



CITY COUNCIL WORK SESSION MEETING

Tuesday, April 06, 2021, at 5:30 PM
Court Room/Council Chambers (2nd Floor) and Online

MEETINGS HELD ONLINE ONLY

Pursuant to recent updates from the Utah State Department of Health regarding the number of people allowed to gather physically for a public meeting, there will be no in-person participation. The public is invited to participate electronically as outlined below:

- **YouTube Live** – Public meetings will be shown live on the Santaquin City YouTube Channel, which can be found at https://www.youtube.com/channel/UCTzZT_yW2H2Hd-58M2_ddSw or by searching for Santaquin City Channel on YouTube.

ADA NOTICE

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

AGENDA

ROLL CALL

PLEDGE OF ALLEGIANCE

INVOCATION/INSPIRATIONAL THOUGHT

DISCUSSION ITEMS

1. Continued Discussion - Conceptual Designs of the West Wing of the New City Hall
2. Discussion - Meeting Publication Changes from State Legislature
3. Discussion - Upcoming Regular Meeting Agenda Items

ADJOURNMENT

CERTIFICATE OF MAILING/POSTING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651, posted on www.santaquin.org, as well as posted on the State of Utah's Public Website.

BY:

K. Aaron Shirley, City Recorder



MEMORANDUM

To: Mayor & Council
From: K. Aaron Shirley, City Recorder & Finance Director
Date: April 6, 2021
Subject: Changes to City Code in Regards to Public Notices

Mayor & Council,

Background

On March 3rd, 2021 the most recent state legislature session ended and among all of the bills passed was Senate Bill 201 which removes the requirement for the use of newspapers in the public noticing process. In place of the use of newspapers is a requirement for the use of the Utah Public Notice Website. This change will be effective May 4th, 2021.

Research & Findings

As the readership of print newspapers and publication of daily newspapers has declined, the requirement of public noticing 'once a week for x number of weeks', found in numerous spots throughout state public noticing requirements, no longer works in promoting transparency. As newspapers and their readership move increasingly online, it makes sense from a transparency perspective to use the Utah Public Notice Website, Santaquin City website, and social media pages for public noticing. Additionally, from a financial perspective, these resources are free for both city and citizen use instead of paying newspaper publication fees which has been about \$3,000 year to date with the city only roughly 75% through the fiscal year. With all of the city growth, this number of newspaper publication fees has only been trending upwards.

To make Santaquin City code match this update to State Code, the following sections of code require a revision as they specifically require the use of a newspaper in the public noticing process:

- 1.20.050 (D) Notice of Ordinances to be considered by City Council
- 1.40.030 (B) Bids (Notification of Intent to Purchase in an amount over \$15,000)
- 2.04.040(B) Notice of Vacancy in Planning Commission
- 5.08.120(B) Notice of Sale of Stray Animals by Animal Control Officer
- 10.16.030(C) Notice of Public Hearing for Land Use Ordinance
- 10.68.110(E)(8)(b) Notice of Public Hearing for Land Use Applications

Recommendation

I recommend that the City amend the listed portions of city code to match state code to repeal all requirements for the use of a newspaper for public noticing and to refer to state code for public noticing requirements on the Utah Public Notice Website as well as both the city website and social media sites if desired. If the Council agrees with this recommendation, then these changes would be reflected in a proposed Ordinance at an upcoming City Council Meeting.

SUMMARY OF SB 201 PUBLIC NOTICE AMENDMENTS

SB201 Public Notice Amendments sponsored by Senator Karen Mayne and Floor Sponsor Joel Ferry, passed during the 2021 Legislative session. The bill essentially eliminates the requirements to publish certain notices in a newspaper and on a specified legal notice web site. It does require notices be posted on the Utah Public Notice Website (63F-1-701 Utah Code). In addition, it requires the Division of Archives and Records Service to allow newspapers to request and automatically receive a feed of postings to the Utah Public Notice Website.

KUDOS and special thanks to Nicole Camac, West Valley City's Recorder for suggesting the change to the good Senator. She pointed out the reality that the biggest newspapers have ceased to provide a daily paper and do the "once a week for X number of weeks in a newspaper of general circulation" no longer works. The concept of feeding notices to the papers through electronic means is a much better idea for both the Cities and the papers. They may have inadvertently missed a section (judging from the length of the bill, it looks like they got them all), but here are the sections affected. **The notice provisions on each of these items no longer requires publication in a newspaper:**

8-5-6 Cemetery - notices to terminates rights to a plot

10-2 Part 4 All Annexation processes requiring notice.

10-2-502.5 Disconnection of a municipality - notices

10-2-607 Consolidation of municipalities – notices

10-2-703 Incorporation election challenge- notices

10-2-708 Disincorporation of municipality – notices

10-2a-207 Feasibility study for Municipal incorporation

10-2a-210 Incorporation election

10-2a-213 Incorporation determination of number of council members

10-2a-215 Incorporation election of new officers

10-2a-404, 405, 410 Incorporation election

10-3-301 Eligibility and residency requirement for municipal office

10-3-711 Publication and posting for ordinances generally

10-5-108, 10-6-113, 10-6-152 all notices pertaining to Budget, adoption, audits

10-7-19 Elections – ballots

10-8-2 Appropriations, acquisition of real property

10-8-15 Waterworks – construction – extraterritorial jurisdiction

10-9a-204 General plan approval or modifications

10-9a-205 Adoption of Land Use Regulations

10-18-203 Feasibility study for providing cable television or public telecommunications services – hearings

10-18-302 Bonding for such facilities

10-18-303 Operating limitations for municipalities that provide cable television or public tel. services

11-13-219 Bonding – publication of resolutions and agreements

11-14-202 Notice of election – contents, publication - mailing

11-14-315, 11-18-318 Nature and validity of bonds issued; applicability of other statutory provisions; budget provision required; Public Hearing Required;

11-14a-1 Notice of debt issuance

11-30-5 Publication for order of hearing

11-39-103 Requirements for undertaking a building improvement or public works project

11-42-202 Requirements applicable to a notice of a proposed assessment area designation

11-42-301 Improvements made only under contract let to lowest responsive, responsible bidder

11-42-402 Notice of assessment and board of equalization hearing;

11-42a-201 Resolution or ordinance designating an energy assessment area, levying an assessment, and issuing an energy assessment bond.

17-27a-204, 17-27a-205, 17-37a-306; 17-27a-404 Notice of public hearings and public meetings to consider general or plan modifications; Notice of public hearings and public meetings on adoption or modification of land use regulation; planning advisory areas; public hearing by planning commission on proposed general plan or amendment

17-41-302, 17-41-304, – Notice of proposal for creation of protection area; review and action on proposal;

17-41-405 – Eminent domain restrictions

17B-1-111, 17B-1-211 Impact fee resolution; publication of resolution

17B-1-304, Appointment procedures for appointed members

17B-1-306, 17B-1-313 – Local District Board election procedures; publication of notice of board resolution or action; contest period

17B-1-417 – Boundary adjustment – notice and hearing – protest – resolution adjusting boundaries – filing of notice and plat with Lt. Governor

17B-1-505.5 Feasibility study for a municipality's withdrawal from a local district provided fire protection, paramedic, and emergency services or law enforcement

17B-1-609 Hearing to consider adoption – Notice

17B-1-643 Imposing or increasing a fee for service provided by local district

17B-1-1307 Notice of public hearing and of dissolution

17B-2a-705 Taxation – Additional Levy

17B-2a-1007 Contract assessments

17B-2a-1110 Withdrawal from municipal services district upon incorporation

17C-1-601.5 Annual agency budget; auditor forms

17C-1-701.5 Agency dissolution

17C-1-806 Requirements for noticed provided by agency

17C-2-108 Notice of urban renewal project area plan adoption

17C-3-107 Notice of economic development project area plan adoption

17C-4-106 Notice of community development project area plan adoption

17C-4-202 Resolution or interlocal agreement to provide project area funds for the community development project area plan

17C-5-110 Notice of community reinvestment project area plan adoption

17C-5-205 Interlocal agreement to provide project area funds for the community reinvestment project area subject to interlocal agreement

20A-1-206 Cancellation of local election

20A-3a-604 Notice of time and place of early voting

20A-5-101 Notice of election

20A-5-403.5 Ballot drop boxes

20A-5-405 Election officer to provide ballots

20A-9-203 Declarations of candidacy

26-8A-405.3 Use of competitive sealed proposals

38-8-3 Enforcement of lien

54-8-10 Public hearing –notice – publication

54-8-16 Notice of assessment – publication

54-8-23 Objection to amount of assessment; litigation to question or attach proceedings or legality of bonds

57-13a-104 Abandonment of prescriptive easement for water conveyance

59-12-402 Additional resort communities sales and use tax; collection fees

519-12-2208 Legislative body approval requirements – voter approval requirement

62A-5-202.5 Utah State Developmental Center Board – membership, duties, powers

63A-5b-305 Duties and authority of director

63F-1-701 Utah Public Notice Website – Establishment and administration

63G-6a-112 Required public notice

72-5-105 Highways, streets, or roads once established continue until abandoned – temporary closure

72-6-108 Class B and C roads – improvement projects; contracts; retainage

76-8-809 Closing or restricting use of highways abutting defense or war facilities

78A-7-202 Justice Court judges to be appointed