



MEMORANDUM

TO: Mayor and City Council

FROM: Matthew J. Dixon, City Manager

RE: **December 21, 2021 City Council Meeting**

WORK SESSION – There will not be a work session prior to this meeting.

DISCUSSION/ACTION

- **Resolution 21-41– Adopting Voter Participation Areas (VPAs).** First, I think it might be helpful to review a couple of important land use terms related to this VPA discussion. The first term is *Referendum*.

A referendum is the right of the people to “refer” proposed legislation to a vote of the people through an election process. A referendum is, in a sense, a way to second-guess the City Council’s legislative, land use decisions. Referable items are ordinances, resolutions, master plans and any comprehensive zoning regulation adopted by ordinance or resolution. For an item to be “referred” and make it on the ballot for the next municipal election, those seeking the referendum must gather the requisite number of signatures from the residents living in each of the adopted VPAs. For a city of the fourth class (South Ogden) that number is 29%.

To help illustrate, let’s say that a resident or group of residents want to “refer” a section of the City’s land use code to change the setback requirements within a certain zone. The resident or group would need to gather signatures from registered voters in support of the referendum from each of the adopted VPAs in the City. If the resident or group is able to get 29% of the registered voters in each of the VPAs, the issue will be added to the ballot of the next municipal election.

Because administrative decisions are not subject to referendum, the Utah Land Use Institute recommends the following as some of the ways local governments can reduce the likelihood of referendums.

- Delegate and administrative decisions that can be delegated to the planning commission, staff, appeal authorities, etc.
- Avoid having the legislative body make administrative decisions such as subdivision approvals and review of development plans, etc.
- Create specific criteria in the ordinance that must be followed if the city council decides to make administrative decisions.

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- Assign a list of permitted uses to any mixed-use zones – don't leave the wording of the ordinance open ended with no designation of the types of uses which are to be allowed in the zone.

Our South Ogden code has addressed, to a certain extent, every one of these recommendations. Staff will continue to bring code amendments/recommendations to the council as we find areas that could be improved to meet the aforementioned recommendations of the Utah Land Use Institute.

The second important term for this discussion is ***Initiatives***. An initiative is the people's right to initiate a measure, issue, or question to be voted on by the people. Like a referendum, group of residents (min. of 5 registered voters) may file an application to start the process. Once approved, the group can gather signatures from the VPAs in support of "initiating" the new law/legislation. The required number of signatures for an initiative to be placed on the ballot for a city of the fourth class (South Ogden) is 11.5%. To illustrate, let's imagine that a resident wanted to create a new law to require that all residents drive a Subaru. An application, signed by 5 registered voters must be made with a copy of the text and the title of the proposed ordinance. The group must also disclose where the funding for the initiative is coming from. Once verified, the group has a certain number of days to collect signatures from at least 11.5% of the registered voters within each VPA.

The county has created four VPAs for South Ogden. Each VPA has roughly the same number of residents, are geographically compact and geographically continuous. Staff recommends that the council approve the four VPAs created by the county for the purpose of meeting the state requirements for Initiatives and Referendums.

MOST OF THE INFORMATION FOR THIS REPORT WAS TAKEN FROM THE UTAH LAND USE INSTITUTES BOOK, "GROUND RULES: YOUR HANDBOOK TO UTAH LAND USE REGULATION," BY CRAIG CALL

- ***Resolution 21-42 – Approving Participation in and Acceptance of the terms and conditions of the Jul 21, 2021 National Opioid Settlement Agreement.*** This resolution has to do with the National Opioid Settlement and must be approved by the end of the calendar year. Basically, this resolution affirms South Ogden City's support of the terms of the settlement. In the event that the state can show that enough of the counties and cities agree with the settlement terms and conditions (<https://nationalopioidsettlement.com/>), the state may be eligible for some of the settlement funds. ULCT does not believe there will be much funding that will come to the cities but there might be a chance for South Ogden to try and get some to help support our efforts through our participation with the Bonneville Communities that Care Coalition. Most of the funding is expected to go to the state and the counties to be used to help fund social service efforts to combat opioid treatment and prevention. Once this resolution is approved, staff will send this resolution to ULCT and will register our City as one in support of the settlement on the website.



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, DECEMBER 21, 2021, 6 PM
CIT HALL

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled council meeting at 6 pm Tuesday, December 21, 2021. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the city council chambers. The meeting is open to the public; however, the city will abide by all COVID-19 restrictions in place at the time of the meeting, including social distancing, wearing of masks, and number of people allowed to gather in one place. Some members of the council may be attending the meeting electronically. The meeting will also be streamed live over www.facebook.com/southogdencity.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. **Call to Order** – Mayor Russell Porter
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Susan Stewart

- II. **PUBLIC COMMENTS** – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RESPONSE TO PUBLIC COMMENT

IV. CONSENT AGENDA

- A. Approval of December 7, 2021 Council Minutes

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on December 17, 2021. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

V. DISCUSSION / ACTION ITEMS

- A.** Consideration of **Resolution 21-41** – Adopting Voter Participation Areas for the City
- B.** Consideration of **Resolution 21-42** – Approving Participation In and Acceptance of the Terms and Conditions of the July 21, 2021 National Opioid Settlement Agreement

VI. REPORTS/DIRECTION TO CITY MANAGER

- A.** City Council Members
- B.** City Manager
- C.** Mayor

VII. ADJOURN



MINUTES OF THE SOUTH OGDEN CITY COUNCIL WORK SESSION AND CITY COUNCIL MEETING

TUESDAY, DECEMBER 7, 2021

WORK SESSION – 5 PM IN COUNCIL ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth

COUNCIL MEMBERS EXCUSED

Sallee Orr

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, and Recorder Leesa Kapetanov

MEMBERS OF THE PUBLIC PRESENT

No one else attended this meeting in person

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking the link:

https://www.southogdencity.com/document_center/Sound%20Files/2021/CC211207_1702.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the work session to order at 5:03 pm and entertained a motion to open the meeting 00:00:00

Council Member Stewart so moved, followed by a second from Council Member Strate. Council Members Strate, Stewart, Howard, and Smyth all voted aye.

- The mayor excused Council Member Orr who was visiting a new grandchild 00:00:07

37 **II. REVIEW OF AGENDA**

- 38 • No one requested a review of agenda items

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41 **III. DISCUSSION ITEMS**

42 A. Discussion on RAMP Grants

- 43 • Staff overview 00:00:46 Parks and Public Works Director Jon
44 Anderson gave the council handouts.
45 See Attachment A.

- 46 • Discussion 00:05:56

- 47 • The consensus of the Council was that staff should apply for a RAMP Grant for
48 playground equipment at Friendship Park

- 49 00:15:03

- 50 • City Manager Dixon requested some direction on Heritage Trail

- 51 00:16:58

- 52 • Council determines City will match up to \$20,000 for the Heritage Trail project

- 53 00:29:36

54

55 B. Discussion on Skate Park

- 56 • Mayor overview 00:31:14

- 57 • Discussion 00:35:28

- 58 • The consensus of the Council was staff should move forward with the design of the Skate
59 Park in the 40th Street Park detention basin

- 60 00:39:22

61

- 62 • Since there was time left in the work session, City Manager Dixon took the opportunity to
63 give part of his report scheduled for the end of the Council Meeting

- 64 00:40:52

- 65 • The Council tentatively set their annual strategic planning retreat for January 18 and 21

- 66 00:45:04

- 67 • City Manager Dixon informs the Council of two items that may influence their discussion
68 on whether to hold the December 21 Council Meeting

- 69 00:47:22

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72 **IV. ADJOURN**

- 73 • Mayor Porter called for a motion to adjourn the work session

- 74 00:52:20

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76 **Council Member Smyth so moved, followed by a second from Council Member Howard. All**
77 **present voted aye.**

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79 The work session ended at 5:55 pm.

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell L. Porter, Council Members Brent Strate, Susan Stewart, Mike Howard, and Jeanette Smyth

COUNCIL MEMBERS EXCUSED

Sallee Orr

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Treasurer Jeannine Teel, Police Chief of Staff Janette Kirkland, and Recorder Leesa Kapetanov

MEMBERS OF THE PUBLIC PRESENT

Bruce & Joyce Hartman, Jayne Heaton, Becky Heaton, Brian Heaton

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking this link:

https://www.southogdencity.com/document_center/Sound%20Files/2021/CC211207_1801.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- At 6:02 pm, Mayor Porter called the meeting to order and entertained a motion to begin

00:00:00

Council Member Howard so moved. The motion was seconded by Council Member Stewart. In a voice vote, Council Members Strate, Stewart, Howard, and Smyth all voted aye.

- Mayor Porter excused Council Member Orr who was out of town

00:00:07

B. Prayer/Moment of Silence

The mayor led those present in a moment of silence.

123 C. Pledge Of Allegiance

- 124 • Council Member Strate led everyone in the Pledge of Allegiance.

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127 **II. PRESENTATION**

128 A. Bonneville High School Student Government Officers

- 129 • Jayne Heaton, Student Body Vice President, asked for South Ogden's support

130 00:00:56

131 B. Acknowledgement of SOLA Graduates

- 132 • The mayor presented each graduate in attendance with a certificate, plaque, and
133 pen

00:07:33

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135 **III. PUBLIC COMMENTS**

- 136 • There were no comments from those present in the room. The mayor announced the
137 opportunity to post online comments would remain open until 6:18 pm.

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140 **IV. RESPONSE TO PUBLIC COMMENT**

- 141 • Not applicable at this time

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144 **V. CONSENT AGENDA**

145 A. Approval of November 16, 2021 Council Minutes

146 B. Set Date for Public Hearing (January 4, 2022 at 6 pm or as soon as the agenda permits) To

147 Receive and Consider Comments on Possible Community Development Block Grant Projects

- 148 • The mayor read the consent agenda and asked if there were any comments. Council
149 Member Strate asked staff to explain what Community Development Block Grants were.

150 00:11:38

- 151
152 • Mayor Porter called for a motion to approve the consent agenda

153 00:13:21

154
155 **Council Member Smyth so moved, followed by a second from Council Member Strate.**
156 **Council Members Strate, Stewart, Howard, and Smyth all voted aye.**
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160 **VI. DISCUSSION / ACTION ITEMS**

161 A. Consideration of Resolution 21-39 – Approving an Agreement With Project Engineering
162 Consultants for Environmental Review of 40th Street/Chimes View Project

- 163 • Staff overview 00:13:31
164 • Council discussion 00:16:00
165 • Motion 00:24:43

Mayor Porter called for a motion to approve Resolution 21-39 dependent upon legal's review of Section 54 and not having any more recommendations. Council Member Smyth so moved, followed by a second from Council Member Howard. The mayor asked if there were further comment. City Manager Dixon said the motion sounded to him that if legal made any changes to the agreement, it would have to come back to the Council. He wanted to make it clear that they were approving the agreement that evening and that the attorney would have permission to make any changes to Section 54 if he felt it necessary, without it having to come back to the Council. Mayor Porter said that was the intent of his motion. Council Member Strate then asked if this project would be funded the same as the 40th Street Widening Project. Mr. Dixon explained that the project would be funded with federal money and would be subject to Davis Bacon wages and Buy America regulations. The City had not been approached by the State for a dollar exchange agreement that would free them from federal regulations. **The mayor called the vote:**

Council Member Strate-	Yes
Council Member Stewart-	No
Council Member Howard-	Yes
Council Member Smyth-	Yes

The motion stood.

- Mayor Porter asked if there had been any online public comments. Assistant City Manager Doug Gailey read two comments:
 - Jesse Syme 00:28:22 Enforcing SWPP regulations
 - Bryant J. Kunz 00:28:37 Streetlight on 39th and Orchard
- Mayor's response to public comments 00:28:54

B. Consideration of Resolution 21-40 – Approving an Agreement With Compass Minerals for Road Salt

- Staff overview 00:29:28
- There were no questions or discussion from the Council
- Motion 00:30:32

Mayor Porter called for a motion to approve Resolution 21-40. Council Member Howard so moved. Council Member Strate seconded the motion. There was no discussion on the motion. The mayor made a roll call vote:

Council Member Stewart-	Yes
Council Member Howard-	Yes
Council Member Smyth -	Yes
Council Member Strate -	Yes

Resolution 21-40 was approved.

C. Consideration of Ordinance 21-13 – Setting the City Council Meeting Schedule for 2022

- Staff overview 00:30:52
- There was no discussion by the Council on this item
- Motion 00:31:26

The mayor entertained a motion to approve Ordinance 21-13. Council Member Strate so moved, followed by a second from Council Member Howard. The mayor called the vote:

Council Member Howard -	Yes
Council Member Smyth-	Yes
Council Member Strate-	Yes
Council Member Stewart -	Yes

Ordinance 21-13 was adopted.

D. Discussion on Canceling December 21, 2021 City Council Meeting

- Mayor overview 00:31:45
- Discussion 00:32:34
- The consensus of the Council was to hold a short meeting on December 21.

VIII. REPORTS/DIRECTION TO CITY MANAGER

A. City Council Members

- Council Member Stewart - 00:33:21
- Council Member Strate - 00:33:46
- Council Member Howard - 00:34:13
- Council Member Smyth - 00:34:19

B. City Manager 00:35:41

- Note: Council Member Howard was called away from the meeting during City Manager Dixon's report

C. Mayor Porter 00:37:20

IX. ADJOURN

- At 6:40 pm, the mayor called for a motion to adjourn city council meeting

00:40:40

Council Member Strate so moved. The motion was seconded by Council Member Smyth. The voice vote was unanimous in favor of the motion.

Not Approved

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council Work Session and Council Meeting held Tuesday, December 7, 2021.


Kapetanov, City Recorder

Leesa
Date Approved by the City Council

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ATTACHMENT A

Handouts from Parks and Public Works Director Jon Andersen

Meadows Park

South Ogden, UT



BIG T RECREATION

BIG T RECREATION

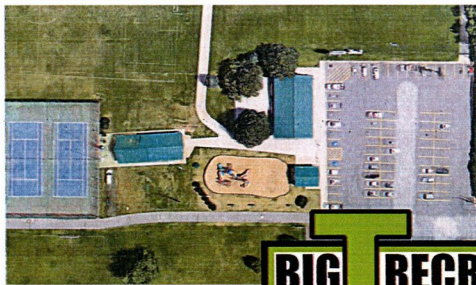


Meadows Park
South Ogden, UT

PLAYWORLD
The world needs play.

Friendship Park

South Ogden, UT



Friendship Park

South Ogden, UT



STAFF REPORT



SUBJECT: Resolution 21-41 - Approving Voter Participation Areas (VPAs)
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: December 21, 2021

RECOMMENDATION

Staff recommends approval of the VPAs

BACKGROUND

The City adopted VPAs back in 2019 based on the voting precincts then in use in the City. Due to recent re-districting efforts, those precincts have changed, if only slightly. Because the re-districting took longer than expected, counties had to scramble to create new precincts that aligned with the re-districting, therefore pushing cities' approvals of the VPAs to the last possible minute. The state mandates that the VPAs be approved by January 1, 2022.

ANALYSIS

We are a Fourth Class city, but I have to add that we are a first class Fourth Class city. :) Classifications are based on population. Third and Fourth Class cities are required to establish four VPAs within their city. VPAs are only used in conjunction with a city referendum or initiative. In order for a referendum or initiative to be put on the ballot, a certain number of signatures must be collected from registered voters within the City, and a percentage of those signatures must come from each VPA.

A VPA must be:

- Substantially equal in population based on the most recent census data
- Geographically compact
- Geographically contiguous

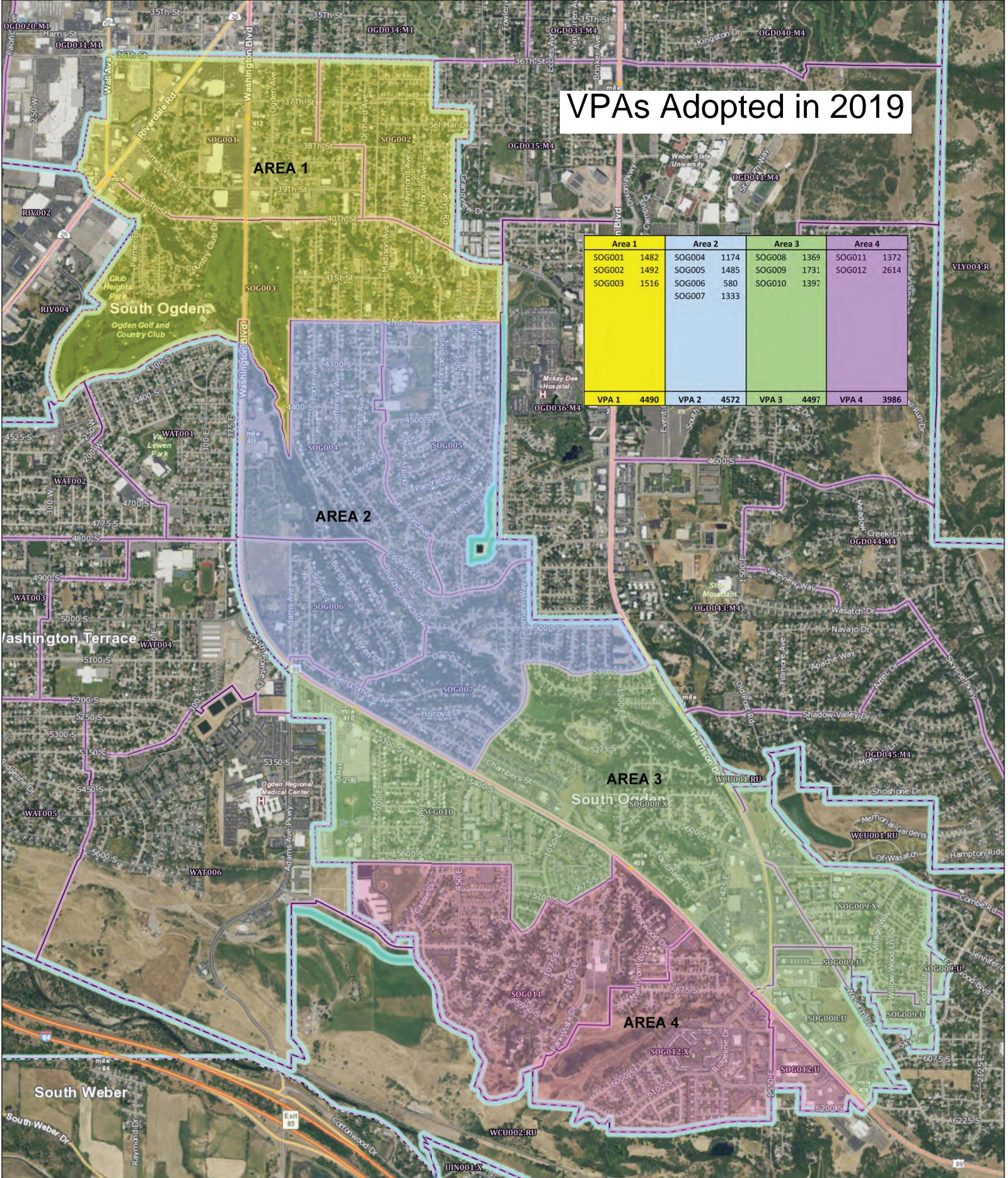
You may approve the county's proposal, or you may draw your own VPAs; however, remember that you would have to meet the requirements above, and you would have to hold a special meeting to approve them before the January 1 deadline. I realize this does not give you many options, but as mentioned before, the re-districting committee took this down to the last minute.

SIGNIFICANT IMPACTS

None



VPAs Adopted in 2019

Area 1	Area 2	Area 3	Area 4
SOG001 1482	SOG004 1174	SOG008 1369	SOG011 1372
SOG002 1492	SOG005 1485	SOG009 1731	SOG012 2614
SOG003 1516	SOG006 580	SOG010 1397	
	SOG007 1333		
VPA 1 4490	VPA 2 4572	VPA 3 4497	VPA 4 3986



South Ogden: Voter Participation Areas

 City Boundaries
 Voting Precincts

DISCLAIMER

This is not an official map, but for reference use only. The data was compiled from the best sources available, so various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For official boundary information, the pertinent County department or Municipality should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represented is approximate, so this is NOT a Survey or Engineering grade map and should by no means be used as such. This map is not intended for all uses. Weber County is not responsible or liable for any derivative or misuse of this map.

RESOLUTION NO. 21-41

RESOLUTION OF SOUTH OGDEN CITY CREATING VOTER PARTICIPATION AREAS AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AND FINAL PASSAGE.

SECTION 1 – RECITALS

WHEREAS, the City Council finds that the City of South Ogden ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") § 10-3-717 & § 10-9a-408, the governing body of the city may exercise all administrative powers by resolution including, but not limited to creating Voter Participation Areas as provided at UC § 20A-7- 401.3(2)(b); and,

WHEREAS, the City Council finds it necessary to address Voter Participation Areas within the city consistent with state and federal requirements; and,

WHEREAS, the City Council finds that creating Voter Participation Areas will materially assist in achieving the purposes described in UC §20A-7-501 and §20A-7-601; and,

WHEREAS, the City Council finds that South Ogden City now desires to further those ends by creating Voter Participation Areas as provided at UC § 20A-7-401.3(2)(b) to effectively manage election services; and,

WHEREAS, the City Council finds that the public convenience, health, and necessity requires the actions contemplated,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SOUTH OGDEN AS FOLLOWS:

SECTION II - VOTER PARTICIPATION AREAS CREATED AS PROVIDED AT UC § 20A-7-401.3(2)(b).

South Ogden City Voter Participation Areas are Adopted and Approved as Set Out in **Attachment "A"**, And By This Reference Fully Incorporated. The City Manager Is Authorized To Sign And The City Recorder Is Authorized To Attest, Any and All Documents Necessary To Effect This Authorization and Approval.

The foregoing recitals are fully incorporated herein.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, and Resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Resolution, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Resolution be held or deemed or shall be invalid, inoperative or unenforceable such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION VI - DATE OF EFFECT

This Resolution will be effective on the 21st day of December, 2021, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH, on this 21st day of December, 2021.

SOUTH OGDEN CITY

Russell Porter, Mayor

ATTEST:

Leesa Kapetanov, CMC
City Recorder

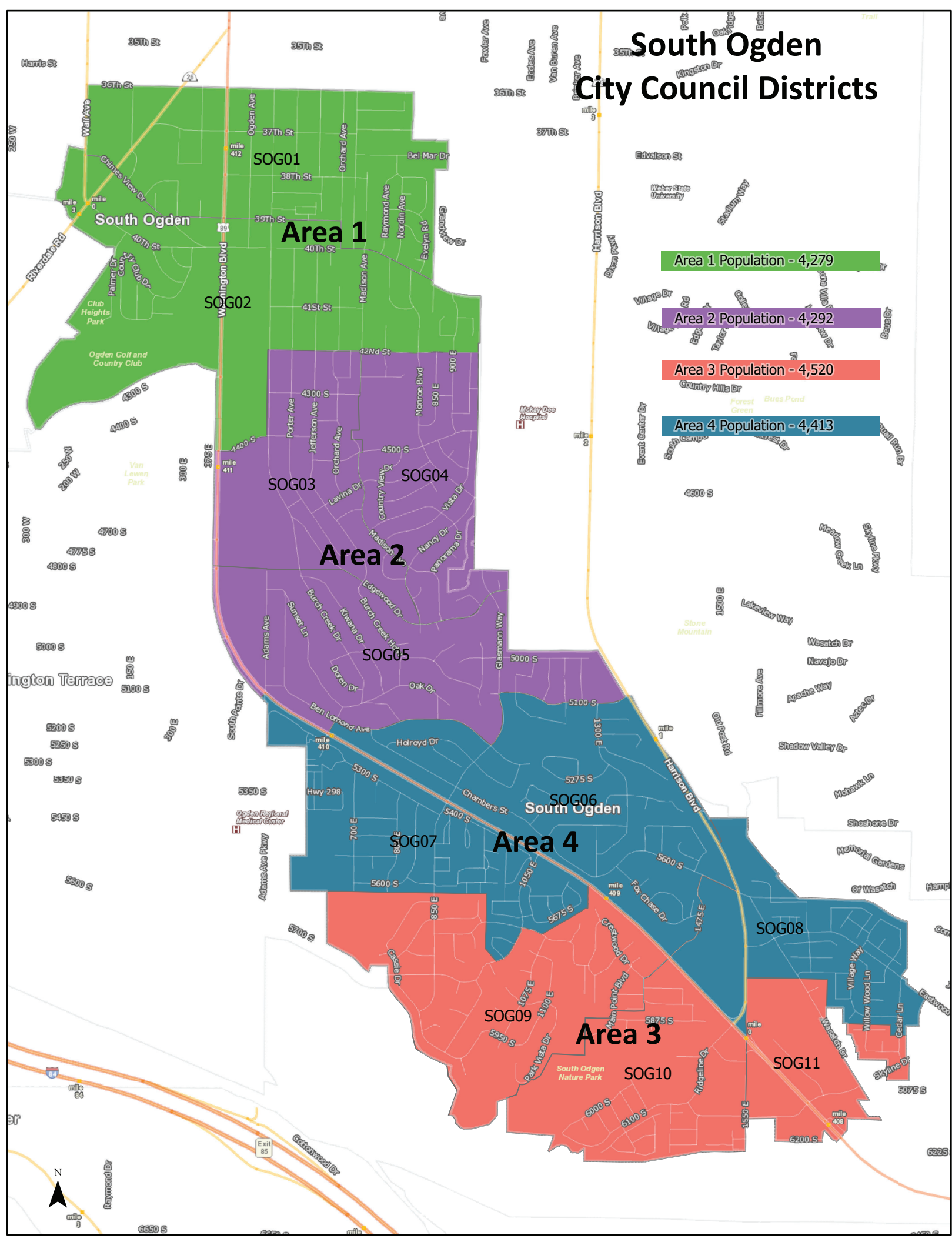
ATTACHMENT "A"

RESOLUTION No. 21-41

Resolution Of South Ogden City Creating Voter Participation Areas And
Providing That This Resolution Shall Become Effective Immediately Upon
Posting And Final Passage.

21 Dec 21

South Ogden City Council Districts



RESOLUTION NO. 21-42

A RESOLUTION APPROVING PARTICIPATION IN AND ACCEPTANCE OF ALL TERMS AND CONDITIONS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT; AUTHORIZING THE CITY MANAGER TO SIGN ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

SECTION 1 – RECITALS

WHEREAS, South Ogden (“City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the people of the State of Utah and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and,

WHEREAS, the State of Utah, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and,

WHEREAS, the State of Utah, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Utah; and,

WHEREAS, the City participates in and supports local opioid treatment and prevention efforts; both through Weber Human Services and the Bonneville Communities that Care Coalition; and,

WHEREAS, the City Council understands that the purpose of the proposed National Opioid Distributor Settlement Agreement is to provide funding for State and Local Governments to advance initiatives targeting opioid treatment and prevention; including first responder training, media campaigns, etc.; and,

WHEREAS, the City Council wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”); and,

WHEREAS, the City Council finds it is necessary for the preservation of the public peace, health, welfare, and safety of the residents of South Ogden to enter into such an agreement; and,

WHEREAS, the City Council finds the City Manager is the chief administrative officer of the City and should be authorized to enter into such an agreement on behalf of the city,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH OGDEN UTAH THAT:

The City Council Of South Ogden City, State Of Utah, Authorizes Participation In and Acceptance Of the Agreement for the Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) Pursuant To The City’s Understanding Regarding The Pursuit And Use Of Potential Opioid Litigation Settlement Funds And Consistent With The Material Terms Of The July 21, 2021 proposed National Opioid Distributor Settlement Agreement Available at <https://nationalopioidsettlement.com/>, And Authorizes The City Manager To Sign Said Agreements; And Authorizes The City Recorder To Attest All Documents Necessary To Confirm That The City Manager Has Been Duly Authorized To Execute Those Documents.

The foregoing recitals are fully incorporated.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION II - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with any of this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION III - PRIOR RESOLUTIONS:

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever,

this Resolution being deemed to be the separate independent and severable act of the City Council of South Ogden City.

SECTION V - DATE OF EFFECT

This Resolution shall be effective on the 21st day of December, 2021, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY,
STATE OF UTAH**, on this 21st day of December, 2021.

SOUTH OGDEN CITY

Russell Porter, Mayor

ATTEST:

Leesa Kapetanov, CMC
City Recorder