

UTAH COUNTY OPTIONAL PLAN

TITLE ONE - ADOPTION OF COUNTY EXECUTIVE-COUNCIL FORM OF COUNTY GOVERNMENT

Utah County, by and through the Board of Commissioners of Utah County, Utah, hereby creates and establishes, under the Constitution of Utah Article XI, Section 4 “Optional Forms of County Government” and the Utah Code Title 17, Chapter 52a “Changing Forms of County Government”, an optional plan for Utah County government. Utah County shall be governed under the county executive-council form of government. Within the executive-council form of government, Utah County shall be governed by an elected county executive (the Utah County Mayor), an elected county council (consisting of five members and constituted as provided for herein), and other officers and employees authorized by law.

TITLE TWO – COUNTY MAYOR

2.a. The Utah County Mayor is the county executive and is the chief executive officer of Utah County government. The Mayor has the powers, duties, and functions of a county executive under Utah Code Title 17, Chapter 53, Part 3, County Executive and is vested with all executive powers, duties, and functions not otherwise provided for in state statute, the Utah County Code, or this plan. References in any state statute or state rule to the “governing body” or the “board of county commissioners” of the county means the Utah County Mayor with respect to executive functions, duties, and powers.

2.b. The County Mayor shall be elected at-large through the partisan election process as provided for in state statute. The Utah County Mayor shall satisfy all requirements of an elected county official under state statute and reside in Utah County throughout each term of office. The term of office for the Utah County Mayor is four years, beginning at noon on the first Monday of January following the election. Any mid-term vacancy in the County Mayor shall be filled as prescribed by state statute.

2.c. The Utah County Mayor’s compensation for full-time service shall be a \$120,000 annual salary plus the standard employment benefits offered to other Utah county employees and officials. Adjustments to the Mayor’s compensation shall be in accordance with state statute and Utah County Code.

2.d. The Utah County Mayor is vested with the authority to exercise the power of veto and line-item-budget-veto. To exercise the veto, the Mayor shall direct a writing indicating such to the Utah County Council Chair within 15 calendar days of any legislative enactment.

2.e. The Utah County Mayor shall prepare a proposed budget in accordance with state statute and present the proposed budget to the Utah County Council.

2.f. The Utah County Mayor shall appoint, suspend and remove members of County boards and commissions and members of boards and commissions which the County is entitled to appoint members and county department directors, other than those elected pursuant to state statute, with advice and consent from the Utah County Council. The Mayor may establish standards, qualifications, criteria and procedures to govern these appointments, in accordance with state statute and county code and ordinances.

TITLE THREE – COUNTY COUNCIL

3.a. The Utah County Council is the legislative body of Utah County government. The Council has the powers, duties, and functions of a county legislative body under Utah Code Title 17, Chapter 53, Part 2 County Legislative Body and is vested with all legislative powers, duties, and functions not otherwise provided for in state statute, the Utah County Code, or this plan. References in any state statute or state rule to the “governing body” or the “board of county commissioners” of the county means the Utah County Council with respect to legislative functions, duties, and powers.

3.b. The Utah County Council is composed of 5 part-time members elected by geographical districts. A quorum of the Council is achieved by the presence of 3 members.

3.c. Each Council member shall be elected through the partisan election process as provided for in state statute. Each Council member shall satisfy all requirements of an elected county official under state statute. The term of office for each Council member is four years, except for those two-year initial terms for Districts 1, 3, and 5, as described herein. Any mid-term vacancy in the Council shall be filled as prescribed by state statute.

3.d. The members of the Utah County Council shall be elected by voters of the respective geographical districts and shall reside within the district wherein they were elected throughout each term of office.

3.d.i. Utah County shall be divided into five geographical districts designated Districts 1, 2, 3, 4 and 5. The initial term of office for Districts 1, 3 and 5 shall be two years. The initial term of office for Districts 2 and 4 shall be four years. After the initial terms of office, the regular term of office of each district shall be four years; each term shall begin at noon on the first Monday in January following the respective election.

3.d.ii. The five geographical districts shall have substantially equal populations and shall be reapportioned by the Utah County Council within one year after each decennial census report. Upon reapportionment, the Districts should, to the extent practical, remain consistent with their original geographic configurations and representation.

3.d.iii. Maps of the initial Utah County Council districts are attached to this Optional Plan and incorporated herein.

3.d.iv. The initial geographical districts as attached hereto and adopted by the Utah County Board of Commissioners as part of this optional plan shall be reapportioned by a majority of the Utah County Board of Commissioners within one year after the 2020 census report.

3.e. Each member of the Utah County Council is entitled to receive \$20,000 in annual stipend, and shall not be entitled to any of the standard employment benefits offered to other Utah county employees and officials. Adjustments to the Council's compensation shall be in accordance with state statute and Utah County Code.

3.f. The Utah County Council may override the Mayor's veto with the vote of 75% of a quorum of the Council within 21 calendar days of the date of receipt of the written notice of the veto by the Utah County Mayor.

3.g. The Utah County Council shall adopt a final budget in accordance with state statute.

3.h. Advise and consent to Mayoral appointments where such advice and consent is authorized by this Optional Plan or by state statute.

TITLE FOUR – TRANSITION TO THE OPTIONAL PLAN

4.a. If, during the November 3, 2020 election, a majority of voters in Utah County vote in favor of adopting the Option Plan:

4.a.i. The Officers of Utah County Mayor and Utah County Council members shall be elected during the 2022 general election in accordance with this Optional Plan and state statute, and

4.a.ii. This Optional Plan will become effective at noon on Monday the 2nd of January 2023, which is the first Monday in January following the election of officers under this optional form of government, and, as of said date and time, the offices of Utah County Commissioner shall terminate. For the avoidance of doubt, if this Optional Plan is approved by the voters, then the individual elected to Seat C of the County Commission at the November 3, 2020 election will only serve a two-year term.

4.b. To ensure the continuity of Utah County government through the transition to the Optional Plan, all Utah County ordinances and regulations, not inconsistent with the terms of this Optional Plan, and pending legislative, administrative, or judicial proceedings shall continue in force and effect until modified in accordance with state statute.

4.c. There are no interim or temporary appointments made herein. Should the Utah County Board of Commissioners, prior to the effective date of this Optional Plan, or the Utah County Council, or where applicable the Utah County Mayor, after the effective date of this Optional

Plan, desire to make any interim or temporary appointments to facilitate the operation and effectiveness of this Optional Plan, such appointments may be made by action of the majority of the respective body and in accordance with state statute and Utah County Code.

4.d. There are no budget appropriations or adjustments made herein. Should the Utah County Board of Commissioners, prior to the effective date of the this Optional Plan, or the Utah County Council, after the effective date of this Optional Plan, desire to prepare, approve, or adjust necessary budget appropriations to facilitate the operation and effectiveness of this Optional Plan, such budgetary adjustments or appropriations may be made by action of the majority of the respective body and in accordance with state statute and the Utah County Code.

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