry 240 hours and exempt employees 288 hours.                                                                                              | Employees who remain on the accrual plan keep the same carryover limits: 240 hours for regular full-time employees and 288 hours for exempt employees.    | Protects existing employees from an abrupt reduction while allowing the City's future liability to decrease as employees transition to the new plan over time.               |
| <b>Grandfathered accrual rates</b>         | Vacation accrues based on tenure and employee classification.                                                                                                                | Existing accrual schedules are documented in hourly, per-pay-period terms for grandfathered employees.                                                    | Primarily a clarification and documentation improvement rather than a benefit reduction.                                                                                     |
| <b>Sick Leave</b>                          | 8 hours per full month, approximately 96 hours annually for a full-time employee. Sick Leave may accumulate without a maximum balance.                                       | 4 hours per paycheck, approximately 104 hours annually over 26 pay periods. Fire employees also receive 4.00 hours per pay period.                        | Slight increase in annual Sick Leave accrual. This is employee-positive, although it modestly increases potential accumulated Sick Leave liability.                          |
| <b>Sick Leave retirement</b>               | Sick Leave above 480 hours may be sold back at 15% upon qualifying retirement.                                                                                               | Generally preserved.                                                                                                                                      | Maintains an established retirement benefit instead of eliminating it.                                                                                                       |
| <b>Exempt Personal Leave</b>               | Enhanced exempt vacation is built into the existing Vacation accrual schedule.                                                                                               | Exempt employees receive 48 hours of Personal Leave each anniversary year. It is use-or-lose, does not carry over, and has no cash value.                 | Preserves additional time-off value for exempt employees without allowing that additional benefit to become an accumulating separation payout liability.                     |
| <b>Police holidays - cash compensation</b> | Police are covered by the general City holiday system. The current policy includes 13 fixed holidays and provides additional holiday compensation for required holiday work. | Direct holiday bonus pay is limited to Thanksgiving Day, Christmas Eve, Christmas Day, and New Year's Day, equal to the officer's regularly posted shift. | Based on City estimates, direct Police holiday compensation decreases from approximately \$100,000 to \$35,000 annually, a gross reduction of approximately \$65,000 or 65%. |
| <b>Police Holiday Leave Bank</b>           | No comparable annual front-loaded Police Holiday Leave Bank.                                                                                                                 | 80 hours for officers working 10-hour shifts and 96 hours for officers working 12-hour shifts, front-loaded annually.                                     | Preserves a substantial holiday benefit but shifts much of it from additional cash compensation to actual paid time away from work.                                          |
| <b>Police holiday bidding</b>              | Holiday benefits are not tied to a required annual advance leave selection process.                                                                                          | Police employees must bid their entire Holiday Leave Bank during the fourth quarter for the upcoming calendar year.                                       | Lets PD spread leave across the year, identify conflicts before the year begins, and reduce the end-of-year leave rush that can drive overtime.                              |
| <b>Police Holiday Leave payout</b>         | Holiday compensation is primarily administered as pay under the general holiday system.                                                                                      | The Holiday Leave Bank is use-or-lose, generally does not carry over, cannot be cashed out, and is not payable at separation.                             | Removes the holiday bank as a future payout liability and reinforces that the benefit is intended to be used as time off.                                                    |
| <b>Fire 48/96 Vacation</b>                 | Fire operates under a schedule-specific accrual structure.                                                                                                                   | 48/96 Fire employees retain their existing Vacation accrual schedule.                                                                                     | Avoids disrupting a leave benefit designed around the 48/96 schedule.                                                                                                        |
| <b>Fire Vacation carryover</b>             | General Vacation maximum is 240 hours for non-management employees.                                                                                                          | 48/96 Fire employees expressly may carry up to 240 hours of accrued Vacation Leave.                                                                       | Clearly documents the benefit and separates accrued Vacation from the separate Holiday Leave Bank.                                                                           |
| <b>Fire holiday benefit amount</b>         | 48/96 Fire employees receive 156 hours annually, accrued at 6 hours each payday.                                                                                             | 48/96 Fire employees continue to receive 156 hours annually.                                                                                              | No reduction in the annual Fire holiday benefit. The change is how the benefit is administered.                                                                              |
| <b>Fire Holiday Leave administration</b>   | 6 hours accrue each payday, allowing the balance to grow throughout the year. Up to 48 hours may carry into the first two months of the following year.                      | The entire 156-hour bank is front-loaded at the beginning of the calendar year and is generally use-or-lose and non-payable at separation.                | Avoids having the largest balances build at year-end, when employees are also trying to use holiday time and minimum staffing can create overtime pressure.                  |

| Area                                     | Current 2024 Policy                                                                                                                                                          | Updated Proposed Policy                                                                                                                                                                                                                                                                 | Organizational Impact / Why Change                                                                                                                                                |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fire holiday bidding</b>              | Leave is scheduled as the accrued balance becomes available.                                                                                                                 | Employees must submit proposed dates for the full 156-hour Holiday Leave Bank during the fourth quarter for the following calendar year.                                                                                                                                                | Provides Fire Administration a full-year staffing picture and should reduce concentrated year-end leave requests and related overtime pressure.                                   |
| <b>Columbus Day</b>                      | Columbus Day is a regular fixed paid City holiday.                                                                                                                           | Columbus Day becomes an 8-hour Floating Holiday for eligible full-time employees. Regular 48/96 Fire employees are excluded because their holiday benefit is incorporated into their 156-hour bank.                                                                                     | This is not a new benefit. It converts an existing fixed holiday into flexible paid time off and allows the City to use Columbus Day for organization-wide training.              |
| <b>Leave and overtime</b>                | Paid holiday, Sick, Vacation, and other paid leave do not count toward the 40-hour overtime threshold.                                                                       | If leave is entered and the employee later works enough actual hours that the leave is no longer needed, the unnecessary leave is returned to the employee's bank rather than paid out.                                                                                                 | The employee keeps the leave, the City pays actual hours worked and required overtime, and the City avoids unnecessarily paying leave on top of worked hours.                     |
| <b>Required hours</b>                    | Employees are expected to work their designated schedules. Standard full-time work is generally 40 hours and Fire operates under an approved alternate schedule.             | Full-time employees must account for 40 hours, or 91 hours for applicable Fire personnel, through actual work plus approved leave.                                                                                                                                                      | Removes ambiguity and gives Payroll a consistent leave reconciliation rule.                                                                                                       |
| <b>Vacation buyback</b>                  | The City Manager may allow limited Vacation sellback in special cases when balances exceed maximum accumulation.                                                             | The City Manager may approve a one-time buyback of up to 40 hours of accrued Vacation Leave only when circumstances outside the employee's control prevented reasonable use. It does not apply to Annual Leave.                                                                         | Creates a much narrower exception and prevents Vacation Leave from becoming a routine cash benefit.                                                                               |
| <b>Bereavement - close relationships</b> | Up to 24 hours of dedicated Bereavement Leave for immediate family, with the current policy also allowing up to 40 additional hours of Sick Leave for funeral-related needs. | Up to 48 hours of paid Bereavement Leave for close family or a demonstrated significant close personal or family-like relationship.                                                                                                                                                     | A more humane and flexible benefit that recognizes important relationships that may not fit a narrow family definition.                                                           |
| <b>Bereavement - extended family</b>     | No separate extended-family tier.                                                                                                                                            | Up to 24 hours of paid Bereavement Leave for extended family, including aunt or uncle, niece or nephew, cousin, sibling-in-law, grandparent-in-law, or comparable relationship.                                                                                                         | Makes eligibility clearer and more equitable.                                                                                                                                     |
| <b>Paid Parental Leave</b>               | Birth or adoption provides up to 24 paid hours plus up to 40 hours of the employee's own Sick Leave.                                                                         | Up to three normally scheduled workweeks of dedicated paid Parental Leave after one year of service.                                                                                                                                                                                    | A significant benefit enhancement and potential recruitment/retention tool, but it may increase backfill costs in positions requiring minimum staffing.                           |
| <b>Contact during approved leave</b>     | No comparable structured leave-interruption remedy.                                                                                                                          | Non-exempt employees receive leave restoration when required to work during approved leave. Exempt employees required to perform substantive non-emergency work during a full-day leave retain the leave and receive additional compensation equal to one full day of regular base pay. | Creates a strong incentive for supervisors to allow employees to actually disconnect. A potential downside is additional cost if managers unnecessarily interrupt approved leave. |
| <b>Mandatory leave</b>                   | No comparable formal mandatory-leave requirement in the current leave policy.                                                                                                | Applies specifically to covered full-time employees in management, HR, Finance, accounting, payroll, purchasing, cash-handling, and supervisory roles.                                                                                                                                  | Improves cross-training, business continuity, internal controls, fraud prevention, and meaningful time away.                                                                      |
| <b>No-Access Period</b>                  | No comparable provision.                                                                                                                                                     | Covered employees must complete a 7-consecutive-calendar-day No-Access Period. They may not access City systems, perform work, direct employees, approve transactions, or conduct normal City business.                                                                                 | Tests whether City operations can function without relying on one person and reduces key-person and internal-control risk.                                                        |

| Area                                             | Current 2024 Policy         | Updated Proposed Policy                                                                                                                                                                             | Organizational Impact / Why Change                                                                                                                     |
|--------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Incidental communication during No-Access</b> | Not specifically addressed. | Employees may still be informed of significant events such as an employee hospitalization, major crime, disaster, or major organizational event, as long as they are not expected to work or act.   | Clarifies that No-Access does not mean social or informational isolation. The distinction is informational awareness versus operational participation. |
| <b>Emergency interruption of No-Access</b>       | Not specifically addressed. | The City Manager or designee may authorize temporary access when the employee's involvement is genuinely necessary. Routine questions, convenience, or lack of planning are not sufficient reasons. | Provides an emergency safety valve without undermining the internal-control purpose of the No-Access requirement.                                      |

## CLINTON CITY

# Leave Policy

Personnel Policy Sections XII - XVII

### QUICK GUIDE

This policy explains City holidays, Annual and Sick Leave, schedule-specific Police and Fire benefits, leave payout rules, protected leaves, contact during leave, and mandatory leave and No-Access requirements.

## Definitions and General Administration

### Definitions

| Term                   | Meaning                                                                                                                                                                             |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Annual Leave           | Lump-sum paid leave granted each anniversary year under the City's current leave plan.                                                                                              |
| Vacation Leave         | Accrued vacation leave earned under an accrual-based or grandfathered leave plan, including the 48/96 Fire schedule.                                                                |
| Sick Leave             | Paid leave accrued each pay period for illness, medical care, qualifying family care, and other authorized uses.                                                                    |
| Personal Leave         | Additional paid leave provided to exempt employees in recognition of their ineligibility for overtime.                                                                              |
| Holiday Leave          | Paid leave provided to eligible Public Safety employees under a schedule-specific holiday plan.                                                                                     |
| Floating Holiday       | A use-or-lose paid leave benefit granted in place of observing a specific holiday as a fixed day off.                                                                               |
| Anniversary Year       | The 12-month period beginning on the employee's hire date and repeating each year thereafter.                                                                                       |
| Public Safety Employee | A regular full-time, non-exempt Police or Fire employee assigned to front-line operations.                                                                                          |
| 48/96 Fire Employee    | A regular full-time Fire employee assigned to a 48-hours-on, 96-hours-off work schedule.                                                                                            |
| Operational Emergency  | An event requiring timely action to protect life, safety, property, essential City services, or significant City operations that cannot reasonably wait until the employee returns. |

## Eligibility

Regular full-time employees are eligible for paid leave benefits as provided in this policy. Part-time employees are not eligible for Annual Leave, Vacation Leave, Sick Leave, Holiday Leave, Floating Holidays, or Personal Leave unless specifically authorized elsewhere by City policy.

## How Leave Is Charged

- Leave is charged according to the scheduled work hours the employee does not work.
- An employee taking an entire 10-hour scheduled shift uses 10 hours of applicable leave. An employee taking four hours off uses four hours of applicable leave.
- Leave is not charged for regularly scheduled days off.
- Unless otherwise stated, leave may be used in increments of one-half hour.
- A benefit stated as a specific number of hours remains that number of hours regardless of the employee's shift length.
- When a benefit is stated in workweeks, Human Resources will calculate the benefit using the employee's regular work schedule.

## Required Use of Leave to Complete Scheduled Hours

Full-time employees must account for their full regularly scheduled hours through a combination of hours worked and approved paid leave.

- Employees on a standard full-time schedule must account for 40 hours each workweek.
- Fire personnel assigned to the applicable Fire schedule must account for 91 hours in the designated Fire work/pay period.
- When an employee works fewer than the required scheduled hours, the employee must use available appropriate paid leave to make up the difference.
- Employees may not elect unpaid time in place of available paid leave unless Leave Without Pay has been specifically approved or applicable law requires otherwise.

### LEAVE RECONCILIATION

If an employee later works enough actual hours during the same applicable overtime workweek or work period that previously entered leave is no longer needed, the unnecessary leave is restored to the original leave bank rather than paid out. See Section XIII.F.

## XII. Holidays

### A. City Holidays

Regular full-time employees who are not covered by a schedule-specific Public Safety holiday provision may receive up to 8 hours of holiday pay at their regular straight-time rate for each City-recognized holiday.

| Holiday                    | Observance               |
|----------------------------|--------------------------|
| New Year's Day             | January 1                |
| Martin Luther King Jr. Day | Third Monday in January  |
| Presidents Day             | Third Monday in February |

| Holiday                              | Observance                    |
|--------------------------------------|-------------------------------|
| Memorial Day                         | Last Monday in May            |
| Juneteenth National Independence Day | June 19 or closest Monday     |
| Independence Day                     | July 4                        |
| Pioneer Day                          | July 24                       |
| Labor Day                            | First Monday in September     |
| Veterans Day                         | November 11                   |
| Thanksgiving Day                     | Fourth Thursday in November   |
| Day After Thanksgiving               | Friday following Thanksgiving |
| Christmas Day                        | December 25                   |

Additional holidays may be declared by the City Council. Holiday pay is not considered hours worked for overtime or compensatory-time calculations unless otherwise required by law or City policy.

## B. Columbus Day Floating Holiday

Columbus Day is designated as a mandatory employee training day and is not observed as a fixed City holiday.

All regular full-time employees receive 8 hours of Floating Holiday Leave each anniversary year, except Fire Department employees assigned to the regular 48/96 shift schedule.

- The benefit is provided in addition to other Annual, Vacation, Personal, or Holiday Leave for which the employee is eligible.
- The Floating Holiday becomes available three months after hire.
- Use is subject to supervisory approval.
- The benefit must be used during the employee's anniversary year.
- Unused hours do not carry over and are not payable upon separation.
- The benefit cannot be converted to cash or included in a leave buyback.
- Police employees receive this benefit in addition to the Police Holiday Benefits provided in Section XII.D.

## C. Holiday Work - Non-Public Safety

A full-time employee may be required to work on a City holiday when necessary to maintain essential City services. The employee will receive up to 8 hours of holiday pay in addition to compensation for actual hours worked.

Non-emergency holiday work must be approved by both the Department Head and City Manager. Holiday pay is not considered hours worked for overtime or compensatory-time calculations unless otherwise required by law or City policy.

## D. Police Holiday Benefits

Regular full-time, non-exempt Police employees assigned to fixed posted shift schedules receive a combination of holiday bonus pay and an annual Holiday Leave Bank.

## Holiday Bonus Pay

Police employees receive holiday bonus pay for the following four City-designated holidays:

- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Day

For each designated holiday, the employee receives bonus pay equal to the employee's regular posted shift length.

| Regular Posted Shift | Bonus Pay Per Holiday | Annual Holiday Bonus |
|----------------------|-----------------------|----------------------|
| 10-hour shift        | 10 hours              | 40 hours             |
| 12-hour shift        | 12 hours              | 48 hours             |

- Holiday bonus pay is provided for each designated holiday occurring while the employee is actively employed in an eligible Police position, regardless of whether the holiday falls on the employee's scheduled workday or scheduled day off.
- If the employee works on the holiday, the employee receives regular compensation for actual hours worked plus the applicable holiday bonus payment.
- Holiday bonus pay will appear separately on the employee's paycheck as bonus compensation and will not be counted as regular base pay for URS purposes.
- Holiday bonus hours are not considered hours worked for overtime purposes unless otherwise required by law.

## Annual Holiday Leave Bank

In addition to the four holiday bonus payments above, eligible Police employees receive an annual Holiday Leave Bank based on their regularly posted shift schedule.

| Regular Posted Shift | Annual Holiday Leave Bank |
|----------------------|---------------------------|
| 10-hour shift        | 80 hours                  |
| 12-hour shift        | 96 hours                  |

- The Holiday Leave Bank represents eight scheduled shifts of Holiday Leave each calendar year.
- The full Holiday Leave Bank is credited as a lump sum at the beginning of each calendar year.
- Holiday Leave is provided so employees can select and schedule additional paid days off while the Department maintains appropriate staffing and operational coverage.

## Annual Holiday Leave Bidding

- During the fourth quarter of each calendar year, every eligible Police employee must submit proposed dates for use of the employee's entire Holiday Leave Bank for the upcoming calendar year.
- The Police Department will establish the annual Holiday Leave schedule based on minimum staffing, operational coverage, seniority or other established departmental bidding procedures, competing employee requests, and reasonable opportunities for employees to use the full benefit.
- The Police Chief or designee approves the final schedule. Once approved, scheduled Holiday Leave is treated as approved leave for the upcoming calendar year.

## Changes to Approved Holiday Leave

- Previously approved Holiday Leave may be changed when an operational emergency, minimum staffing requirement, or significant operational need requires the employee to remain available.
- When the City requires approved Holiday Leave to be changed, the Department will make reasonable efforts to provide another opportunity to use the affected hours during the same calendar year.
- Holiday Leave that cannot be used because the City canceled or changed approved leave for operational reasons may be carried forward only with approval of the Police Chief, Human Resources, and City Manager.

## New Hires

Employees hired into an eligible Police position after the beginning of the calendar year receive a prorated Holiday Leave Bank. Human Resources will determine the prorated amount based on the employee's hire date, regularly posted shift schedule, and remaining portion of the calendar year. The employee must work with the Police Department to schedule the prorated Holiday Leave as soon as reasonably practical following hire.

Holiday bonus pay for Thanksgiving Day, Christmas Eve, Christmas Day, and New Year's Day is provided only for designated holidays occurring while the employee is actively employed in an eligible Police position.

## Schedule Changes

If an employee changes between a 10-hour and 12-hour regular posted shift schedule during the calendar year, Human Resources will make a prospective prorated adjustment to the employee's Holiday Leave Bank. The adjustment will account for Holiday Leave already granted and used and will prevent duplication or loss of benefits resulting solely from the schedule change.

## Use, Carryover, and Payout

- Holiday Leave is subject to approved scheduling and minimum staffing requirements.
- Holiday Leave is intended to be used during the calendar year for which it is granted.
- Unused Holiday Leave does not ordinarily carry over into the following year.
- Holiday Leave cannot be converted to cash or included in a leave buyback and is not payable upon resignation, termination, retirement, or other separation.

## Columbus Day Floating Holiday

Police employees also receive the separate 8-hour Columbus Day Floating Holiday described in Section XII.B. This benefit is provided in addition to the Police Holiday Leave Bank and four holiday bonus payments described in this section.

# XIII. Paid Leave

## A. Annual Leave Bank

Annual Leave applies to regular full-time employees participating in the City's lump-sum leave plan. Annual Leave is granted on the employee's anniversary date. New employees may begin using Annual Leave after three months unless Human Resources and the City Manager approve earlier use.

| Years of Service | Annual Leave Bank |
|------------------|-------------------|
| 0-2 years        | 96 hours          |
| 3-5 years        | 112 hours         |

| Years of Service | Annual Leave Bank |
|------------------|-------------------|
| 6-10 years       | 124 hours         |
| 11-15 years      | 144 hours         |
| 16+ years        | 156 hours         |

### Prior Service Credit for New Hires

To support competitive recruitment, the City may credit qualifying prior experience when determining an employee's starting Annual Leave tier.

| Prior Experience                                     | Service Credit                                                      |
|------------------------------------------------------|---------------------------------------------------------------------|
| Same or substantially similar public-sector position | 1 year of credit for each year worked, up to the maximum tier       |
| Closely related public-sector experience             | 1 year of credit for every 2 years worked                           |
| Partially related private-sector experience          | 1 year of credit for every 5 years worked, maximum 3 credited years |
| Unrelated experience                                 | No credit                                                           |

Prior service credit must relate to the position for which the employee is hired, must be documented at hire, and must be approved by Human Resources and the City Manager.

### Use and Carryover

- Annual Leave should be requested with reasonable advance notice and requires approval by the Department Director or designee.
- Annual Leave may generally be used in increments of one-half hour or more.
- Employees are responsible for managing their leave throughout the anniversary year.
- Employees may carry over up to 40 hours into the next anniversary year. Hours above 40 are forfeited.
- The City Manager may approve exceptions in extraordinary circumstances.

### Separation and Retirement

- Upon resignation, termination, or other separation, unused Annual Leave will be paid up to a maximum of 40 hours. Hours above that amount are forfeited.
- Upon successful retirement from the City and Utah Retirement Systems, eligible employees may receive payout of unused leave up to 228 hours, consisting of up to 156 hours of Annual Leave, up to 40 hours of carried-over Annual Leave, and up to 32 hours of applicable Sick Leave buyback.
- Annual Leave is not eligible for the one-time Vacation Leave buyback during active employment.

## B. Sick Leave

Regular full-time employees become eligible for Sick Leave after the first month of employment.

- Employees participating in the current leave plan accrue 4 hours of Sick Leave per paycheck.
- 48/96 Fire employees accrue 4.00 hours of Sick Leave per regular pay period.

- Sick Leave may generally be used in increments of one-half hour or more.

### **Authorized Uses**

- Personal illness or injury
- Medical or dental care
- Exposure to a contagious disease
- Caring for an immediate family member
- Qualifying FMLA leave

### **Medical Certification**

The City may require medical certification after three consecutive days of Sick Leave or when a pattern of leave use reasonably indicates possible misuse.

### **Sick Leave Conversion**

- Employees with a Sick Leave balance above 480 hours may convert up to 32 hours during the anniversary year, provided the conversion does not reduce the balance below 480 hours.
- Employees with less than 480 hours may convert up to 8 hours during the anniversary year.
- Conversion is on a 1-to-1 basis to Annual Leave or pay and is subject to budgetary funding and City Manager approval.

### **Separation and Retirement**

- Sick Leave is not paid upon resignation, termination, or other separation except for qualifying retirement.
- An employee retiring from both City employment and Utah Retirement Systems who has more than 480 hours of Sick Leave may sell back hours above 480 at 15% of the employee's current hourly rate.
- At the employee's election and subject to applicable requirements, the payment may be made as a cash lump sum, applied to a Medical Retirement Account, or applied toward medical insurance.

## **C. Personal Leave**

### **Exempt Employees**

Exempt employees, participating in the City's lump-sum leave plan, receive 48 hours of Personal Leave each anniversary year in recognition of their ineligibility for overtime compensation.

Exempt employee Personal Leave is use-or-lose, does not carry over, cannot be converted to cash, cannot be included in a leave buyback, and is never payable upon resignation, termination, retirement, or any other separation.

## **D. Compensatory Time**

Overtime will be paid at the rate of one and one-half (1 1/2) the regular hourly rate, or employees who work overtime will be given the equivalent (1 1/2 hours for each hour worked) in compensatory time off, at a mutually acceptable time.

Maximum accrual of compensatory time off shall not exceed 48 hours. Any accumulation exceeding this limit must first be approved by the City Manager.

## **E. Fire Department 48/96 Leave Plan**

This section applies only to regular full-time Fire employees assigned to the 48-hours-on, 96-hours-off schedule.

Eligibility follows the assigned schedule and does not permanently attach to an employee simply because the employee works for the Fire Department.

Employees on the 48/96 schedule remain under the established accrual-based Vacation and Sick Leave structure instead of the lump-sum Annual Leave Plan.

### **Vacation Accrual**

| <b>Years of Service</b> | <b>Vacation Accrual Per Pay Period</b> |
|-------------------------|----------------------------------------|
| 0-5 years               | 4.08 hours                             |
| 6-10 years              | 5.10 hours                             |
| 11-15 years             | 6.11 hours                             |
| 16-20 years             | 7.14 hours                             |
| 21+ years               | 8.16 hours                             |

### **Vacation Leave Carryover**

Fire employees assigned to the regular 48/96 schedule may carry forward up to 240 hours of accrued Vacation Leave from year to year. Vacation Leave above 240 hours must be used by December 31 unless additional carryover is approved by the City Manager because operational requirements prevented reasonable use of the leave. This limit applies only to accrued Vacation Leave and does not apply to the separate 156-hour Holiday Leave Bank.

### **Sick Leave**

48/96 Fire employees accrue 4.00 hours of Sick Leave per regular pay period. All other Sick Leave use, certification, conversion, and retirement rules apply unless specifically modified by this section.

### **Annual Holiday Leave Bank**

48/96 Fire employees receive 156 hours of Holiday Leave each calendar year. This preserves the historical benefit of 6 hours per pay period for 26 pay periods but changes administration from an accrual to a lump-sum bank.

- The full Holiday Leave Bank is credited at the beginning of each calendar year.
- Holiday Leave does not increase or decrease based on which holidays fall during the employee's scheduled 48-hour tour.
- Employees on the regular 48/96 schedule do not receive the separate Columbus Day Floating Holiday.

### **Annual Scheduling Requirement**

- During the fourth quarter of each calendar year, every 48/96 Fire employee must submit proposed dates for use of the employee's entire 156-hour Holiday Leave Bank for the upcoming year.
- The Fire Department will establish the annual leave schedule based on minimum staffing, operational coverage, competing employee requests, and reasonable opportunities to use the full benefit.
- The Fire Chief or designee approves the schedule.
- Previously approved Holiday Leave may be changed because of an operational emergency, minimum staffing requirement, or significant operational need.
- When the City requires approved Holiday Leave to be changed, the Department will make reasonable efforts to provide another opportunity to use the affected hours during the same calendar year.

## New Hires and Proration

A new 48/96 Fire employee receives a prorated Holiday Leave Bank. To preserve the historical benefit, the prorated amount will generally equal 6 hours multiplied by the number of eligible regular pay periods remaining in the calendar year. Human Resources will determine the amount based on the hire date and payroll schedule.

The employee must schedule the prorated leave for the remainder of the year as soon as reasonably practical after hire.

## Carryover, Payout, and Schedule Changes

- Holiday Leave is intended to be used during the calendar year in which it is granted.
- Unused Holiday Leave does not ordinarily carry over and is not payable upon separation.
- The City Manager may approve limited carryover when the employee was unable to use approved Holiday Leave because the City canceled or changed the leave for operational reasons.
- An employee who permanently leaves the 48/96 schedule will prospectively transition to the leave plan applicable to the new schedule.
- Human Resources will preserve earned Vacation and Sick Leave, account for Holiday Leave already granted and used, prevent duplicate benefits, and provide an equitable transition.

## F. Grandfathered Accrued Vacation Leave

Employees who remain under the City's previous accrual-based leave plan continue to earn Vacation Leave under the plan applicable to them. The applicable plan will be documented in the employee's personnel record.

### Regular Full-Time 40-Hour Employees

| Years of Service | Vacation Accrual Per Pay Period |
|------------------|---------------------------------|
| 0-5 years        | 3.69 hours                      |
| 6-10 years       | 4.61 hours                      |
| 11-15 years      | 5.53 hours                      |
| 16-20 years      | 6.46 hours                      |
| 21+ years        | 7.38 hours                      |

### Department Heads

| Years of Service | Vacation Accrual Per Pay Period |
|------------------|---------------------------------|
| 0-5 years        | 5.53 hours                      |
| 6-10 years       | 6.46 hours                      |
| 11-15 years      | 7.38 hours                      |
| 16-20 years      | 8.30 hours                      |

| Years of Service | Vacation Accrual Per Pay Period |
|------------------|---------------------------------|
| 21+ years        | 9.23 hours                      |

### Vacation Leave Carryover

| Employee Classification     | Maximum Vacation Carryover |
|-----------------------------|----------------------------|
| Regular full-time employees | 240 hours                  |
| Exempt employees            | 288 hours                  |

Vacation Leave above the applicable maximum must be used by December 31 unless additional carryover is approved by the City Manager because operational requirements or other extraordinary circumstances prevented reasonable use of the leave. These limits apply only to employees who remain on an accrual-based Vacation Leave plan.

Grandfathered employees accrue Sick Leave according to the accrual structure applicable to their grandfathered plan.

### Vacation Payout at Separation

- Upon resignation, termination, or other separation, a grandfathered employee may be paid for accrued and unused Vacation Leave up to 240 hours.
- The balance is determined as of the employee's last day of physically performing work for the City.
- Vacation Leave does not continue accruing after the last day physically performing work unless required by law or specifically approved by the City Manager.

### Retirement

An employee who successfully retires under Utah Retirement Systems will be paid for all eligible accrued and unused Vacation Leave under the grandfathered retirement provision. To qualify, the employee must have used at least 80 hours of Vacation Leave during the 12 months immediately before providing written notice of retirement.

### Leave After Notice of Separation

Once an employee gives notice of resignation or retirement, the employee may not schedule or use Vacation Leave unless expressly approved in writing by the City Manager. Previously approved Vacation Leave may be revoked when operational needs require.

## G. Grandfathered Sick Leave

- Employees participating in the grandfathered leave plan accrue 8 hours of Sick Leave per month.
- Sick Leave may generally be used in increments of one-half hour or more.

### Authorized Uses

- Personal illness or injury
- Medical or dental care
- Exposure to a contagious disease
- Caring for an immediate family member
- Qualifying FMLA leave

## Medical Certification

The City may require medical certification after three consecutive days of Sick Leave or when a pattern of leave use reasonably indicates possible misuse.

## Sick Leave Conversion

- Employees with a Sick Leave balance above 480 hours may convert up to 32 hours during the anniversary year, provided the conversion does not reduce the balance below 480 hours.
- Employees with less than 480 hours may convert up to 8 hours during the anniversary year.
- Conversion is on a 1-to-1 basis to Vacation Leave or pay and is subject to budgetary funding and City Manager approval.

## Separation and Retirement

- Sick Leave is not paid upon resignation, termination, or other separation except for qualifying retirement.
- An employee retiring from both City employment and Utah Retirement Systems who has more than 480 hours of Sick Leave may sell back hours above 480 at 15% of the employee's current hourly rate.
- At the employee's election and subject to applicable requirements, the payment may be made as a cash lump sum, applied to a Medical Retirement Account, or applied toward medical insurance.

## H. Leave Reconciliation and Cash-Out Limitations

### Restoration When Leave Is No Longer Needed

Paid leave is intended to replace scheduled work hours the employee does not work. If an employee uses paid leave and later works enough actual hours during the applicable overtime workweek or work period that some or all of the leave is no longer necessary, the unnecessary leave will be returned to the same leave bank instead of being paid out.

- The employee will be paid for all actual hours worked and any overtime required under applicable law or City policy.
- The employee will not also receive payment for leave that is restored to the leave bank.
- This rule applies to Annual, Vacation, Sick, Personal, Holiday, and other paid leave unless otherwise required by law.
- For employees subject to a special FLSA work period, Human Resources and Payroll will apply the rule using the employee's applicable overtime work period.
- Restoration of paid leave does not change the designation of FMLA or other legally protected leave.

#### EXAMPLE

A 40-hour employee uses 8 hours of Vacation Leave early in the workweek but later works 44 actual hours during that same workweek. The employee is paid for the 44 actual hours, including applicable overtime, and the 8 hours of Vacation Leave are restored rather than paid in addition to the hours worked.

## One-Time Vacation Leave Buyback

Accrued Vacation Leave may normally be paid only when the employee separates from City employment. The City Manager may, in the City Manager's sole discretion, approve a one-time buyback of up to 40 hours of accrued Vacation Leave during an employee's continuous City employment when circumstances substantially outside the employee's control prevented reasonable use of the leave.

- Examples may include approved or requested leave canceled because of City operational needs, sustained staffing shortages, emergency operations, extraordinary City workload requirements, or comparable circumstances determined by the City Manager.
- Choosing not to schedule or use Vacation Leave does not qualify by itself.

- The buyback is discretionary, is not an employee entitlement, may occur only once during continuous City employment, and may not exceed 40 hours.
- This buyback applies only to accrued Vacation Leave. It does not apply to the lump-sum Annual Leave Bank.
- Personal Leave and Floating Holiday Leave are never eligible for buyback or cash conversion.

### **Restored Leave Keeps Its Original Rules**

Returning leave to an employee's bank does not extend a use-or-lose deadline, increase a carryover limit, create a payout or buyback right, or otherwise change the rules applicable to that leave category.

## **I. Transition for Current Employees**

- A current employee may opt into the lump-sum Annual Leave and Sick Leave Plan only if the employee has fewer than 41 hours of accrued Vacation Leave at the time of transition.
- An employee may choose to retain up to 40 hours in the new Annual Leave Bank rather than receiving a full payout.
- Employees opting into the new policy will receive a prorated first-year Annual Leave grant on a quarterly basis, calculated from the employee's anniversary date.
- Employees who do not opt into the new plan remain under the leave accrual, escalation, carryover, and payout provisions applicable to their grandfathered plan.

## **XIV. Leaves of Absence**

### **A. Paid Parental Leave**

The City provides paid Parental Leave following the birth, adoption, or foster placement of a child.

- Eligibility: The employee must have completed at least one full year of continuous City employment before the qualifying event.
- Benefit: Up to three normally scheduled workweeks of paid Parental Leave. For a regular 40-hour employee, this equals up to 120 hours. Human Resources will determine the equivalent benefit for other regular schedules.
- Unscheduled overtime does not increase the benefit. Leave is charged only for hours the employee otherwise would have been scheduled to work.
- Parental Leave must be used before Annual, Vacation, Personal, or Sick Leave unless otherwise required by law.
- Parental Leave is generally intended to be taken continuously. Intermittent use requires supervisor and Human Resources approval.
- When applicable, Parental Leave runs concurrently with FMLA and may be used during the applicable 12-month FMLA period.
- Employees should provide at least 30 days of written notice when the qualifying event is foreseeable.

### **B. Leave Without Pay**

- A regular full-time employee may request Leave Without Pay for up to 90 days.
- The request must be made in writing, provide reasonable justification, and be approved by the City Manager.
- During Leave Without Pay, Vacation, Annual, Sick, retirement, medical, and other benefits will not accrue or continue except as required by law or applicable benefit-plan requirements.
- Leave Without Pay may be ended early with the City Manager's consent.
- Failure to promptly return to duty when approved leave expires may be grounds for discipline, up to and including discharge.

## C. Military Leave

A regular full-time, post-probationary employee who is a member of the National Guard, a Reserve component of the United States Armed Forces, or the United States Public Health Service may receive Military Leave for qualifying active or training duty for up to 15 calendar days in a calendar year.

- The employee must provide bona fide military orders.
- For qualifying leave, the employee does not lose other leave or employment benefits.
- The City will pay the difference between the employee's military duty pay and normal City payroll.
- Additional unpaid military leave will be provided as required by applicable law for extended or indefinite active duty and other qualifying military service.

## D. Other Paid Leave

### Voting Leave

An employee may receive the time reasonably necessary to vote when an emergency work schedule prevents the employee from voting before or after working hours.

### Jury Duty and City Witness Leave

Employees called for jury duty or subpoenaed as a witness for the City will not lose regular City compensation. Compensation received for jury or witness service in excess of paid travel expenses must be transferred to the City. The absence will not reduce Vacation or Sick Leave accrual. Private civil or criminal matters are not covered.

### Search and Rescue Leave

An employee requested by an appropriate agency to participate in a search and rescue operation may receive paid leave for a period approved by the City Manager.

### Bereavement Leave

Regular full-time employees may receive paid Bereavement Leave following the death of a family member or another person with whom the employee had a demonstrated close personal connection.

#### *Close Family Member or Demonstrated Close Personal Connection*

Up to 48 hours of paid Bereavement Leave may be provided following the death of a spouse, child or stepchild, parent or stepparent, sibling, grandparent, grandchild, parent-in-law, another member of the employee's household, or another individual with whom the employee can demonstrate a significant close personal or family-like relationship.

The City recognizes that meaningful personal relationships do not always fit within traditional family definitions. Human Resources may consider the nature of the relationship when determining eligibility under the close personal connection provision.

#### *Extended Family*

Up to 24 hours of paid Bereavement Leave may be provided following the death of an extended family member, including an aunt or uncle, niece or nephew, cousin, sibling-in-law, grandparent-in-law, or another comparable extended family relationship.

#### *Use of Bereavement Leave*

Bereavement Leave may be used for grieving, funeral or memorial services, making arrangements, travel related to the death, or other reasonable needs associated with the loss. Leave is charged according to the employee's scheduled work hours missed and may be taken continuously or intermittently with supervisory approval.

If additional time is needed, an employee may request available Annual Leave, Vacation Leave, Personal Leave, Sick Leave where otherwise permitted, or other approved leave. Human Resources and the City Manager may approve additional paid Bereavement Leave in extraordinary circumstances.

## XV. Family and Medical Leave (FMLA)

- The City complies with applicable federal and state family and medical leave laws, including the Family and Medical Leave Act.
- Eligible employees may qualify for unpaid, job-protected leave for qualifying family and medical reasons with continued health benefits as required by law.
- Employees requesting FMLA leave must contact Human Resources for eligibility determination, required notices and forms, certification requirements, and coordination with available paid leave.
- FMLA leave will run concurrently with applicable paid City leave when permitted by law.

## XVI. Contact During Leave

### A. General Expectation

Employees on approved leave are not expected to perform work or routinely respond to City communications. Supervisors and employees should make every reasonable effort to defer non-emergency matters until the employee returns.

Repeated or inappropriate contact with employees during approved leave may result in corrective or disciplinary action.

For this section, work-related contact includes a call, text, email, electronic message, in-person communication, or other communication requiring the employee to perform work or provide a substantive response. A brief informational message that does not require a response does not, by itself, qualify for leave restoration.

### B. Non-Exempt Employees

A non-exempt employee who performs work while on approved leave must accurately report the time worked. Actual work will be compensated as required by law and City policy. Leave restoration is in addition to, and does not replace, payment for actual work.

| Type of Contact                                 | Leave Restoration                                      |
|-------------------------------------------------|--------------------------------------------------------|
| Non-emergency required response or work         | 2 hours restored to the leave category originally used |
| Operational emergency required response or work | 1 hour restored to the leave category originally used  |

For a non-Public Safety employee, non-emergency required work on a City-recognized holiday results in one Floating Holiday. Emergency work on a City-recognized holiday is compensated under the Holiday Work provisions of this policy. Public Safety employees remain subject to their applicable schedule and Holiday Leave provisions.

### C. Exempt Employees

- Exempt employees are not expected to respond to non-emergency work matters while on approved leave.
- If an exempt employee is required to perform substantive work for a non-emergency matter during an approved full-day leave period, including a City-recognized holiday, the employee will retain the approved paid leave and receive additional compensation equal to one full day of the employee's regular base pay.

- When an exempt employee is required to respond during an operational emergency, the City may restore leave for the time spent addressing the emergency or provide other compensation as permitted by City policy and applicable law.
- Brief or incidental communications that do not require the employee to perform substantive work do not qualify for additional compensation or leave restoration under this section.

#### D. Employee Responsibilities When Contacted

- The employee should advise the person making contact that the employee is on approved leave and ask that a non-emergency matter wait until the employee returns.
- If the matter continues or requires a response, the employee should notify Human Resources when returning to work, or sooner when practical.
- The employee must provide reasonable documentation of the communication.
- Human Resources will determine whether the contact was emergency or non-emergency and make the appropriate leave or payroll adjustment.

### XVII. Mandatory Leave and No-Access Period

#### A. Purpose

To support cross-training, continuity of operations, internal controls, fraud prevention, and meaningful time away from work, certain full-time employees are required to take an uninterrupted period away from their normal City responsibilities each calendar year. The purpose is to ensure City operations can continue without relying on the employee's direct involvement. This requirement does not prohibit normal personal interaction or prevent an employee from being informed of significant organizational events.

#### B. Covered Full-Time Employees

This requirement applies only to full-time employees in the following positions or functional areas:

| Covered Positions       | Covered Positions                                                            |
|-------------------------|------------------------------------------------------------------------------|
| City Manager            | Accounting employees                                                         |
| Department Heads        | Payroll employees                                                            |
| Deputy Department Heads | Purchasing employees                                                         |
| Human Resources staff   | Cash-handling employees                                                      |
| Finance employees       | Supervisory employees who directly supervise two or more full-time employees |

#### C. Required Leave

| Employee Group                                                                     | Annual Requirement                                                                                                                                          |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City Manager, Department Heads, Deputy Department Heads, and Human Resources staff | Equivalent of two normally scheduled workweeks of Annual or Vacation Leave. At least one period must include a 7-consecutive-calendar-day No-Access Period. |
| All other covered full-time employees                                              | Equivalent of one normally scheduled workweek of Annual or Vacation Leave and at least one 7-consecutive-calendar-day No-Access Period.                     |

## CLINTON CITY | PERSONNEL POLICY

For nonstandard or rotating schedules, regularly scheduled days off may count toward the seven consecutive calendar days, but leave is deducted only for hours the employee otherwise would have been scheduled to work. Required leave must be scheduled in advance. City Manager or designee approval is required where applicable; supervisory employee leave must be approved by the applicable Department Head.

### D. No-Access Period

During the No-Access Period, the employee is temporarily removed from active participation in City operations and may not:

- Access or remotely log into City email, files, records, financial systems, software, networks, computers, or applications.
- Perform City work or respond to routine work-related questions or requests.
- Review, approve, authorize, or process City transactions.
- Direct employees, make operational decisions, or participate in meetings or other normal City business.
- Otherwise perform the duties of the employee's position.

City-issued equipment used to access City systems may be left at the workplace or otherwise secured as directed by the City Manager or Department Head.

### E. Incidental Information Is Permitted

The No-Access Period is not a prohibition on communication. An employee may receive incidental information intended only to keep the employee reasonably informed, provided the communication does not require action, a decision, direction, City-system access, or other work. Examples include notice that an employee has been seriously injured or hospitalized, a major crime or Public Safety incident, a significant emergency or disaster, or another major organizational event the employee would reasonably expect to know about.

Receiving this type of information does not violate the No-Access Period when the employee is not expected to respond or participate operationally.

#### EXAMPLE

A Department Head may be told that an employee was seriously injured and hospitalized and may acknowledge the information or express personal concern. The Department Head should not log into City systems, review the incident, direct staff, approve actions, or manage the City response. The distinction is informational awareness versus resuming work responsibilities.

### F. Emergency Access

If the employee's involvement is necessary for City operations, access may be temporarily authorized by the City Manager or designee. Except when immediate action is required because of a significant emergency, employees and supervisors should obtain that authorization before asking the employee to perform work or access City systems. Authorization should be limited to the specific matter. Routine questions, convenience, lack of planning, or a preference to consult the employee are not sufficient reasons to interrupt a No-Access Period.

### G. Employee Responsibility

If contacted about a matter requiring City work, system access, operational direction, or a substantive response, the employee should advise the individual that they are in a No-Access Period and direct the matter to the appropriate acting employee, Department Head, City Manager, or designee.

## **H. Administration**

Human Resources will track compliance. Departments are responsible for planning appropriate coverage and cross-training before the No-Access Period begins. The City Manager may approve reasonable exceptions or modifications when necessary because of significant operational circumstances.

# CLINTON CITY COUNCIL STAFF REPORT

2267 N 1500 W, Clinton, UT 84015

|                |                                                |                 |       |             |  |
|----------------|------------------------------------------------|-----------------|-------|-------------|--|
| MEETING DATE:  | October 13, 2026                               |                 |       |             |  |
| CONSENT AGENDA |                                                | BUSINESS AGENDA | X     | RECOGNITION |  |
| PETITIONER(S): | Parks and Recreation Director, Brooke Mitchell |                 |       |             |  |
| TYPE OF VOTE:  | ROLL CALL                                      | X               | VOICE |             |  |
| SUBJECT:       | Community Garden Use Fee                       |                 |       |             |  |

## SUMMARY:

Clinton City currently provides and maintains a Community Garden for residents to use for personal gardening. The garden currently contains 82 plots, including 24 plots measuring 20' x 40' and 58 plots measuring 20' x 20'.

The City currently spends approximately \$4,617.69 each year to maintain the Community Garden. Of this amount, approximately \$2,909.69 is spent on products and services, while approximately \$1,708.00 represents employee hours used to maintain the garden.

The current water cost is based on a flat rate per acre. Once a water meter is installed, the City will be charged according to the actual amount of water used. This will make the City's future water expense dependent on the amount of water consumed by the Community Garden.

Surrounding cities are charging approximately \$15.00 to \$25.00 per plot, providing a reference point for the City Council when considering an appropriate fee.

## FISCAL IMPACT:

Based on the City's \$4,617.69 annual maintenance cost and the 82 available plots, I would recommend a fee that recognizes the larger plot uses twice the space while still keeping the garden affordable.

### Option 1

| Plot Size | Number of Plots | Proposed Fee | Annual Revenue |
|-----------|-----------------|--------------|----------------|
| 20' x 20' | 58              | \$25         | \$1,450        |
| 20' x 40' | 24              | \$50         | \$1,200        |
| Total     | 82              |              | \$2,650        |

This would recover approximately 57% of the City's current \$4,617.69 annual cost.

The City would still absorb approximately \$1,967.69 per year, before considering any increase in water costs once the meter is installed.

## Option 2

If the Council wants to recover closer to the City's actual cost, you could charge \$35 for the 20' x 20' plots and \$70 for the 20' x 40' plots. That would generate:

| <u>Plot Size</u> | <u>Number of Plots</u> | <u>Proposed Fee</u> | <u>Annual Revenue</u> |
|------------------|------------------------|---------------------|-----------------------|
| 20' x 20'        | 58                     | \$35                | \$2,030               |
| 20' x 40'        | 24                     | \$70                | \$1,680               |
| Total            | 82                     |                     | \$3,710               |

This would recover approximately 80% of the City's current \$4,617.69 annual cost.

The City would still absorb approximately \$907.69 per year, before considering any increase in water costs once the meter is installed.

## **RECOMMENDATION:**

Staff proposes establishing a small annual fee for Community Garden plots to help offset a portion of the costs the City is currently paying to maintain the garden. A good starting point may be \$25/\$50, since the City is still determining what the metered water expense will be. The City can revisit the fee after a year of actual water-meter data is collected.

Staff also proposes that the Community Garden be limited to personal, non-commercial use. Individuals would not be permitted to use a Community Garden plot for business or commercial purposes, including growing produce or other items for sale. The purpose of the Community Garden is to provide residents with an opportunity to garden for their personal use and enjoyment.

Staff is requesting City Council discussion and direction regarding the establishment and amount of a Community Garden plot fee, whether the fee should vary based on plot size, and whether the proposed personal-use-only restriction should be adopted.

## **ATTACHMENTS:**

None

## CLINTON CITY COUNCIL WORK SESSION MINUTES

2267 N 1500 W

Clinton UT 84015



**Date:** September 22, 2026

**Time:** 6:00 PM

**Location:** 2267 N 1500 W, Clinton, UT 84015

### **Elected Officials:**

**Mayor:** Marie Dougherty

**Councilmembers:** Spencer Arave, Jennifer Christensen, Chris Danson, Adam Larsen, and Dane Searle

**Staff Present:** City Manager Trevor Cahoon, Police Chief Shawn Stoker, Assistant Police Chief Matt Fawbush, Fire Chief Jason Poulsen, Assistant Public Works Director David Williams, Parks and Recreation Director Brooke Mitchell, Finance Director Cory Christensen, Deputy Recorder Amy Durrans, and Recorder Lisa Titensor

**Public Present:** Kirby Crowley, Brandon Stanger

### **CALL TO ORDER**

**Mayor Dougherty called the work session to order at 6:00 p.m. The full City Council was present.**

### **DISCUSSION - TERM LIMITS**

Mayor Dougherty explained that the Council had discussed the term limits ordinance on July 28 and set the work session to consider its merits. No action was scheduled for the work session. The topic had arisen while the Council was considering amendments to Title 2 of the City Code.

Councilmember Christensen distributed the results and comments from an informal Facebook poll she conducted of 244 respondents. She emphasized that the poll was not scientific. The Council also reviewed information on how long former Clinton City elected officials had served and discussed the experience of past elections.

Councilmembers discussed whether term limits would encourage participation and prevent elected officials from serving after their engagement declines. They also considered the value of experience and continuity, the availability of candidates, the advantage of incumbency, and whether voters should be able to reelect an official without a limit imposed by ordinance. Members expressed differing views about whether Clinton has experienced a problem that term limits would address.

The Council examined the language of the existing ordinance. Members noted that it limits service to two terms but does not clearly provide for a former official to run again after a break in service, although they recalled discussing that possibility when the ordinance was adopted. Mayor Dougherty also raised a question about the ordinance's legal defensibility and the potential for a legal challenge. No legal conclusion was reached.

The Council discussed retaining the ordinance, repealing it, or amending it to allow service after a break or to change the number of terms permitted. Members discussed returning the matter to a future policy agenda for possible action. Councilmember Christensen suggested a public hearing, and Mayor Dougherty agreed and said a presentation should provide context if a hearing is held. The Council took no vote or other formal action during the work session.

**ADJOURNMENT**

The work session adjourned at approximately 6:51 p.m.

**Dated the 13\_ day of October, 2026.  
/s/Lisa Titensor, Clinton City Recorder**

**CLINTON CITY COUNCIL MEETING MINUTES**  
**2267 N 1500 W**  
**Clinton Utah 84015**



**Date:** September 22, 2026

**Time:** 7:00 PM

**Location:** 2267 N 1500 W, Clinton, UT 84015

**Mayor:** Marie Dougherty

**City Council:** Spencer Arave, Jennifer Christensen, Chris Danson, Adam Larsen and Dane Searle.

**Staff:** City Manager Trevor Cahoon, Police Chief Shawn Stoker, Fire Chief Jason Poulsen, Public Works Director David Williams, Parks and Recreation Director Brooke Mitchell, Finance Director/Treasurer Cory Christensen, Senior Planner Keaton Jones, Deputy Recorder Amy Durrans, and Recorder Lisa Titensor

**Attendees:** Kirby Crowley, Terry Tremea, Scott Parke, Kathy Ostberg, Daniel Martinez, Russell Arave, Walter Ruiz, Dereck Bauer

**CALL TO ORDER**

Mayor Dougherty called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited by all those in attendance.

Councilmember Chris Danson offered the invocation.

**ROLL CALL**

Mayor Dougherty, Councilmembers Arave, Christensen, Danson, Larsen and Searle were all present.

**RECOGNITION**

**RECOGNITION OF FRONT-LINE STAFF FOR THEIR EFFORTS ON THE RECYCLING PROGRAM**

City Manager Cahoon recognized Gwen Hansen, Jamie Pengelly and Megan Coleman of Customer Service and Utility Billing, Wade Smith of Public Works, and Alonna Foster of Public Works for their work implementing the City recycling program. He thanked them for responding to residents, coordinating cart deliveries and returns, resolving account issues, and working across departments. Ms. Hansen and Ms. Foster were recognized in person; the others were unable to attend.

**RECOGNITION OF EMPLOYEE SERVICE AWARDS FOR THE 3RD QUARTER OF 2026**

Police Chief Shawn Stoker recognized Officers Brian Larsen and Austen Rogers for five years of service to Clinton City. Both officers were present and received congratulations from the Council.

**PUBLIC INPUT**

Daniel Martinez expressed concern that a neighboring accessory dwelling unit overlooks his backyard. He asked the Council to consider whether a taller fence or other privacy measures could be permitted for properties next to accessory dwelling units.

## **BUSINESS ITEMS**

Mayor Dougherty suggested changing the order of business to address the audit committee appointments before the Powerline Park playground discussion, which was expected to take longer.

**MOTION: Councilmember Arave moved to suspend the rules and take the audit committee item before the playground item. Councilmember Christensen seconded the motion. The motion carried by voice vote.**

### **RESOLUTION 23-26, CREATION OF AN AUDIT COMMITTEE AND APPOINTMENTS**

Mayor Dougherty explained that the Council had discussed forming standing committees in July. The proposed Audit Committee would provide an additional layer of financial oversight and make recommendations to the City Council. It would include two Councilmembers and one resident with experience in finance, accounting or auditing. The proposed members were Councilmembers Chris Danson and Dane Searle and Clinton resident Scott Parke, a certified public accountant and Davis County Controller. The Mayor noted Mr. Parke's experience with the State Auditor's Office and county government finance.

Councilmember Larsen thanked Mr. Parke for volunteering his time.

Councilmember Christensen asked Mr. Parke how he would handle difficult audit findings and conversations that require firmness.

Mr. Parke said the committee's work should help improve processes and internal controls. Drawing on his auditing experience, he said members should identify weaknesses and risks, discuss them directly with staff, and work together on reasonable solutions.

Mayor Dougherty explained that the committee would supplement the City's independent audit by reviewing internal controls and the auditor's work. She anticipated that it would meet about two or three times a year. Mr. Parke said he was happy to serve and contribute to the community.

**MOTION: Councilmember Larsen moved to approve Resolution 23-26, establishing the Audit Committee and adopting its policy and procedures, and to consent to the Mayor's appointments of Councilmembers Chris Danson and Dane Searle and Scott Parke. Councilmember Arave seconded the motion. On roll call, Councilmembers Arave, Christensen, Danson, Larsen and Searle voted in favor. The motion carried unanimously.**

### **APPROVAL OF POWERLINE PARK PLAYGROUND REPLACEMENT**

Parks and Recreation Director Brooke Mitchell reviewed three revised playground proposals. The existing playground is aging, replacement parts are difficult to obtain, and Powerline Park is heavily used during youth sports. The Council had previously authorized up to \$250,000 in RAP Tax funds. The RAP Tax Committee recommended Big T Recreation's themed design, with a swing substituted for a slider. The playground design and any shade structure require Rocky Mountain Power approval because the site is beneath its power lines.

The Council compared Big T and Garrett on the number of play activities, cost, vendor support and accessibility. RAP Tax Committee members Russell Arave and Terry Tremea explained that the committee valued enough play stations for several children during simultaneous youth games, along with durability and long-term service. Director Mitchell said Big T had provided good service on existing City equipment and Garrett also had equipment in City parks. Councilmembers discussed choosing a design appropriate for this park without spending the full \$250,000 merely because it was available.

Shade and funding were also discussed. Big T's proposed full shade structure added substantial cost. Councilmember Christensen suggested smaller roofed play areas or shaded seating; Director Mitchell noted that peak park use often occurs later in the day. Members discussed whether extensive shade and additional amenities would be best located at Powerline Park or another City park. City Manager Cahoon reported that approximately \$42,000 received from UDOT for right of way at the park could be considered for park improvements. The Council did not allocate those funds during this item.

The Council distinguished an accessible route or surface from equipment a child can use while remaining in a wheelchair. Councilmember Searle relayed a resident's concern that the proposed features did not allow her child to play independently from his wheelchair. Members discussed adding at least one wheelchair accessible activity while retaining enough slides and other play features for the park's heavy use. They also considered whether a new playground might attract families outside scheduled sports and whether a larger group of accessible features should be planned at another park.

Director Mitchell said staff could refine the design with a selected vendor once the Council identified its priorities. Staff also needed a design for Rocky Mountain Power's review, which could take approximately two months; installation would likely occur in the spring. The Council considered separate sidewalk pricing and removing that work from the playground vendor's proposal.

**MOTION: Councilmember Christensen proposed selecting a Big T structure. The proposal received no second.**

**MOTION: Councilmember Christensen moved to approve the Powerline Park playground replacement without specifying a vendor. Councilmember Danson seconded the motion.**

**SUBSTITUTE MOTION: Councilmember Arave moved to substitute direction to work with Garrett within the previously approved \$250,000 cap; seek the lowest available price, including any applicable sale pricing; consider a main structure with more play features if savings permit; include a feature usable by a child remaining in a wheelchair; and authorize Director Mitchell to choose the final design within those parameters and submit it to Rocky Mountain Power. The sidewalk bid would be removed from the playground proposal and handled separately through the City's improvement fund. Councilmember Searle seconded the substitute motion.**

**VOTE ON SUBSTITUTE MOTION: The motion to substitute carried 4-1 by voice vote.**

**Councilmember Christensen voted nay; Councilmembers Arave, Danson, Larsen and Searle voted in favor. The substitute became the motion before the Council.**

**FINAL VOTE: The Council approved the substituted motion unanimously by voice vote. No specific shade structure was selected; any shade remained subject to Rocky Mountain Power's requirements.**

#### **CONSENT ITEMS**

Dispatch fees for Police and Fire; approval of the September 8, 2026 City Council Work Session and City Council Meeting minutes; and no accounts payable item.

**MOTION: Councilmember Searle moved to approve the consent items. Councilmember Larsen seconded the motion. The motion carried unanimously by voice vote.**

#### **OTHER BUSINESS**

#### **DEPARTMENT HEAD REPORTS**

Public Works Director David Williams reported that 6,987 recycling carts had been delivered and 1,689 had been returned as of September 22, representing approximately 24 percent of those delivered. He said staff were continuing to collect remaining carts and the opt-out period would close later that week.

Fire Chief Jason Poulsen reported on the upcoming request for proposals associated with renewal of the City's ambulance service license. He said the request would be issued October 1, with a presentation and anticipated award at the October 13 Council meeting, and the next four-year term would begin January 1. He also discussed the state-based ambulance rate.

Chief Poulsen also reported that Union Pacific would remove or trim trees along its rail corridor from approximately 2300 North to 800 North before a coordinated cleanup and controlled burn. The Fire Department and code enforcement staff would notify affected residents. The work was expected in October after the railroad completed its tree work.

He also noted a planned training burn at the Patterson house on October 25.

#### **CITY MANAGER REPORT**

City Manager Cahoon reported that staff would bring the annexation area portion of the general plan to the Planning Commission and City Council for discussion in October. The Mayor and City Manager were also meeting with consultants to determine the remaining steps for the general plan and public review.

#### **COUNCIL REPORTS**

**Councilmember Christensen** reported that the Salt Lake County District Attorney's Office would host an October 2 symposium on criminal justice and mental health, with in-person and virtual attendance options. She had forwarded the invitation to Chief Stoker.

**Councilmember Larsen** said he would attend the Public Works staff meeting the following morning and report any pertinent information at a later Council meeting.

**Councilmember Arave** had nothing to report.

**Councilmember Searle** said he would attend the Water Environment Federation annual conference and return before the next Council meeting.

**Councilmember Danson** had nothing to report.

#### **MAYOR'S REPORT**

**Mayor Dougherty** reported that the initial budget subcommittee meetings were being arranged for October.

She asked the Council to consider options for bringing flowers or other decor back to 2000 West next year. Councilmembers discussed artificial flowers, water-wise live plants, durability, appearance and cost. Staff agreed to look into options; no selection was made.

The Mayor also asked about a Council holiday dinner. Councilmembers expressed interest in holding one; details were not set.

#### **ADJOURNMENT**

The meeting adjourned at approximately 8:54 p.m.

**Dated this \_\_\_\_ day of October 2026  
/s/Lisa Titensor, Clinton City Recorder**