

**BLUFFDALE CITY  
RESOLUTION No. 2006-39**

**A RESOLUTION REGARDING THE INTENT, INTERPRETATION, AND  
APPLICATION OF ORDINANCE NOS. 2006-06 AND 2006-07**

**WHEREAS**, the City Council of Bluffdale City serves as the governing body of the municipality in accordance with Utah Code Section 10-3-101(1)(a);

**WHEREAS**, the legislative and executive powers of Bluffdale City are vested in the City Council in accordance with Utah Code Section 10-3-101(1)(b);

**WHEREAS**, the City Council of Bluffdale City, acting as the municipality's governing body, adopted Ordinance Nos. 2006-06 and 2006-07 in order to prescribe rules and regulations that it deems best for the efficient administration, organization, conduct, and business of the municipality;

**WHEREAS**, the passage of Ordinance Nos. 2006-06 and 2006-07 has resulted in some confusion regarding the City Council's exercise of its executive and administrative powers; and,

**WHEREAS**, the City Council wishes to clarify the meaning and application of Ordinance Nos. 2006-06 and 2006-07.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY  
OF BLUFFDALE, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The governing body of Bluffdale City is a six-member council form of government in accordance with Utah Code Section 10-3-101(1)(a)(ii). Nothing in Ordinance Nos. 2006-06 and 2006-07 is intended or shall be construed as changing Bluffdale City's form of government within the meaning of Utah Code Section 10-3-1201 *et seq.*

**Section 2.** In accordance with Utah Code Section 10-3-101(1)(a)(ii), the mayor of Bluffdale City serves as a member of the six-member council and votes only in circumstances as defined by state law. The mayor may also exercise ceremonial and administrative functions as defined by Utah's Municipal Code. Nothing in Ordinance Nos. 2006-06 and 2006-07 is intended or shall operate to rescind the powers reserved to the mayor by applicable state law.

**Section 3.** Ordinance Nos. 2006-06 and 2006-07 preserve Bluffdale City's six-member council form of government. Ordinance Nos. 2006-06 and 2006-07 exercise the prerogative granted by Utah Code Section 10-3-830 for the governing body of a municipality operating under Utah Code Section 10-3-101(1)(a)(ii) to appoint a City Manager by ordinance.

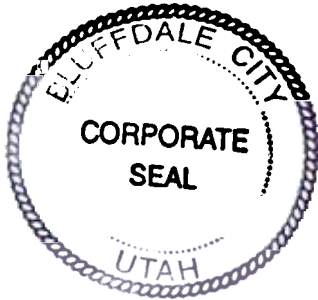
**Section 4.** Nothing in Ordinance Nos. 2006-06 and 2006-07 should be construed or shall operate to delegate to the City Manager any powers or authority expressly reserved by state law for either the mayor or the governing body of Bluffdale City.

**Section 5.** Ordinance Nos. 2006-06 and 2006-07 should be construed and shall operate to delegate to the City Manager all administrative and executive duties except those expressly reserved by applicable state law to the mayor, city council, or governing body of Bluffdale City.

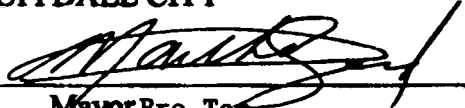
**Section 6.** The appointment of Brent Bluth to serve as City Manager is affirmed. The appointment of any future City Manager shall be performed as defined in Utah Code Section 10-3-830(1). The City Manager shall serve as the chief administrative officer for Bluffdale City.

**Section 7.** This Resolution shall become effective immediately upon its passage.

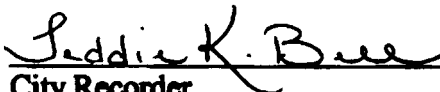
**PASSED AND ADOPTED BY THE CITY COUNCIL OF BLUFFDALE CITY, STATE OF UTAH, THIS 2<sup>ND</sup> DAY OF OCTOBER, 2006**



BLUFFDALE CITY

By:   
Mayor Pro Tem

Attest:

  
City Recorder

Voting by City Council	Aye	Nay
Councilman Briggs	absent	
Councilman Maxwell	X	
Councilmember Speed	X	
Councilmember Lord	X	
Councilman Kelley	X	