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To: Hildale City Mayor and Council  
From: City Manager Eric Duthie  
Date: February 7, 2022  
Re: Memo concerning Elected Official service on Boards and Commissions

During the recent City Council Retreat it was determined that the Boards and Commissions authorized by the City of Hildale should be advisory only. Currently, the Joint Utility Board consists of members appointed by Mayors of both Hildale and Colorado City. Three of those joint appointments are filled by sitting City Council members, in addition to their elected Council role (2 Hildale, 1 Colorado City). As such, it is recommended these positions be vacated and filled by reappointment of non-city elected officials, as the Utility Board has exercised decision making authority for funds, projects, and utilities distribution. Exercising such authority can undermine the appeals process offered for objection to any exercised Board Authority to the City Council.

Additionally, the Chair of the Hildale Planning and Zoning Commission was recently elected to the City Council and understands the potential conflict in serving on both the Board and City Council. This Council member has offered names for replacement appointment to the Mayor, as is the recognized practice and in compliance with the City Code.

Should this recommendation be approved, Council Member Seay, Dutson, and Holm shall resign from one of the two positions, either Councilmember, or Utility Board/Zoning Commission.

This memo serves to memorialize that discussion and allow Council to take formal action.

#### Sec 31-40 City Organization

The city organization shall be divided into such offices, departments, divisions, boards, or committees as the city manager shall determine appropriate with the advice and consent of the city council.

#### “Appointment And Terms Of Office:

... Commission (*and Board*) members shall be appointed by the Mayor with the advice and consent of the City Council.”

The following suggested motion is provided:

I move that all Boards and Commissions shall be advisory only, and no city elected official shall serve simultaneously on any recognized Board or Commission or must resign their City elected official position.

**Mayor: Donia Jessop**

**Councilmembers: Lawrence Barlow, JVar Dutson, Brigham Holm, Terrill Musser, Stacy Seay**

**City Manager: Eric Duthie**