NOTICE AND AGENDA
BRIGHAM CITY COUNCIL MEETING
Thursday, December 4, 2025 5:00 PM
City Council Chambers, 20 North Main
To View Live Meeting Visit:
https://www.bcutah.gov/mayor-and-city-council.htm **or**
www.youtube.com/brighamcitycorp

5:00 WORK SESSION ON CODE UPDATES

6:00 REGULAR COUNCIL MEETING
Thought, Reading, or Invocation: Bishop Thomas Rust, Brigham City Mountain View Ward
Pledge of Allegiance

6:03 CONSENT
1. Approval of November 18, 2025 Election Canvass and November 20, 2025 City Council Meeting Minutes
2. Approval For Updates To Employee Policy & Procedures Chapter 9 – Full Time Employee Benefits, Regarding Leave Payout Calculations

6:05 EMPLOYEE RECOGNITION
1. New Hire in Public Works

6:07 PUBLIC HEARING *(Items may be brought to a vote following the public hearing as deemed necessary)*
1. Consideration Of Resolution For The Creation Of Avian Shores Public Infrastructure District As An Independent District, Authorizing and Approving A Governing Document, Appointing A Board Of Trustees, and Authorizing Other Documents In Connection Therewith; and Related Matters – Aaron Wade, Gilmore Bell

6:20 PUBLIC COMMENTS [1] *(Per Utah Code, Council will receive input only, no decision can be made)*

6:25 COUNCILMEMBER COMMENTS

6:30 ACTION ITEMS
1. Consideration of Updating Recreation Fee Resolution To Include Soccer Programming Fees – Chris Horsley and Sammy Oberg

6:45 CONSIDERATION TO ENTER A CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY, PENDING OR REASONABLY IMMINENT LITIGATION, OR THE CHARACTER, PROFESSIONAL COMPETENCE, CYBER SECURITY, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

Assigned times may vary depending on length of discussion or agenda alteration. In compliance with the Americans with Disabilities Act, individuals needing special accommodations should notify the City Recorder (435-734-6621) at least 48 hours in advance of the meeting. City Council members may participate in council meetings electronically. Public is welcome to join the meeting in person at City Hall or to view the meeting electronically at the link above.

CERTIFICATE OF POSTING
The undersigned duly appointed City Recorder does hereby certify that the above notice and agenda was posted in three public places within the Brigham City limits. A copy was also provided to the Box Elder News Journal and posted on the City website and the State Public Meeting Notice website on November 26, 2025.

Kristina Rasmussen, City Recorder

[1] Each individual is limited to three minutes. Total input period is limited to 15 minutes.

SPECIAL MEETING
OF THE BRIGHAM CITY COUNCIL
TO CANVASS THE 2025 GENERAL ELECTION
November 18, 2025
12:00 PM

PRESENT:	DJ Bott	Mayor
	Ryan Smith	Councilmember
	Dave Hipp	Councilmember
	Matt Jensen	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Kristina Rasmussen	City Recorder/Election Officer
	Tom Cooper	Power Director
	Tom Kotter	Finance Director
EXCUSED:	Dave Jeffries	Councilmember

Mayor Bott called the meeting to order at 12:00 p.m.

The Brigham City Council, as the Canvassing Board of Brigham City, met to conduct a canvass of returns from the 2025 General Election held on November 4th, 2025.

Ms. Rasmussen distributed to each Councilmember a complete copy of the election results and Mayor Bott read the report into record. He reported there were 10,172 registered voters and 3,231 ballots cast, for a percentage voted of 31.76%. There were 9 provisional ballots counted.

	Number of Votes
Philip Zieseniss	1,463
Christine E. Nielson	1,414
Matthew Jensen	1,532
Ryan D Smith	1,511
Dennis J. Bott	2,402

Mayor Bott stated the two candidates for City Council are Matthew Jensen and Ryan D Smith and Mayor is Dennis J Bott. Candidates will be appointed in January. The official results are attached to these minutes.

> **MOTION:** A motion to approve the canvass as presented was made by Councilmember Hipp, seconded by Councilmember Troxell, and carried unanimously. Councilmember Smith, aye; Councilmember Jensen, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

At 12:04 p.m. the meeting adjourned.

MOTION: Councilmember Smith made a motion to adjourn. The motion was seconded by Councilmember Jensen and carried unanimously.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the November 18, 2025 City Council Meeting.

Dated this 8th day of December 2025.

_____

Kristina Rasmussen, City Recorder/Election Officer

BRIGHAM CITY

CERTIFICATION OF ELECTION

The undersigned duly elected officials of Brigham City Corporation, meeting as a Board of Canvassers for Brigham City, Utah, hereby certify that the attached tabulation is declared to be the official results of the General Election held in Brigham City, Utah on November 4, 2025, as determined by an Official Canvass conducted in a special City Council meeting duly called pursuant to Utah Code 20A-4-304 on November 18, 2025 at 12:00 p.m.

Dated this 18th day of November 2025.

DJ Bott, Mayor

Dave Hipp, Councilmember

Matthew Jensen, Councilmember

Ryan Smith, Councilmember

Robin Troxell, Councilmember

Kristina Rasmussen, Recorder/Election Officer

2025 MUNICIPAL GENERAL ELECTION
BRIGHAM CITY

Active registered voters:	10,172
Total ballots cast:	3231
Total percentage voted:	31.76
Ballots counted on election night:	2851
Percentage counted on election night:	28.03
Ballots received after November 4, 2025, 8:00 p.m. and not counted:	17

There were 9 voted provisional ballots counted.

PROVISIONAL BALLOT REPORT

Provisional ballots counted:	9

COUNTY CLERK STATE SEAL OF UTAH BOX ELDER COUNTY

Maria R. Young
Box Elder County Clerk/Election Officer

Statistics

	TOTAL
Registered Voters - Total	10,172
Ballots Cast - Total	3,231
Voter Turnout - Total	31.76%

Brigham City Mayor

Vote For 1

	TOTAL
* DENNIS JAMES BOTT	2,402
Total Votes Cast	**2,402**
Contest Totals	3,231

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	1,463
CHRISTINE E. NIELSON	1,414
* MATTHEW JENSEN	1,532
* RYAN D SMITH	1,511
Total Votes Cast	**5,920**
Contest Totals	6,462



BRIGHAM CITY 01

Statistics

	TOTAL
Registered Voters - Total	496
Voter Turnout - Total	23.99%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	101
Total Votes Cast	**101**
Contest Totals	119

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	74
CHRISTINE E. NIELSON	48
MATTHEW JENSEN	50
RYAN D SMITH	45
Total Votes Cast	**217**
Contest Totals	238

BRIGHAM CITY 02

Statistics

	TOTAL
Registered Voters - Total	798
Voter Turnout - Total	31.33%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	203
Total Votes Cast	**203**
Contest Totals	250

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	124
CHRISTINE E. NIELSON	113
MATTHEW JENSEN	115
RYAN D SMITH	106
Total Votes Cast	**458**
Contest Totals	500

BRIGHAM CITY 03

Statistics

	TOTAL
Registered Voters - Total	678
Voter Turnout - Total	29.65%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	145
Total Votes Cast	**145**
Contest Totals	201

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	112
CHRISTINE E. NIELSON	107
MATTHEW JENSEN	74
RYAN D SMITH	69
Total Votes Cast	**362**
Contest Totals	402

BRIGHAM CITY 04

Statistics

	TOTAL
Registered Voters - Total	585
Voter Turnout - Total	23.42%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	94
Total Votes Cast	**94**
Contest Totals	137

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	82
CHRISTINE E. NIELSON	67
MATTHEW JENSEN	51
RYAN D SMITH	55
Total Votes Cast	**255**
Contest Totals	274

BRIGHAM CITY 05

Statistics

	TOTAL
Registered Voters - Total	499
Voter Turnout - Total	31.86%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	107
Total Votes Cast	**107**
Contest Totals	159

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	63
CHRISTINE E. NIELSON	78
MATTHEW JENSEN	80
RYAN D SMITH	70
Total Votes Cast	**291**
Contest Totals	318

BRIGHAM CITY 06

Statistics

	TOTAL
Registered Voters - Total	1,058
Voter Turnout - Total	37.05%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	281
Total Votes Cast	**281**
Contest Totals	392

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	146
CHRISTINE E. NIELSON	142
MATTHEW JENSEN	250
RYAN D SMITH	185
Total Votes Cast	**723**
Contest Totals	784

BRIGHAM CITY 07

Statistics

	TOTAL
Registered Voters - Total	858
Voter Turnout - Total	33.33%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	227
Total Votes Cast	**227**
Contest Totals	286

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	116
CHRISTINE E. NIELSON	155
MATTHEW JENSEN	119
RYAN D SMITH	137
Total Votes Cast	**527**
Contest Totals	572

BRIGHAM CITY 08

Statistics

	TOTAL
Registered Voters - Total	695
Voter Turnout - Total	29.78%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	139
Total Votes Cast	**139**
Contest Totals	207

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	107
CHRISTINE E. NIELSON	89
MATTHEW JENSEN	105
RYAN D SMITH	81
Total Votes Cast	**382**
Contest Totals	414

BRIGHAM CITY 09

Statistics

	TOTAL
Registered Voters - Total	371
Voter Turnout - Total	29.65%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	79
Total Votes Cast	**79**
Contest Totals	110

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	40
CHRISTINE E. NIELSON	39
MATTHEW JENSEN	45
RYAN D SMITH	69
Total Votes Cast	**193**
Contest Totals	220

BRIGHAM CITY 10

Statistics

	TOTAL
Registered Voters - Total	850
Voter Turnout - Total	36.00%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	232
Total Votes Cast	**232**
Contest Totals	306

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	160
CHRISTINE E. NIELSON	120
MATTHEW JENSEN	135
RYAN D SMITH	151
Total Votes Cast	**566**
Contest Totals	612

BRIGHAM CITY 11

Statistics

	TOTAL
Registered Voters - Total	357
Voter Turnout - Total	39.22%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	102
Total Votes Cast	**102**
Contest Totals	140

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	60
CHRISTINE E. NIELSON	57
MATTHEW JENSEN	75
RYAN D SMITH	67
Total Votes Cast	**259**
Contest Totals	280

BRIGHAM CITY 12

Statistics

	TOTAL
Registered Voters - Total	784
Voter Turnout - Total	31.89%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	177
Total Votes Cast	**177**
Contest Totals	250

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	127
CHRISTINE E. NIELSON	122
MATTHEW JENSEN	107
RYAN D SMITH	108
Total Votes Cast	**464**
Contest Totals	500

BRIGHAM CITY 13

Statistics

	TOTAL
Registered Voters - Total	561
Voter Turnout - Total	28.88%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	120
Total Votes Cast	**120**
Contest Totals	162

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	80
CHRISTINE E. NIELSON	69
MATTHEW JENSEN	75
RYAN D SMITH	73
Total Votes Cast	**297**
Contest Totals	324

BRIGHAM CITY 14

Statistics

	TOTAL
Registered Voters - Total	812
Voter Turnout - Total	28.33%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	184
Total Votes Cast	**184**
Contest Totals	230

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	82
CHRISTINE E. NIELSON	113
MATTHEW JENSEN	114
RYAN D SMITH	104
Total Votes Cast	**413**
Contest Totals	460

BRIGHAM CITY 15

Statistics

	TOTAL
Registered Voters - Total	770
Voter Turnout - Total	36.62%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	211
Total Votes Cast	**211**
Contest Totals	282

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	90
CHRISTINE E. NIELSON	95
MATTHEW JENSEN	137
RYAN D SMITH	191
Total Votes Cast	**513**
Contest Totals	564

Box Elder County Provisional Ballot Summary

11/12/25

Counted		45
Not Counted	Wrong Precinct	2
	Counted	**45**
	Not Counted	**2**

PROVISIONAL BALLOT SUMMARY

STATUS	REASON	PRECINCT	POLLING LOCATION
Counted		02BC02	Box Elder County Clerk's Office
Counted		02BC02	USU Brigham City
Counted		02BC06	USU Brigham City
Counted		02BC06	USU Brigham City
Counted		02BC07	USU Brigham City
Counted		02BC07	USU Brigham City
Counted		02BC12	USU Brigham City
Counted		02BC14	Box Elder County Clerk's Office
Counted		02BC14	USU Brigham City
Counted		02DEWY:M	Box Elder County Farirgrounds
Counted		02ELWD:M	Elwood Town Hall
Counted		02ELWD:M	Elwood Town Hall
Counted		02ELWD:M	Elwood Town Hall
Counted		02ELWD:M	Elwood Town Hall
Counted		02ELWD:M	Elwood Town Hall
Not Counted	Wrong Precinct	02FLD2	Box Elder County Clerk's Office
Not Counted	Wrong Precinct	02FLD2	Box Elder County Farirgrounds
Counted		02GAR1:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
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Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02GAR2:M	Box Elder County Farirgrounds
Counted		02HNY2	Honeyville City Offices
Counted		02HNY2	Honeyville City Offices
Counted		02HNY2	Honeyville City Offices
Counted		02HNY2	Honeyville City Offices
Counted		02PER1:M	USU Brigham City
Counted		02PER2	USU Brigham City
Counted		02PER3	USU Brigham City
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02PLYM:M	Plymouth Town Hall
Counted		02TRE1	Box Elder County Farirgrounds
Counted		02TRE3	Box Elder County Farirgrounds
Counted		02TRE4	Box Elder County Farirgrounds

Box Elder County Canvass Statistics

November 4, 2025

Section 1 - Ballot Statistics

1A	37.0%	Voter Turnout
1B	25258	Active voters (Official Numbers Thursday before Election Day)
1C	8955	Number of counted ballots (Mail or Drop Box)
1D	345	Number of counted ballots (In-person)
1E	7	Number of ballots that were returned electronically (UOCAVA/disability)
1F	45	Number of counted ballots (Provisional)
1G	9352	Total number of ballots counted
1H	Yes	Does total ballots counted match the number of voters given vote history in VISTA
1I		If no, what is the difference
1L	Explain:	

Section 2: Challenged and Uncounted Ballot Statistics

2A	52	Number of envelopes with a signature that does not match the voter's signature
2B	28	Number of unsigned envelopes
2C	4	Number of challenged ballots for other curable reasons
2D	146	Total number of ballots that were challenged (cured and not cured combined)
2E	84	Total number of curable that were not cured
2F	57.5%	Percentage of ballots that were not cured
2G	1	Total number of ballots where the voter submitted a disability affidavit*

Section 3: Rejected ballot statistics (ballots that cannot be cured)

3A	82	Number of ballots that were returned after the postmark deadline
3B	0	Number of ballots rejected for other non-curable reasons
3C	82	Total number of rejected that were not curable
3D		Percentage of ballots that were returned as undeliverable

Section 4: Provisional ballot statistics

4A	47	Number of provisional ballots issued
4B	45	Number of provisional ballots counted
4C	2	Total Number of provisional ballots not counted
4D		Already Voted
4E		Insufficient ID
4F		Unsigned
4G		Incomplete Form
4H	2	Other (Not in municipal boundary)
4I	95.7%	Percentage of provisionals that were counted
4J	12	Number of provisional ballots that are same-day registration

Section 5: County Clerk Certification

Marla Young

I certify that the information contained in this report is true and accurate.
This report must be sent to elections@utah.gov upon completion of the canvass

Statistics

	TOTAL
Registered Voters - Total	10,172
Ballots Cast - Total	2,851
Voter Turnout - Total	28.03%

Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	2,150
Total Votes Cast	**2,150**
Contest Totals	2,851

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	1,270
CHRISTINE E. NIELSON	1,231
MATTHEW JENSEN	1,378
RYAN D SMITH	1,336
Total Votes Cast	**5,215**
Contest Totals	5,702

2025 Canvass - Municipal Audit Certification Report

City: Mantua Town / Garland City Election: Municipal General Date and time of audit: 11-10-2025 2:00pm

Post Election Ballot Audit Summary

1. Number of paper ballots processed: 9348
2. Number of ballots audited: 255
3. List the contests on the ballot that were audited:

Mantua Mayor
Mantua Town Council

Garland Mayor
Garland Town Council

Were there any differences in votes between the original hand count and the audit hand counted?

___Yes X No *(*If YES, please attach an explanation of any inconsistencies)*

Explain:

Municipal Recorder/Clerk Certification – to be completed before the canvass

X Yes ___ No I certify that the audit described above was conducted according to the audit policy. This includes ensuring that all election workers and auditors completed the required training, were sworn in, and that each auditor signed an affidavit created by the clerk for the work they audited.

X Yes ___ No I certify that I have reviewed the number of vote histories recorded in VISTA and they closely match the number of ballots counted in my county during this election. This number should be zero, or close to zero. Corrections should be made to ballots or voter records PRIOR to canvassing results.

Number of ballots counted: 9348

Number of vote histories: 9348

Difference: 0

Explain any differences:

X Yes ___ No I certify that I have properly maintained chain of custody controls as outlined in 20A-3a-401.1 and Rule 623-8.

County Clerk Signature: Derk Young **Date:** Nov. 10, 2025

2025 MUNICIPAL GENERAL ELECTION AUDIT

Date: November 10, 2025

Time: 2:00

Races Audited:

Mantua Mayor
Mantua Council
Garland Mayor
Garland Council

Audit Results:

Results matched

Each auditor took the oath of office and completed all necessary training for the process being audited under 20A-1-107.

Auditor: Cynthia Nelson

Auditor: Shanna L Johnson

Auditor: Kori A. Purdum

Auditor: _____

Auditor: _____

2025 MUNICIPAL ELECTION AUDIT
November 10, 2025

Voter Credit (Mark's Report)	9348
Ballots Counted	9226
Ballots Still in Process	122

Cured:	59
Provisional:	45
Need Replicated:	11
UOCAVA:	7



Signature Audits

Election: General Mun '25

Date	Batch #	Absentee ID	Does Signature Match	Audit Team Initials	
10-22	1	1001375	✓		SM
10-22	1	1008864	✓		SM
10-24	11	1004608	✓		SM
10-24	11	1328947	✓		SM
10-29	14	2150429	✓		SM
10-29	14	1009176	✓		SM
10-29	16	1028205	✓		SM
10-29	16	1022804	✓		SM
11-3	6	1969051	✓	SM	
11-3	6	1001094	✓	SM	
11-3	9	1008160	✓	SM	
11-3	9	2417766	✓	SM	
11-3	19	1864499	✓	SM	
11-3	19	1004805	✓	SM	
11-4	25	1032625	✓		SM
11-4	25	60182650	✓		SM
11-4	21	1010979	✓		SM
11-4	21	1397997	✓		SM
11-4	22	25451645	✓		SM
11-4	22	1006203	✓		SM
11-4	15	60952695	✓	SM	
11-4	35	1024885	✓		SM
11-4	35	31623842	✓		SM
11-4	8	1008904	✓		SM
11-4	8	1018339	✓		SM

Signature Audits

Election: 2025 Municipal General

Date	Batch #	Absentee ID	Does Signature Match	Audit Team Initials	
11-4	32	2831517	✓		
11-4	32	2459219	✓		
11-4	36	1002287	✓		
11-4	36	1007969	✓		
11-4	12	1003912	✓		
11-4	33	1478955	✓		
11-4	33	1478954	✓		
11-4	34	1019695	✓		
11-4	34	5951459	✓		
11-4	42	5894725	✓		
11-4	42	6005492	✓		
11-4	40	1003110	✓		
11-4	40	1015873	✓		
11-4	48	1024242	✓		
11-4	46	2424210	✓		
11-4	46	1021585	✓		
11-4	43	1445701	✓		
11-4	43	10151088	✓		
11-4	50	1028728	✓		

Signature Audits

Election: Municipal General 2025 Nov

Date	Batch #	Absentee ID	Does Signature Match	Audit Team Initials	
11-4	31	3235138	yes	SW	JM
11-4	31	1778567	yes	SW	JM
11-4	7	3568276	Yes	SW	JM
11-4	7	1021591	Yes	SW	JM
11-4	17	1003245	Yes	SW	JM
11-4	17	1007903	Yes	SW	JM
11-4	24	1091837	Yes	SW	JM
11-4	24	4427770	Yes	SW	JM
11-4	37	5515860	yes	SW	JM
11-4	37	2014239	yes	SW	JM
11-4	44	1027736	Yes	SW	JM
11-4	44	5100479	Yes	SW	JM
11-4	38	2882631	Yes	SW	JM
11-4	38	6044500	Yes	SW	JM
11-4	45	2623374	Yes	SW	JM
11-4	47	2322972	Yes	SW	JM
11-4	49	5875947	Yes	SW	JM
11-4	49	3077104	Yes	SW	JM
11-4	51	4117788	Yes	SW	

Signature Audits

Election: Municipal General 2025 Nov

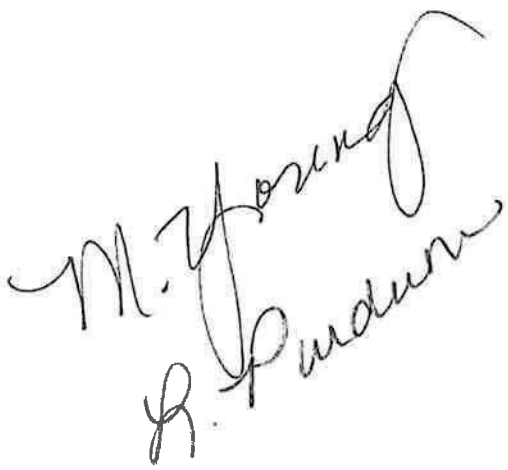
Date	Batch #	Absentee ID	Does Signature Match	Audit Team Initials	
10-22-25	2	1014142	Yes	SW	JM
10-22	2	1002072	Yes	SW	JM
10-22	5	1013006	Yes	SW	JM
10-22	5	1014652	Yes	SW	JM
10-24	10	1001840	Yes	SW	JM
10-24	10	55000655	Yes	SW	JM
10-24	13	1734268	Yes	SW	JM
10-24	13	1008943	Yes	SW	JM
10-29	18	827878	Yes	SW	JM
10-29	18	1998339	Yes	SW	JM
10-29	20	1009992	Yes	SW	JM
10-29	20	1001779	Yes	SW	JM
11-3	3	1004096	Yes	SW	JM
11-3	3	1025790	Yes	SW	JM
11-3	4	1025924	Yes	SW	JM
11-3	4	1009016	Yes	SW	JM
11-3	26	6008950	Yes	SW	JM
11-3	26	3440317	Yes	SW	JM
11-3	25	2210173	Yes	SW	JM
11-3	25	7222173	Yes	SW	JM
11-4	28	1337231	Yes	SW	JM
11-4	28	1515066	Yes	SW	JM
11-4	29	2804717	Yes	SW	JM
11-4	29	1000681	Yes	SW	JM

Summary Results Report
Municipal General Election
November 4, 2025

UNOFFICIAL RESULTS
Zero Report
Box Elder County, Utah

STATISTICS

	TOTAL
Registered Voters - Total	25,258
Voter Turnout - Total	0.00%



Brigham City Mayor

Vote For 1

	TOTAL
DENNIS JAMES BOTT	0
Total Votes Cast	**0**
Contest Totals	0

Brigham City Council

Vote For 2

	TOTAL
PHILIP ZIESENISS	0
CHRISTINE E. NIELSON	0
MATTHEW JENSEN	0
RYAN D SMITH	0
Total Votes Cast	**0**
Contest Totals	0

Deweyville Town Mayor

Vote For 1

	TOTAL
CRAIG AHLMER BURBANK	0
CURTIS G WHITEFORD	0
Total Votes Cast	**0**
Contest Totals	0

Deweyville Town Council

Vote For 2

	TOTAL
NATHAN PAUL SPACKMAN	0
MELANIE W HUNSAKER	0
Total Votes Cast	**0**
Contest Totals	0

Elwood Town Mayor

Vote For 1

	TOTAL
ISAAC J WALKER	0
SCOTT L. GOODLIFFE	0
Total Votes Cast	**0**
Contest Totals	0

Elwood Town Council

Vote For 2

	TOTAL
MICHAEL BETOURNAY	0
PHILLIP SHIMEK	0
SHERRI S PALI	0
BRIAN R DAVIS	0
Total Votes Cast	**0**
Contest Totals	0

Garland City Mayor

Vote For 1

	TOTAL
LINDA BOURNE	0
DANIEL NOLAN AUSTIN	0
Total Votes Cast	**0**
Contest Totals	0

Garland City Council

Vote For 2

	TOTAL
JEANETTE ATKINSON	0
JOHN LOSEE	0
JON POWELL	0
JAMES RICHARD HALL	0
Total Votes Cast	**0**
Contest Totals	0

Honeyville City Mayor

Vote For 1

	TOTAL
BRUCE F NELSON	0
Total Votes Cast	**0**
Contest Totals	0

Honeyville City Council

Vote For 2

	TOTAL
DUSTIN BINGHAM	0
KAMERIE ANDERSON	0
Total Votes Cast	**0**
Contest Totals	0

Honeyville City Council (Two Year Term)

Vote For 1

	TOTAL
CORY DALE BINGHAM	0
CODEY ROBERT ILLUM	0
Total Votes Cast	**0**
Contest Totals	0

Howell Town Mayor

Vote For 1

	TOTAL
BRUCE A MORRIS	0
BRADLY LAWRENCE HAWKES	0
Total Votes Cast	**0**
Contest Totals	0

Howell Town Council

Vote For 2

	TOTAL
KIMI LARAY RINDERKNECHT	0
MCKENZIE NICOLE SORENSEN	0
DREW ALAN SORENSEN	0
ARTHUR LOUIS DOUGLAS	0
Total Votes Cast	**0**
Contest Totals	0

Mantua Town Mayor

Vote For 1

	TOTAL
JUSTIN BROWN	0
ANNETTE ASH	0
Total Votes Cast	**0**
Contest Totals	0

Mantua Town Council

Vote For 2

	TOTAL
CHERYL BURGAN	0
SCOTT ROSS	0
TED H. JEPPSEN	0
DAVID ORNELAS	0
Total Votes Cast	**0**
Contest Totals	0

Perry City Mayor

Vote For 1

	TOTAL
KEVIN G JEPPSEN	0
Total Votes Cast	**0**
Contest Totals	0

Perry City Council

Vote For 2

	TOTAL
DAVE WALKER	0
KATIE REED	0
ASHLEY MALAN YOUNG	0
Total Votes Cast	**0**
Contest Totals	0

Plymouth Town Mayor

Vote For 1

	TOTAL
WENDI LOU BARKER	0
CURTIS DEAN MURRAY	0
Total Votes Cast	**0**
Contest Totals	0

Plymouth Town Council

Vote For 2

	TOTAL
KENTON M BRAEGGER	0
JARRIE BUXTON	0
JOSHUA DEAN STAHELI	0
Total Votes Cast	**0**
Contest Totals	0

Tremonton City Mayor

Vote For 1

	TOTAL
BRET G. ROHDE	0
LYLE N HOLMGREN	0
Total Votes Cast	**0**
Contest Totals	0

Tremonton City Council

Vote For 2

	TOTAL
BRYAN BOLINGBROKE	0
BRENT ROBERT JEX	0
BEAU LEWIS	0
BRANDON VONK	0
Total Votes Cast	**0**
Contest Totals	0

Tremonton City Council (Two Year Term)

Vote For 2

	TOTAL
KRISTIE BOWCUTT	0
WESLEY ESTEP	0
JAMI POPPLETON	0
SHARRI OYLER	0
Total Votes Cast	**0**
Contest Totals	0

Willard City Mayor

Vote For 1

	TOTAL
TRAVIS EARLE MOTE	0
Total Votes Cast	**0**
Contest Totals	0

Willard City Council

Vote For 2

	TOTAL
MICHAEL WAYNE BRAEGGER	0
RODNEY BRYCE MUND	0
ALEX E DUBOVIK	0
Total Votes Cast	**0**
Contest Totals	0

major
RT
KR
TC
MJ
DH
RS
TK

DH - RT

REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
NOVEMBER 20, 2025
6:00 p.m.

PRESENT:	DJ Bott	Mayor
	Dave Hipp	Councilmember
	Dave Jeffries	Councilmember
	Matthew Jensen	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Tom Cooper	Power Director
	Nicole Cottle	City Attorney - *Via Zoom*
	Tom Kotter	Finance Director
	Derek Oyler	City Administrator
	Jeremy Poppleton	Assistant Fire Chief
	Tyler Pugsley	Assistant City Administrator
	Kristina Rasmussen	City Recorder
	Chief Reyes	Police Chief
	Casey Smith	Power Superintendent

Mayor Bott called the meeting to order at 6:00 p.m. The invocation was offered by Bishop Alan Cochran – Brigham City 25th Ward. The Pledge of Allegiance followed.

CONSENT AGENDA

Mayor Bott introduced two consent items:

1. Approval of the November 6, 2025, City Council Meeting Minutes.
2. Approval to write off utility accounts totaling $8,792.12 due to being sent to collections.

Councilmember Hipp made a motion to approve the consent item as presented. Councilmember Jensen seconded the motion. The vote was unanimous in favor.

EMPLOYEE RECOGNITION

Mayor Bott turned the time over to Assistant Fire Chief Poppleton for promotions in the Fire Department for Battalion Chief Dustin Yates, Captain Doug Higgins and Firefighter/Paramedic Camden Oswald. The Oath of Office was administered.

Assistant Chief Poppleton first invited Battalion Chief Dustin Yates to join him. He explained that Battalion Chief Yates had been with Brigham City for approximately twenty years. Poppleton stated that Yates assumed the rank of Battalion Chief on October 1st and commended Yates for stepping strongly into the leadership role.

He then invited Captain Doug Higgins to the front and explained that Higgins had been with the department for nine years and was officially promoted to Captain on October 1st. He described the captain role as fundamental to department operations, particularly in providing supervision, mentorship, and leadership among crews.

Next, Poppleton invited Paramedic Camden Oswald to step forward. He explained that Oswald had completed the paramedic program in mid-August and had since been serving in that role. He described

the paramedic designation as demanding and essential, requiring advanced skill, knowledge, and a strong commitment to patient care.

PUBLIC HEARING

Consideration of Resolution Amending FY 2025-26 Budget

Mr. Kotter reviewed the first budget item: creation of a journeyman meterman position. He invited Power Superintendent Casey Smith, who explained that the department's aging metering system and rapid growth require a dedicated specialist. Substation crews are currently spending more than half their time on metering—outside of their core duties—which impacts maintenance of major assets.

Mr. Smith emphasized that accurate CT meters are essential for proper billing and system reliability. Many CTs are aging or wired incorrectly, and early testing found wiring problems at three of four commercial locations reviewed by an outside meterman—capturing only about two-thirds of actual usage. A dedicated meterman would handle testing, repairs, CT installation, troubleshooting, and manage non-pay disconnects.

Mr. Kotter stated the personnel cost for the remainder of the year is approximately $135,000, plus a vehicle, which is expected to cost about $42,000. He noted the position should pay for itself by improving metering accuracy, and clarified it is not a meter reader role; AMI handles reads. Council asked whether CTs could cause over-billing; staff confirmed the more common issue is under-billing.

After presenting the journeyman meterman request, Finance Director Tom Kotter introduced the second part of the proposed budget amendment: additional funds related to Brigham City's proposed transition from the Box Elder Communication Center to the Weber Area Dispatch 911 and Emergency Services District. He reviewed the funding model, explaining that Weber Dispatch is a separate taxing district with a fixed rate of 0.000163, which—when applied to Brigham City's taxable value—equals approximately $340,000 annually. Because Brigham City had already budgeted $250,000 in anticipation of future dispatch costs, the amendment requested $90,000 more, to be funded from interest income.

Police Chief Chad Reyes and Assistant Fire Chief Poppleton provided a joint explanation of why the transition is being proposed and why public safety personnel overwhelmingly support the move. Their remarks focused on four key themes:

1. Longstanding Concerns With Current Dispatch Operations

Chief Reyes explained that during his four years in Brigham City—and Fire Chief Thueson's five—public safety leadership has repeatedly asked the Box Elder Communication Center (run by Utah DPS) to modernize protocols, adopt national best practices, and correct persistent operational deficiencies. Examples include:

- Failure to consistently run the caller's phone number for associated address/name history.
- Difficulty implementing two-officer response protocols requested by Brigham City.
- Inconsistent call-handling practices compared to modern dispatch standards.

He stated that despite multiple meetings with DPS leadership and statewide dispatch administrators, many of Brigham City's concerns have "fallen on deaf ears."

Chief Reyes described two major events that pushed the issue to the forefront:

a. Dispatch server outage - Earlier in the year, the Box Elder dispatch servers failed, forcing local agencies onto pen-and-paper dispatching for nearly two weeks. Weber and Logan dispatch centers offered immediate help, but their assistance was declined by state dispatch, leaving Box Elder operating manually.

b. The Tremonton tragedy - the fatal shooting of two police officers in Tremonton created renewed urgency. Chief Reyes stated he was not placing blame on dispatch, but emphasized that several of the issues Brigham had repeatedly requested improvements on—such as multi-officer response expectations and faster information sharing—were still unresolved at the time of the incident.

3. Weber Dispatch Capacity & Operational Advantages

Chief Reyes said Brigham City met with Weber Area Dispatch administrators, who conducted a call-volume analysis and confirmed sufficient capacity on Weber's North Channel, which historically has lower call volume.

He highlighted the benefits of Weber's model:

- Alignment with national best practices for call-taking and dispatch protocols.
- Modern procedures better suited to high-risk calls such as domestics and mental-health emergencies.
- Better quality control, more robust supervision, and higher staffing levels.
- Stronger interoperability with Morgan and Weber agencies, all of which operate within the same district model.

4. Mutual Aid, Call Transfers & CAD-to-CAD Integration

Chief Reyes acknowledged concerns raised by councilmembers about mutual aid coordination, cross-jurisdiction incidents, and call-transfer delays. He addressed these in detail:

Mutual aid

- Brigham City radios can scan Box Elder channels, meaning Brigham officers will still hear nearby agency activity.
- If Box Elder needs Brigham's help, Box Elder dispatch can notify Weber dispatch, or use regional channels to request assistance.

Call transfers

- Some transferred calls are unavoidable, such as incidents near city borders (e.g., Walmart property line shared with Perry).
- Utah is implementing a statewide CAD-to-CAD system expected to significantly reduce delays by automatically forwarding call data from one center to another.
- Although the CAD-to-CAD rollout is not complete, Weber dispatch leadership believes it will be operational "within a month or two."

A motion to open the public hearing was made by Councilmember Jensen and seconded by Councilmember Jeffries. The motion passed unanimously.

Dale Smith - Questioned whether dispatch costs may continue escalating after the first year. He also suggested the City should allow the State more time to address its dispatch problems.

He expressed concern that agencies like Highway Patrol may not be able to monitor multiple channels without reprogramming, potentially delaying response and stated that "30 seconds can make a difference" in emergencies.

Brian Smith - shared a recent high-risk incident in Perry and multiple officers from various agencies responded rapidly because they were all on the same channel. He expressed concern that:

- Under Weber dispatch, Brigham officers may not have been notified as quickly.

- The current CAD-to-CAD system is not yet functioning reliably.
- Mutual aid might be delayed until Weber passes the call to Box Elder.
- Citizens and officers should be more aware of the potential change before it is finalized.

Councilmember Hipp made a motion to close the public hearing. Seconded by Councilmember Smith and passed unanimously.

Council had a few clarifying questions for Chief Reyes and Assistant Chief Poppleton which were clarified below.

Service level for residents
Chief Reyes emphasized:

- Residents will still dial 911 as usual.
- Weber dispatch will answer Brigham calls immediately.
- Service quality is expected to increase due to stronger protocols.

Example of recent misrouted domestic call
Chief Reyes described a call from last week where Box Elder dispatch sent officers to the wrong home based only on GPS "ping," even though the caller's number had a long documented history at a different address. He stated this failure to run caller history is *precisely* the type of deficiency Brigham has asked to remedy for years.

Dispatching only one officer
Council asked whether Box Elder dispatch routinely dispatches only one officer to domestics.
Chief Reyes confirmed Brigham has repeatedly requested two-officer domestic responses as a safety measure, but Box Elder dispatch still often assigns only one and then calls for backup. This practice is inconsistent with national best practice standards.

Cost stability
City Administrator Derek Oyler clarified that dispatch costs are based on a fixed tax rate, not arbitrary fee increases. Brigham City's costs will change only if its taxable value changes, just as they do for Weber and Morgan residents.

> **Motion:** Councilmember Hipp moved to approve the resolution amending the FY 2025–26 Brigham City budget as presented including funding for the journeyman meterman position and the additional dispatch funding associated with the proposed move to Weber Area Dispatch. Seconded by Councilmember Troxell.

> **Roll Call:**
> Councilmember Hipp – Aye; Councilmember Jensen – Aye; Councilmember Smith – Aye; Councilmember Troxell– Aye; Councilmember Jeffries – Aye

ACTION ITEM

The Mayor then moved to Action Item 1, consideration of the interlocal agreement with Weber Area Dispatch 911 and Emergency Services District, noting that much of the substantive discussion had already taken place during the public hearing and subsequent questions.

Staff confirmed that the interlocal agreement was included in the council packet and had already been reviewed and unanimously approved by the Weber dispatch governing board.

- **Motion:** Councilmember Smith moved to approve the interlocal agreement between Brigham City and Weber Area Dispatch 911 and Emergency Services District for dispatch services. Seconded by Councilmember Jensen.

  Roll Call:
  Councilmember Hipp – Aye; Councilmember Jensen – Aye; Councilmember Smith – Aye; Councilmember Troxell– Aye; Councilmember Jeffries – Aye

Stormwater Management Plan

Public Works Director Tyler Pugsley explained that the City is required to hold two public hearings per year to allow residents the opportunity to comment on the Stormwater Management Plan.

Tyler thanked his staff for their ongoing work and dedication in meeting the State's evolving stormwater regulations. He explained that stormwater management requirements continue to increase, and he expressed appreciation for the highly trained staff who ensure the City remains compliant.

Councilmembers briefly discussed the importance of stormwater management, with one councilmember sharing that stormwater education was one of their first assignments on the City Council and noting the value of residents helping keep gutters and drains clear of debris. The councilmember commented that simple neighborhood maintenance can significantly reduce storm-related costs. Tyler agreed, emphasizing that public awareness is a key component of the program and that residents serve as an important second set of eyes. He also reminded the Council that mandatory annual stormwater training is required for all staff and elected officials.

Councilmember Jensen made a motion to open the public hearing specific to the Stormwater Management Plan. Seconded by Councilmember Hipp and approved unanimously.

No public comments were offered.

Councilmember Jensen made a motion to close the public hearing. Seconded by Councilmember Jeffries. No action was required on this public hearing.

PUBLIC COMMENT

Alexis Rowley spoke on behalf of 67 residents who signed a petition titled *"Protect Our Land and Water: Prevent Permit Approval for a Nuclear Power Plant in Brigham City, Utah."* She expressed concerns about earthquake risk, limited water resources, and encouraged the City to pursue geothermal or hydrogen alternatives. She asked the Council to deny any nuclear-related permit applications.

Ian Harding expressed support for the proposed nuclear project. He stated that modern small modular reactors are significantly safer than older designs and noted potential economic benefits, including substantial job creation.

Dan Taylor shared mixed feelings about the nuclear proposal. While supportive of the technology, he expressed concern about the impact of an estimated 1,300 incoming workers. He also:

- Requested permanent solar radar speed signs on 5th West
- Expressed concern about the appearance of new City vehicles during a time of rising resident costs
- Requested reopening the recycling center on Saturdays

COUNCILMEMBER COMMENTS

Councilmember Troxell attended BRAG Human Services and CADVA meetings. She recognized the critical work these organizations perform across Box Elder and Cache Counties, especially with shrinking budgets. She suggested the City consider hosting informational presentations from companies involved in the nuclear proposal.

Councilmember Smith attended a Box Elder County Economic Development meeting and noted preparations for the March business summit. He thanked residents for participating in the recent municipal election and for his re-election. He also attended a Habitat for Humanity fundraising dinner.

Councilmember Hipp thanked residents who spoke during public comment and encouraged additional community participation.

Mayor Bott thanked Ms. Rowley for gathering 67 signatures in just a few days. He asked her to return to a future meeting with information on nuclear plants across the U.S. and surrounding population data. He explained he has reviewed similar information but believes it would be beneficial for the petition group to research it as well.

CITY ADMINISTRATOR UPDATE

City Administrator Derek Oyler provided updates on two major infrastructure projects:

- **Penstock Replacement Project:** Secondary water will be shut off beginning this week or early next week to continue the second year of the replacement project in the canyon.
- **Forest Street Bridge Construction:** Girders are being installed this week, reflecting significant progress.

Mr. Oyler addressed a public comment regarding green waste site Saturday closures, clarifying that no public survey was conducted. Instead, the schedule was adjusted based on six and a half years of usage data, consistently showing low winter Saturday usage. The schedule was reviewed and approved by the Council two years ago.

He also reviewed Brigham City's wholesale power portfolio, noting the City's active pursuit of diverse resources. Through UAMPS, Brigham City participates in:

- Two geothermal projects
- Two natural gas projects
- A solar + battery project
- A natural gas burn-off resource

The City also receives hydropower and has existing wind investments. The recent nuclear announcement represents an additional resource under evaluation.

DISCUSSION ITEMS

Presentation of Library Usage and Services

Ian Harding, Tiffany Bollingham, and Library Director Elizabeth Schow gave the presentation.

Ian Harding reported increased library usage, circulation, and program attendance. He highlighted the value of the library's digital resources, including the Chilton automotive database and various online learning programs.

Tiffany Bollingham emphasized the popularity of Libby, Universal Class, CreativeBug, EBSCO, and Learning Express.

Elizabeth Schow reviewed program growth, including a successful Summer Reading Program, new book clubs, and well-attended activities such as Lego Club and the Read With Porter therapy dog program. She also highlighted special events, including local-scapes classes, ghost-hunting programs, and author visits. The library is purchasing additional materials on modern nuclear technology in response to community interest.

Public Infrastructure District for Avian Shores

Mr. Oyler introduced the item, explaining that the City received a certified application for a Public Infrastructure District for the Avian Shores development. He reminded the Council that the zoning for the area was approved two weeks earlier and that the PID discussion was expected to follow. He then turned the time over to attorney Aaron Wade, who joined remotely to give a brief overview.

Aaron explained that a PID is a special district created by the City at the request of 100% of the property owners, used to finance public infrastructure within its boundaries. He clarified that PIDs can levy property taxes or assessments, but those charges apply only inside the PID area—and in this case, the land is vacant, so the future residents would be the ones paying. Assessments, if used, must be paid off before a homeowner takes title, while the PID tax would continue until the bonds are paid off. He also noted that board members are initially appointed by the City but eventually transition to residents through elections.

When asked about the purpose of the board after infrastructure is built, Aaron explained that the board makes decisions about bond refinancing, tax-rate adjustments, audits, and similar limited functions—typically just a few meetings per year.

Councilmember Jensen asked about consent requirements. Aaron confirmed that formation, tax-bond issuance, and any increase in the tax rate require 100% property-owner consent, while other amendments require a majority vote of the board.

Mr. Oyler then reviewed the project costs. Engineers estimate roughly $26 million in public infrastructure, most of which relates to major regional improvements such as 1200 West, a new regional lift station, and associated water, power, and trail systems. He emphasized that these are off-site, city-scale improvements, not typical subdivision streets.

Key points noted by staff and legal counsel:

- Approx. $9,500 per lot at closing + a PID property tax levy for the life of the bonds.
- Full disclosures would be provided to homebuyers.
- Once the bonds are paid off, the PID dissolves and the levy disappears.
- The Council has full authority to lower the allowed mill rate if it chooses.
- With recent changes to state law, the PID board can become self-appointing, and doing so helps keep the PID from being classified as a City "component unit" in audits.
- The application proposes a 3-member initial board: Boyd Cook, Garth Day, and Clay Jensen.

The Council briefly discussed whether the City should reappoint the PID board every four years or simply appoint the initial board and allow the board to self-manage from that point forward. Councilmembers indicated they preferred a one-and-done appointment, letting the board transition on its own as allowed under the new statute.

The developer also clarified that the PID does not cover local subdivision costs—they still must install all local roads and utilities—but rather funds the large regional corridors that benefit the broader area. He stressed that without a PID, those improvements would be difficult to finance.

The discussion concluded with the reminder that the full PID application and detailed financial documents will be included in the December 4 council packet, when the public hearing and potential action will take place.

At 8:15 PM Councilmember Jensen made a motion to adjourn into closed session to discuss real property. The motion was seconded by Councilmember Smith and carried out unanimously.

Councilmember Troxell – Aye; Councilmember Jeffries – Aye; Councilmember Jensen – Aye; Councilmember Hipp – Aye; Councilmember Smith – Aye

At 8:49 PM the meeting returned to open session. Councilmember Jensen made a motion to adjourn. The motion was seconded by Councilmember Hipp and carried out unanimously.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the November 20, 2025 City Council Meeting.

Dated this 8th of December, 2025.

_____

Kristina Rasmussen, City Recorder

BRIGHAM CITY
AGENDA ITEM FOR CITY COUNCIL MEETING

1. INITIATED BY: Angie Johnsen

2. DEPARTMENT OR DIVISION: Human Resource

3. DATE INITIATED: 11/14/25

4. BRIEF EXPLANATION OF PROPOSED ACTION (ATTACH OTHER DOCUMENTATION AS NECESSARY):

   Concil consent on updated changes to Employee Policy & Procedures Chapter 9 - Full-Time Employee Benefits, regarding leave payout calculations.

5. ESTIMATED TIME NEEDED: 5 min

6. PROPOSED DATE FOR COUNCIL ACTION: 12/4/2025

7. EXPLANATION OF DEADLINE, IF APPLICABLE:

8. REVIEW

Date	Name	Signature	Attachment
11/17/25	Angie Johnsen	Angie Johnsen	

9. MAYOR'S SIGNATURE: _____

BRIGHAM CITY

CITY ATTORNEY
LEGAL DOCUMENT REVIEW

Document Name: Employee Policy & Procedures: Chapter 9 - Full-Time Employee Benefits (9.2 - 9.3)

Name of Person Requesting Legal Review: Angie Johnsen

Date Sent: 11/25/2025 Review Date Deadline: 11/26/2025

Reviewed by Attorney: _____ Date: 11/25/25

☒ Reviewed and acceptable as submitted

☐ See suggested changes:

Returned to: Angie Johnsen Date: 11/25/25

☒ Accepted as Received

Submitted to Mayor's Office By: Angie Johnsen Date: 11/25/2025

Reviewed by Mayor's Office: _____
Derek Oyler, City Administrator

CHAPTER 9 FULL-TIME EMPLOYEE BENEFITS

9-2 Annual Leave

The City provides annual leave for each full-time employee, which may be taken after the employee has completed the probationary period or six months employment whichever is less. Annual leave is accrued bi-weekly.

Leave time for new full-time employees may be negotiated at the time of hire, based on approval by the City Administrator and Human Resources.

Maximum Accrual: A total of 240 hours (360 hours for 48/96 shifts) may be carried over into the next year. All unused annual leave in excess of 240 hours (360 hours for 48/96 shifts) will be paid out pursuant to the "Payout" paragraph below.

Benefit: The City provides annual leave for each full-time employee based on the following schedule:

1 year:	10 days per year or 3.08 hours per pay period
3 years:	12 days per year or 3.70 hours per pay period
5 years:	14 days per year or 4.31 hours per pay period
7 years:	16 days per year or 4.93 hours per pay period
10 years:	18 days per year or 5.54 hours per pay period
15 years:	20 days per year or 6.16 hours per pay period
Appointed Positions:	20 days per year or 6.16 hours per pay period

Annual leave accrual for full-time positions budgeted for less than 40 hours per week will be prorated.

Annual leave for fire personnel working 48/96 shifts will be based on the following schedule:

1 year:	5 days per year or 4.62 hours per pay period
3 years:	6 days per year or 5.54 hours per pay period
5 years:	7 days per year or 6.47 hours per pay period
7 years:	8 days per year or 7.39 hours per pay period
10 years:	9 days per year or 8.31 hours per pay period
15 years:	10 days per year or 9.24 hours per pay period

Pre-approval of annual leave is required Department heads/supervisors may approve annual leave upon consideration of the needs of the City, the seasonal workload experience of each organization, and the employees' wishes. Conflicts in employee scheduling will be resolved by the supervisor with consideration given for seniority. The manner of requesting leave may be determined by departmental policy.

Official annual leave records will be maintained and kept current by posting at least once per month by the Payroll Coordinator.

Annual leave usage will be reported by the employee using timecards.

Payout: Prior to the last pay period in May and/or the last pay period in November of each calendar year, public employees with 120 hours of leave time or fire employees on a 48/96 accrual schedule with 192 hours of leave time may elect by notifying the Payroll Coordinator in writing one of the following options so long as the request would not result in the employee dropping below the 120 hour / 192 hour leave time minimum:

Lump Sum: Employees may receive a 100% payout of annual leave for any hours over 120 hours of leave time; or

Retirement: Employees may convert any unused annual leave over 120 hours to a payment into the employee's 401K/457 retirement account or Health Savings Account; or

Combination: Employees may choose one or a combination of any of the above-mentioned options.

Default: Failure to notify the Payroll Coordinator by the last pay period in November will result in the employee being paid under the lump sum option for any hours over the maximum accrual amounts specified above.

Hardship: Employees may request a hardship payout of leave time with the approval of the City Administrator and the Mayor; however, the 120-hour carryover requirement must still be met.

Upon separation of employment employees are eligible for 100% reimbursement of any remaining annual leave. Not applicable during the probationary period.

9-3 Personal Leave

Personal leave benefit plan year begins in each calendar year on the first day of the first pay period for the year. Under this plan paid personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or disability, or an event that qualifies under the FMLA, a personal leave request is subject to supervisory approval based on the operational requirements of the City.

Maximum Accrual: A maximum of 80 hours of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the planned year in excess of 80 shall be converted as described in the schedule above.

Benefit: Each Full-Time employee under this plan shall be awarded 3.08 personal leave hours per pay period (80 hours per year). 40 hours available when employment begins.

Fire personnel working 48/96 shifts shall be awarded 4.62 personal leave hours per pay period (120 hours per year). 60 hours available when employment begins.

Personal leave accrual for full-time positions budgeted for less than 40 hours per week will be prorated.

Conversion Formula: Personal leave hours shall be converted to fifty percent (50%) of each full personal leave hour and shall be paid at the employee's hourly base wage rate in effect on the date of conversion, up to a maximum of 40 converted personal leave hours (80 personal leave hours X 50% = 40 converted personal leave hours). In the event of an on-duty death, the family of the deceased employee will be entitled to 100% of the employee's acquired personal leave up to 80 hours.

Payout: Prior to the last pay period in November in each calendar year, public employees with a minimum of 40 hours of personal leave and fire employees on a 48/96 schedule with a minimum of 60 hours of personal leave so long as the request will not result in employees dropping below 40 or 60 hours of personal leave may elect by notifying the Payroll Coordinator in writing to:

Lump Sum: Employees may convert as specified in the conversion formula any unused personal leave hours available at the end of the calendar year to a lump sum payment,

Carryover: Employees may carry over to the next calendar year up to 80 hours for public employees and 120 hours for fire employees on a 48/96 schedule of unused personal leave hours, or

Retirement: Employees may convert as specified in conversion formula any unused personal leave hours to a payment to be paid into the employee's respective 401K/457 retirement account, Health Safety Account, or

Combination: Employees may choose one or a combination of any of the above-mentioned options.

Default: Failure to notify the Payroll Coordinator will result in employees being paid under the lump sum option.

Record Management: Official records will be maintained by the Finance Director or designee and will be kept by posting at least once a month. A departmental report of personal leave hours used and personal leave hours available will be submitted to the supervisor each month and personal leave accrual will also appear on the employee's paycheck.

Earned Benefits: At termination of employment for any reason, accumulated unused personal leave hours shall be paid to the employee. Not applicable during the probationary period.

Conditions on Use of Personal Leave: The following are the conditions for use of personal leave.

- Except in unforeseen circumstances, such as emergencies or the employee's inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide their supervisor with reasonable prior notice to allow time for the supervisors to make arrangements necessary to cover the employee's work.

- For leave due to unforeseen circumstances, employees must give their supervisors as much prior notice as possible, preferably within fifteen minutes after the normal start time of each date of absence unless directed by the supervisor. Continual unforeseen circumstances claimed leave may be cause for disciplinary action.

CHAPTER 9 FULL-TIME EMPLOYEE BENEFITS

9-2 Annual Leave

The City provides annual leave for each full-time employee, which may be taken after the employee has completed the probationary period or six months employment whichever is less. Annual leave is accrued bi-weekly.

Leave time for new full-time employees may be negotiated at the time of hire, based on approval by the City Administrator and Human Resources.

Maximum Accrual: ~~.~~ A total of 240 hours (360 hours for 48/96 shifts) may be carried over into the next year. All unused annual leave in excess of 240 hours (360 hours for 48/96 shifts) will be paid out pursuant to the "Payout" paragraph below.

Benefit~~s~~: The City provides annual leave for each full-time employee based on the following schedule:

1 year:	10 days per year or 3.08 hours per pay period
3 years:	12 days per year or 3.70 hours per pay period
5 years:	14 days per year or 4.31 hours per pay period
7 years:	16 days per year or 4.93 hours per pay period
10 years:	18 days per year or 5.54 hours per pay period
15 years:	20 days per year or 6.16 hours per pay period
Appointed Positions:	20 days per year or 6.16 hours per pay period

Annual leave accrual for full-time positions budgeted for less than 40 hours per week will be prorated.

Annual leave for fire personnel working 48/96 shifts will be based on the following schedule:

1 year:	5 days per year or 4.62 hours per pay period
3 years:	6 days per year or 5.54 hours per pay period
5 years:	7 days per year or 6.47 hours per pay period
7 years:	8 days per year or 7.39 hours per pay period
10 years:	9 days per year or 8.31 hours per pay period
15 years:	10 days per year or 9.24 hours per pay period

Pre-approval of annual leave is required ~~and must be requested in writing directed to the employee's supervisor/department head, if possible, 14 days prior to the requested annual leave.~~ Department heads/supervisors may approve annual leave upon consideration of the needs of the City, the seasonal workload experience of each organization, and the employees' wishes. Conflicts in employee scheduling will be resolved by the supervisor with consideration given for seniority. The manner of requesting leave may be determined by departmental policy.

Official annual leave records will be maintained and kept current by posting at least once per month by the Payroll Coordinator.

Annual leave usage will be reported by the employee using timecards.

Payout:~~,~~ ~~No later than~~ Prior to the last pay period in May and/or the last pay period in November of each calendar year, public employees with 120 hours of leave time or fire employees on a 48/96 accrual schedule with 192 hours of leave time ~~employees~~ may elect by notifying the Payroll Coordinator in writing one of the following options so long as the request would not result in the employee dropping bellow the 120 hour / 192 hour leave time minimum:

Lump Sum: An employee may choose to receive a 100% payout of annual leave for any hours over 120 hours of leave time; or

Retirement: An employee may convert any unused annual leave over 120 hours to a payment into the employee's 401K/457 retirement account or Health Savings Account; or

Combination~~.~~: An employee may choose one or a combination of any of the above-mentioned options.

Default~~.~~: Failure to notify~~ing~~ the Payroll Coordinator by the last pay period in November will result in the employee being paid under the lump sum option for any hours over the maximum accrual amounts specified above.

Hardship:~~.~~ Employees may request a hardship payout of leave time with the approval of the City Administrator and the Mayor; however, the 120-hour carryover requirement must still be met.

Upon separation of employment employees are eligible for 100% reimbursement of any remaining annual leave. Not applicable during the probationary period.

9-3 Personal Leave

Personal leave benefit plan year begins in each calendar year on the first day of the first pay period for the year. Under this plan paid personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or disability, or an event that qualifies under the FMLA, a personal leave request is subject to supervisory approval based on the operational requirements of the City.

Maximum Accrual:~~.~~ A maximum of 80 hours of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the planned year in excess of 80 shall be converted as described in the schedule above.

Benefit:. Each Full-Time employee under this plan shall be awarded 3.08 personal leave hours per pay period (80 hours per year). 40 hours available when employment begins.

Fire personnel working 48/96 shifts shall be awarded 4.62 personal leave hours per pay

period (120 hours per year). 60 hours available when employment begins.

Personal leave accrual for full-time positions budgeted for less than 40 hours per week will be prorated.

Conversion Formula: Personal leave hours shall be converted to fifty percent (50%) of each full personal leave hour and shall be paid at the employee's hourly base wage rate in effect on the date of conversion, up to a maximum of 40 converted personal leave hours (80 personal leave hours X 50% = 40 converted personal leave hours). In the event of an on-duty death, the family of the deceased employee will be entitled to 100% of the employee's acquired personal leave up to 80 hours.

Payout: Prior to the last pay period in November in each calendar year, public employees with a minimum of 40 hours of personal leave and fire employees on a 48/96 schedule with a minimum of 60 hours of personal leave so long as the request will not result in employees dropping below 40 or 60 hours of personal leave may elect by notifying the Payroll Coordinator in writing to:

~~No later than November 30th in each calendar year, employees may elect by notifying the Payroll Coordinator in writing to:~~

Lump sum: An employee can convert as specified in Conversion Formula any unused personal leave hours available at the end of the calendar year to a lump sum payment, ~~(in order to receive a lump sum payment, the employee must maintain 40 hours of personal leave; or~~

Carryover: An employee may carry over to the next calendar year up to 80 hours for public employees and 120 hours for fire employees on a 48/96 schedule of unused personal leave hours, or

Retirement: An employee may convert as specified in Conversion Formula any unused personal leave hours to a payment to be paid into the employee's respective 401K/457 retirement account, Health Safety Account, or

Combination: An employee may choose one or a combination of any of the above-mentioned options.

Default: Failure to notify the Payroll Coordinator will result in employees being paid under the lump sum option.

Record Management: Official records will be maintained by the Finance Director or ~~his~~ designee and will be kept by posting at least once a month. A departmental report of personal leave hours used and personal leave hours available will be submitted to the supervisor each month and personal leave accrual will also appear on the employee's paycheck.

Earned Benefits: At termination of employment for any reason, accumulated unused personal leave hours shall be paid to the employee. Not applicable during the probationary period.

Conditions on Use of Personal Leave: The following are the conditions for use of personal leave.

- Except in unforeseen circumstances, such as emergencies or the employee's inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide their supervisor with reasonable prior notice to allow time for the supervisors to make arrangements necessary to cover the employee's work.

- For leave due to unforeseen circumstances, employees must give their supervisors as much prior notice as possible, preferably within fifteen minutes after the normal start time of each date of absence unless directed by the supervisor. Continual unforeseen circumstances claimed leave may be cause for disciplinary action.

BRIGHAM CITY
AGENDA ITEM FOR CITY COUNCIL MEETING

1. INITIATED BY: Angie Johnsen

2. DEPARTMENT OR DIVISION: Human Resources

3. DATE INITIATED: November 25, 2025

4. BRIEF EXPLANATION OF PROPOSED ACTION (ATTACH OTHER DOCUMENTATION AS NECESSARY):

   New Hires:

   Kaylor Golightly - Part-time
   Wastewater Grounds Maintenance

5. ESTIMATED TIME NEEDED: 3 minutes

6. PROPOSED DATE FOR COUNCIL ACTION: December 04, 2025

7. EXPLANATION OF DEADLINE, IF APPLICABLE:

8. REVIEW

Date	Name	Signature	Attachment
November 25, 2025	Angie Johnsen	eSigned via GovOS.com Angie Johnsen Key: 32352fea-712B 4d35 b69a a3d90f6adefe	

9. MAYOR'S SIGNATURE: eSigned via GovOS.com D J Bott Key: 805b6e0c-e6b3-440c-bdc0-270811b4e8b2c

BRIGHAM CITY
AGENDA ITEM FOR CITY COUNCIL MEETING

1. INITIATED BY: Applicant

2. DEPARTMENT OR DIVISION: Community & Economic Development

3. DATE INITIATED: November 5, 2025

4. BRIEF EXPLANATION OF PROPOSED ACTION (ATTACH OTHER DOCUMENTATION AS NECESSARY):

   Consideration of Resolution for the creation of Avian Shores Public Infrastructure District as an independent district, Authorizing and approving a governing document, appointing a board of trustees, and authorizing other documents in connection therewith; and related matters

5. ESTIMATED TIME NEEDED: 10 Minutes

6. PROPOSED DATE FOR COUNCIL ACTION: December 4, 2025

7. EXPLANATION OF DEADLINE, IF APPLICABLE:

8. REVIEW

Date	Name	Signature	Attachment
11.18.2025	Nicole Cottle		

9. MAYOR'S SIGNATURE:

BRIGHAM CITY

CITY ATTORNEY
LEGAL DOCUMENT REVIEW

Document Name: Resolution for the creation of Avian Shores Public Infrastructure District

Name of Person Requesting Legal Review: Kristina Rasmussen

Date Sent: 11.18.2025 Review Date Deadline: 11.20.2025

Reviewed by Attorney: _____ Date: 11/25/25

☒ Reviewed and acceptable as submitted

☐ See suggested changes:

Returned to: Kristina Rasmussen Date: 11/25/25

☐ Accepted as Received

Submitted to Mayor's Office By: _____ Date: _____

Reviewed by Mayor's Office: _____
Derek Oyler, City Administrator

Brigham, Utah

December 4, 2025

The City Council (the "Council") of Brigham City, Utah (the "City"), met in regular session (including by electronic means) on December 4, 2025, at its regular meeting place in Brigham, Utah at 6:00 p.m., with the following members of the Council being present:

DJ Bott	Mayor
Robin Troxell	Councilmember
Mathew Jensen	Councilmember
Ryan Smith	Councilmember
Dave Hipp	Councilmember
Dave Jefferies	Councilmember

Also present:

Kristina Rasmussen	City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 4, 2025, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, read in full and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____ adopted by the following vote:

AYE:

NAY:

The resolution was later signed by the Mayor and recorded by the City Recorder in the official records of the City. The resolution is as follows:

RESOLUTION -25-_____

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF BRIGHAM CITY, UTAH (THE "CITY"), PROVIDING FOR THE CREATION OF AVIAN SHORES PUBLIC INFRASTRUCTURE DISTRICT (THE "DISTRICT") AS AN INDEPENDENT DISTRICT; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT; APPOINTING A BOARD OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the City requesting adoption by resolution of the creation of a Public Infrastructure District pursuant to the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953, as amended (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the "Act") within the City and the annexation or withdrawal of any portion of the boundaries of the District therefrom without further approval or hearings of the City or the Council, as further described in the Governing Document (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the City may create one or more public infrastructure district by adoption of a resolution of the Council and with consent of 100% of all surface property owners proposed to be included in the District (the "Property Owners"); and

WHEREAS, the Petition, containing the consent of such Property Owners has been certified by the Recorder of the City pursuant to the Act and it is in the best interests of the Property Owners that the creation of the District be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, the Council, prior to consideration of this Resolution, held a public hearing on December 4, 2025 to receive input from the public regarding the creation of the District and the Property Owners have waived the 60-day protest period pursuant to Section 17D-4-201 of the PID Act; and

WHEREAS, the hearing on the Petition was held at the Brigham City Council Chambers located at 20 N. Main Street Brigham City, UT 84032 because there is no reasonable place to hold a public hearing within the District's boundaries, and the hearing at the Brigham City Council Chambers was held as close to the proposed District's boundaries as reasonably possible and as allowed for by the Act; and

WHEREAS, the City properly published notice of the public hearing in compliance with Section 17B-1-211(1) of the Act; and

WHEREAS, none of the Property Owners submitted a withdrawal of consent to the creation of the District before the public hearing on the Petition; and

WHEREAS, according to attestations filed with the City, each board member appointed under this Resolution is registered to vote at their primary residence and is further eligible to serve

as a board member of the District under Section 17D-4-202(3)(c) of the PID Act because they are agents of property owners within the District's boundaries (as further set forth in the Petition); and

WHEREAS, it is necessary to authorize the creation of the District under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, the governance of the District shall be in accordance with the PID Act and the terms of a governing document (the "Governing Document") attached hereto as Exhibit B; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah for the District a Notice of Boundary Action attached hereto as Exhibit C (the "Boundary Notice") and Final Entity Plat attached to each as Boundary Notice Appendix B (or as shall be finalized in accordance with the boundaries approved hereunder) (the "Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and by officers of the Council directed towards the creation and establishment of the District, are hereby ratified, approved and confirmed.

2. The District is hereby created as a separate entity from the City in accordance with the Governing Document and the Act. The boundaries of the District shall be as set forth in the Governing Document and the Plat.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation or withdrawal of any area within the Annexation Area (as defined in the Governing Document) into or from the District, as applicable, without any further action, hearings, or resolutions of the Council or the City, upon compliance with the terms of the PID Act and the Governing Document.

4. The Council does hereby authorize the District to provide services relating to the financing and construction of public infrastructure within and without the Annexation Area upon annexation thereof into the District without further request of the District to the City to provide such service under Section 17B-1-407, Utah Code Annotated 1953 or resolutions of the City under Section 17B-1-408, Utah Code Annotated 1953.

5. It is hereby found and determined by the Council that the creation of the District is appropriate to the general welfare, order and security of the City, and the organization of the District pursuant to the PID Act is hereby approved.

6. The Governing Document in the form presented to this meeting and attached hereto as Exhibit B is hereby authorized and approved and the District shall be governed by the terms thereof and applicable law.

7. The Board of Trustee of the District (the "District Board") shall be initially composed of the same members. The initial Board of the District is hereby appointed as follows:

(a) Trustee 1 – Boyd Cook, for an initial 6-year term;

(b) Trustee 2 – Garth Day, for an initial 4-year term; and

(c) Trustee 3 – Clay Jensen, for an initial 6-year term.

Such terms shall commence on the date of issuance of a Certificate of Incorporation by the Office of the Lieutenant Governor of the State of Utah.

8. The Council does hereby authorize its Chair to execute the Boundary Notice in substantially the form attached as Exhibit C, the Plats, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Council for submission to the Office of the Lieutenant Governor of the State of Utah.

9. Prior to recordation of the certificate of incorporation for the District, the Council does hereby authorize its Chair or the City Attorney to make any corrections, deletions, or additions to the Governing Document and the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

11. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

12. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

13. This Resolution shall take effect immediately.

APPROVED AND ADOPTED by the City Council of Brigham City, Utah, this 4th day of December, 2025.

BRIGHAM CITY, UTAH

By:_____
Mayor

ATTEST:

By:_____
City Recorder

(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting of the Council of the City adjourned.

By:_____
Mayor

ATTEST:

By:_____
City Recorder

STATE OF UTAH)
: ss.
COUNTY OF BOX ELDER)

I, Kristina Rasmussen, the undersigned duly qualified and acting City Recorder of Brigham City, Utah (the "City"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council (the "Council"), had and taken at a lawful meeting of the Council on December 4, 2025, commencing at the hour of 6:00 p.m., as recorded in the regular official book of the proceedings of the Council kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this December 4, 2025.

By:_____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kristina Rasmussen, the undersigned City Recorder of Brigham City, Utah (the "City"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the "Council") on December 4, 2025, not less than twenty-four (24) hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (http://pmn.utah.gov) at least twenty-four (24) hours prior to the convening of the meeting; and

(c) causing a copy of such notice, in the form attached hereto as Schedule 1 to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2025 Annual Meeting Schedule for the Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the City to be held during the year, by causing said Notice to be posted at least annually (a) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (b) on the City's official website and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 4, 2025.

By:_____
City Recorder

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

NOTICE AND AGENDA
BRIGHAM CITY COUNCIL MEETING
Thursday, December 4, 2025 5:00 PM
City Council Chambers, 20 North Main
To View Live Meeting Visit:
https://www.bcutah.gov/mayor-and-city-council.htm or
www.youtube.com/brighamcitycorp

5:00 WORK SESSION ON CODE UPDATES

6:00 REGULAR COUNCIL MEETING
Thought, Reading, or Invocation: Bishop Thomas Rust, Brigham City Mountain View Ward
Pledge of Allegiance

6:03 CONSENT
1. Approval of November 18, 2025 Election Canvass and November 20, 2025 City Council Meeting Minutes
2. Approval For Updates To Employee Policy & Procedures Chapter 9 – Full Time Employee Benefits, Regarding Leave Payout Calculations

6:05 EMPLOYEE RECOGNITION
1. New Hire in Public Works

6:07 PUBLIC HEARING *(Items may be brought to a vote following the public hearing as deemed necessary)*
1. Consideration Of Resolution For The Creation Of Avian Shores Public Infrastructure District As An Independent District, Authorizing and Approving A Governing Document, Appointing A Board Of Trustees, and Authorizing Other Documents In Connection Therewith; and Related Matters – Aaron Wade, Gilmore Bell

6:20 PUBLIC COMMENTS [1] *(Per Utah Code, Council will receive input only, no decision can be made)*

6:25 COUNCILMEMBER COMMENTS

6:30 ACTION ITEMS
1. Consideration of Updating Recreation Fee Resolution To Include Soccer Programming Fees – Chris Horsley and Sammy Oberg

6:45 CONSIDERATION TO ENTER A CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY, PENDING OR REASONABLY IMMINENT LITIGATION, OR THE CHARACTER, PROFESSIONAL COMPETENCE, CYBER SECURITY, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

Assigned times may vary depending on length of discussion or agenda alteration. In compliance with the Americans with Disabilities Act, individuals needing special accommodations should notify the City Recorder (435-734-6621) at least 48 hours in advance of the meeting. City Council members may participate in council meetings electronically. Public is welcome to join the meeting in person at City Hall or to view the meeting electronically at the link above.

CERTIFICATE OF POSTING
The undersigned duly appointed City Recorder does hereby certify that the above notice and agenda was posted in three public places within the Brigham City limits. A copy was also provided to the Box Elder News Journal and posted on the City website and the State Public Meeting Notice website on November 26, 2025.

Kristina Rasmussen, City Recorder

[1] Each individual is limited to three minutes. Total input period is limited to 15 minutes.

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

BRIGHAM CITY

NOTICE OF THE
BRIGHAM CITY 2025 ANNUAL
MEETING SCHEDULE
FOR BOARDS AND COMMISSIONS

Board/Commission	Date Held	Time	Place of Meeting
Airport Advisory Board	As needed	2:00 p.m.	Council Chambers
Appeal Authority	2nd Wed, as needed	5:30 p.m.	Council Chambers
Council Meetings	1st and 3rd Thurs	6:00 p.m.	Council Chambers
Joint Advisory Board	2nd Tues, as needed	7:00 p.m.	Council Chambers
Library Board of Trustees	3rd Tuesday	7:00 p.m.	Library, Room 3
Planning Commission	1st and 3rd Tues	6:00 p.m.	Council Chambers
Redevelopment Agency	As needed	Immediately following Council meetings	Council Chambers

EXHIBIT B

GOVERNING DOCUMENT

GOVERNING DOCUMENT

FOR

AVIAN SHORES PUBLIC INFRASTRUCTURE DISTRICT

BRIGHAM CITY, UTAH

December 4, 2025

Prepared By:
Gilmore & Bell, P.C.
Salt Lake City, Utah

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I. INTRODUCTION

A. Purpose and Intent.

The District is an independent unit of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Governing Document, its activity is subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Governing Document. It is intended that the District will provide a part or all of the Public Improvements for the use and benefit of all anticipated property owners, residents, tenants, invitees, and taxpayers of the District. The primary purpose of the District will be to finance the construction of these Public Improvements. It is anticipated that the District will own certain improvements not otherwise required to be dedicated to the City or other applicable entity in accordance with the Approved Development Plan.

B. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction installation, relocation, redevelopment, and financing of the Public Improvements needed for the Project. Formation of the District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible.

C. Objective of the City Regarding District's Governing Document.

The City's objective in approving the Governing Document for the District is to authorize the District to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the District. All Debt is expected to be repaid by taxes imposed and collected for no longer than the Maximum Debt Mill Levy Imposition Term and at a tax mill levy no higher than the Maximum Debt Mill Levy and/or repaid by Assessments, Fees, or other legally available revenues. Debt which is issued within these parameters and, as further described in the Financial Plan, will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Governing Document is intended to establish a limited purpose for the District and explicit financial constraints that are not to be violated under any circumstances. The primary purpose for creating the District is to provide for the Public Improvements associated with development and regional needs.

It is the intent that the District dissolve upon payment or defeasance of all Debt incurred or upon a determination that adequate provision has been made for the payment of all Debt.

The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from Assessments, Fees, or from tax revenues collected from a mill levy which shall not exceed the Maximum Debt Mill Levy on taxable properties and which shall not exceed the Maximum Debt Mill Levy Imposition Term on taxable properties. The District is also

permitted to utilize other legally available revenues for the repayment of Debt. It is the intent of this Governing Document to assure to the extent possible that no taxable property bear an economic burden that is greater than that associated with the Maximum Debt Mill Levy in amount and that no taxable property bear an economic burden that is greater than that associated with the Maximum Debt Mill Levy Imposition Term in duration even under bankruptcy or other unusual situations. Generally, the cost of Public Improvements that cannot be funded within these parameters are not costs to be paid by the District.

II. DEFINITIONS

In this Governing Document, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Annexation Area Boundaries: means the boundaries of the area described in the Annexation Area Boundary Map and as particularly described in **Exhibit A** which have been approved by the City for annexation into or withdrawal from the District upon the meeting of certain requirements.

Annexation Area Boundary Map: means the map attached hereto as **Exhibit C**, describing the property proposed for annexation into the District.

Approved Development Agreement: means the Brigham City [Development Agreement] dated [_____], 202[_], by and between the City and [_____], as amended from time-to-time.

Assessment: means (1) the levy of an assessment secured by a lien on property within the District to pay for the costs of Public Improvements benefitting such property or (2) an assessment by the District levied on private property within such District to cover the costs of an energy efficient upgrade, a renewable energy system, or an electric vehicle charging infrastructure, each as may be levied pursuant to the Assessment Act.

Assessment Act: means collectively, (i) Title 11, Chapter 42, Utah Code as may be amended from time to time and (ii) the C-PACE Act.

Assessment Debt: means Bonds, for the payment of which the District has promised to collect Assessments.

Board: means the board of trustees of the District.

Bond, Bonds or Debt: means bonds or other obligations, including loans of any property owner, for the payment of which the District has promised to impose an ad valorem property tax mill levy, collect Assessments, and/or pledge any legally available revenues.

City: means Brigham City, Utah.

City Code: means the City Code of Brigham City, Utah.

City Council: means the City Council of Brigham City, Utah.

C-PACE Act: means Title 11, Chapter 42a of the Utah Code, as amended from time to time and any successor statute thereto.

C-PACE Bonds: means bonds, loans, notes, or other structures and obligations of the District issued pursuant to the C-PACE Act, including refunding C-PACE Bonds.

C-PACE Assessments: means assessments levied under the C-PACE Act.

District: means the Avian Shores Public Infrastructure District.

District Act: means the Special District Act and the PID Act.

District Area: means the property within the Initial District Boundary Map and the Annexation Area Boundary Map.

End User: means any owner, or tenant of any owner, of any taxable improvement within the District, who is intended to become burdened by the imposition of ad valorem property taxes subject to the Maximum Debt Mill Levy. By way of illustration, a resident homeowner, renter, commercial property owner, or commercial tenant is an End User. The business entity that constructs homes or commercial structures is not an End User.

Fees: means one or more fees imposed by the District for the payment of costs of administering the District, acquiring, improving, constructing, enlarging, or extending improvements, facilities, or property or issuing bonds and paying debt service on district bonds pursuant to Section 17D-4-302 of the PID Act or Section 17B-1-103(2)(j) of the Special District Act.

Financial Plan: means the Financial Plan described in Section IV which describes (i) the potential means whereby the Public Improvements may be financed; (ii) how the Debt is expected to be incurred; and (iii) the estimated operating revenue derived from property taxes for the first budget year.

General Obligation Debt: means a Debt that is directly payable from and secured by ad valorem property taxes that are levied by the District and does not include Limited Tax Debt.

Governing Document: means this Governing Document for the District approved by the City Council.

Governing Document Amendment: means an amendment to the Governing Document approved by the City Council in accordance with the City's ordinance and the applicable state law and approved by the Board in accordance with applicable state law.

Initial District Boundaries: means the boundaries of the area described in the Initial District Boundary Map and as particularly described in **Exhibit A**.

Initial District Boundary Map: means the map attached hereto as **Exhibit C**, describing the initial boundaries of the District.

Limited Tax Debt: means a debt that is directly payable from and secured by ad valorem property taxes that are levied by the District which may not exceed the Maximum Debt Mill Levy.

Maximum Debt Mill Levy: means the maximum mill levy the District is permitted to impose for payment of Debt as set forth in Section VII.C below.

Maximum Debt Mill Levy Imposition Term: means the maximum term for imposition of a mill levy for any given series of bonds as set forth in Section VII.D below.

Project: means, collectively, the development or properties commonly referred to as the Avian Shores master planned community.

PID Act: means Title 17D, Chapter 4 of the Utah Code, as amended from time to time and any successor statute thereto.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the District Area as determined by the Board, and includes Public Infrastructure and Improvements as defined in the PID Act.

Regional Improvements: means Public Improvements and facilities that benefit the District Area and which are to be financed pursuant to Section IV below.

Residential Homeowner: means the owner of residential property intended for owner occupation.

Special District Act: means Title 17B of the Utah Code, as amended from time to time and any successor statute thereto.

State: means the State of Utah.

Taxable Property: means real or personal property within the District Area subject to ad valorem taxes imposed by the District.

Trustee: means a member of the Board.

Utah Code: means the Utah Code Annotated 1953, as amended.

III. BOUNDARIES

The area of the Initial District Boundaries includes approximately 191.69 acres. The Annexation Area Boundaries includes approximately 253.63 acres, and includes the Initial District Boundaries. A legal description of the Initial District Boundaries and the Annexation Area Boundaries is attached hereto as **Exhibit A**. A vicinity map is attached hereto as **Exhibit B**. A map of the Initial District Boundaries and Annexation Area Boundaries is attached hereto as **Exhibit C**. It is anticipated that the District's boundaries may change from time to time as it

undergoes annexations and withdrawals pursuant to Section 17B-4-201, Utah Code, subject to Article V below.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The District Area consists of approximately 191.69 acres of undeveloped land. The assessed valuation as of 2025 of the District Area is $[_____] for purposes of this Governing Document and, at build out, is expected to be sufficient to reasonably discharge the Debt under the Financial Plan.

This Governing Document shall not be construed to imply approval of the development of a specific area within the District or to supersede any applicable regulation relating to development within the District, subject to the Development Agreement.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Governing Document Amendment.

The District shall have the power and authority to provide the Public Improvements within and without the boundaries of the District as such power and authority is described in the District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein.

1. Operations and Maintenance Limitation. The purpose of the District is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. The District shall dedicate the Public Improvements to the City in a manner consistent with the Approved Development Plan and other rules and regulations of the City and applicable provisions of the City Code. **Notwithstanding Section 17D-4-102(14) of the PID Act, the District may not own any improvements (other than during the construction period prior to dedication to the City) or finance any improvements which are not dedicated to the City.**

2. Construction Standards Limitation. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The District will obtain any necessary permits and will abide by all applicable local, state, and federal laws.

3. Procurement. The District shall be subject to the Utah Procurement Code, Title 63G, Chapter 6a. Notwithstanding this requirement, the District may acquire or pay for completed or partially completed improvements constructed by the Petitioner and/or other third parties for fair market value as reasonably determined by any one of a surveyor or engineer that such District employs or engages to perform the necessary engineering services for and to supervise the construction or installation of the Public Improvements.

4. Annexation and Withdrawal.

(a) The District shall not include within any of their boundaries any property outside the District Area without the prior written consent of the City. The City, by

approval of this Governing Document, has consented to the annexation of any area within the Annexation Area Boundaries into the District. Such area may only be annexed upon such District obtaining any consents required under the PID Act and the passage of a resolution of such District's Board approving such annexation.

(b) The City, by approval of this Governing Document, has consented to the withdrawal of any area within the District Boundaries from the District. Such area may only be withdrawn upon such District obtaining any consents required under the PID Act and the passage of a resolution of such District's Board approving such withdrawal.

(c) Any annexation or withdrawal shall be in accordance with the applicable requirements of the District Act.

(d) Upon any annexation or withdrawal, such District shall provide the City a description of the revised District Boundaries.

(e) Annexation or withdrawal of any area in accordance with V.A.6(a) and (b) shall not constitute an amendment of this Governing Document.

5. Overlap Limitation. The boundaries of the District shall not overlap the boundaries of any other District or other financing district which is not a traditional service provider unless the aggregate mill levy for payment of Debt of the District and such financing districts will not at any time exceed the Maximum Debt Mill Levy of the District.

6. Initial Debt Limitation. On or before the effective date of approval by the by the City of an Approved Development Plan, a District shall not: (i) issue any Debt; nor (ii) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds; nor (iii) impose and collect any Assessments used for the purpose of repayment of Debt.

7. Total Limited Tax Debt Issuance Limitation. The District shall not issue Limited Tax Debt in excess of an aggregate amount of Twenty Million Dollars ($20,000,000). This amount excludes any portion of Bonds issued to refund a prior issuance of Debt by the District. Any Debt which is not Limited Tax Debt does not count against the foregoing limitation and there is no limit to the amount of such the District may issue so long as such issuances are in accordance with the applicable provisions of the Utah Code.

Notwithstanding the foregoing, the District shall not be permitted to issue Debt, other than refunding prior issuances of Debt, after December 31, 2040.

8. Bankruptcy Limitation. All of the limitations contained in this Governing Document, including, but not limited to, those pertaining to the Maximum Debt Mill Levy, Maximum Debt Mill Levy Imposition Term and the Fees have been established under the authority of the City to approve a Governing Document with conditions pursuant to Section 17D-4-201(5), Utah Code. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Governing Document Amendment; and

(b) Are, together with all other requirements of Utah law, included in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable non-bankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term, shall be deemed a material modification of this Governing Document and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Governing Document Amendment.

9. Governing Document Amendment Requirement.

(a) This Governing Document has been designed with sufficient flexibility to enable the District to provide required facilities under evolving circumstances without the need for numerous amendments. Actions of the District which violate the limitations set forth in V.A.1-8 above or in VIII.B-G. shall be deemed to be material modifications to this Governing Document and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the District.

(b) Subject to the limitations and exceptions contained herein, this Governing Document may be amended by passage of a resolution of the City and the District approving such amendment.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance, and financing of the Public Improvements within and without the boundaries of the District. An estimate of the costs of the Public Improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed shall be prepared based upon a preliminary engineering survey and estimates derived from the zoning on the property in the District Area and is approximately Fifteen Million Seven Hundred Thousand Dollars ($15,700,000).

All of the Public Improvements will be designed in such a way as to assure that the Public Improvements standards will be compatible with all applicable public entities and shall be in accordance with the requirements of the Development Agreement. All construction cost estimates are based on the assumption that construction conforms to applicable local, State or Federal requirements.

VI. THE BOARD OF TRUSTEES

A. Board Composition. Each Board shall be composed of three Trustees. The initial Board of the District shall be appointed by the City Council by resolution concurrent with the approval of this Governing Document. All Trustees shall hold at large seats. Trustee terms for each District shall be staggered with initial terms as follows: Trustee 2 shall serve an initial term

of 4 years and Trustees 1 and 3 shall serve an initial term of 6 years. All terms shall commence on the date of issuance of a certificate of creation by the Office of the Lieutenant Governor of the State of Utah. In accordance with the PID Act, appointed Trustees shall not be required to be residents of such District.

B. Transition to Elected Board.

(a) Prior to the issuance of Bonds by the District, the District shall estimate the total number of residential units within the District at full buildout of the property within the District (the "Anticipated Units"). Upon any annexation or withdrawal in accordance with this Governing Document, any affected District may adjust its Anticipated Units to reflect such boundary change. The respective board seats for the District Boards with residential property shall transition from appointed to elected seats according to the following milestones:

Trustee 1. Trustee 1 shall transition to an elected seat after the end of a full term during which 50% of the Anticipated Units have received certificates of occupancy.

Trustee 2. Trustee 2 shall transition to an elected seat after the end of a full term during which 70% of the Anticipated Units have received certificates of occupancy.

Trustee 3. Trustee 3 shall transition to an elected seat after the end of a full term during which 90% of the Anticipated Units have received certificates of occupancy.

B. Transition Timeline. No transition pursuant to this Section shall become effective until the next scheduled regular election of the District after the expiration of such Board members then current term (provided that any seat transitioning on January 1 of a year shall be elected at the regular election preceding such date).

C. Reelection and Reappointment. Upon the expiration of a Trustee's respective term, any seat which has not transitioned to an elected seat shall be appointed by the Board pursuant to the PID Act and any seat which has transitioned to an elected seat shall be elected pursuant to an election held for such purpose. In the event that no qualified candidate files to be considered for appointment or files a declaration of candidacy for a seat, such seat may be filled in accordance with the Special District Act.

D. Vacancy. Any vacancy on the Board shall be filled by the Board pursuant to the District Act.

E. Compensation. Unless otherwise permitted by the PID Act, only Trustees who are residents of the District may be compensated for services as Trustee. Such compensation shall be in accordance with State Law.

F. Conflicts of Interest. Trustees shall disclose all conflicts of interest. Any Trustee who discloses such conflicts in accordance with 17D-4-202 and 67-16-9, Utah Code, shall be entitled to vote on such matters.

VI. REGIONAL IMPROVEMENTS

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment and a contribution to the funding of the Regional Improvements and fund the administration and overhead costs related to the provisions of the Regional Improvements.

VII. FINANCIAL PLAN

A. General.

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from their revenues and by and through the proceeds of Debt to be issued by the District. The "Financial Plan" for the District shall be to issue such Debt as the District can reasonably pay within the Maximum Debt Mill Levy Imposition Term from revenues derived from the Maximum Debt Mill Levy, Assessments, Fees, and other legally available revenues. Debt of the District shall be permitted to be issued on a schedule and in such year or years as the District determines shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. All bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general ad valorem taxes to be imposed upon all Taxable Property within the District and Assessments. The District may also rely upon various other revenue sources authorized by law. These will include the power to assess Fees, penalties, or charges, including as provided in Section 17D-4-304, Utah Code, as amended from time to time.

B. Maximum Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed fifteen percent (15%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Governing Document, State law and Federal law as then applicable to the issuance of public securities.

C. Maximum Debt Mill Levy.

(a) The "Maximum Debt Mill Levy," which is the maximum mill levy a District is permitted to impose upon the taxable property within such District for payment of Limited Tax Debt and administrative expenses, shall be .005 per dollar of taxable value of taxable property in such District; provided that such levy shall be subject to adjustment as provided in Section 17D-4-301(13), Utah Code.

(b) Such Maximum Debt Mill Levy may only be amended pursuant to a Governing Document Amendment and as provided in Section 17D-4-202, Utah Code.

D. Maximum Debt Mill Levy Imposition Term.

Each bond issued by the District shall mature within Thirty-One (31) years from the date of issuance of such bond. In addition, no mill levy may be imposed for the repayment of a series

of bonds (including, unless otherwise agreed to in writing by the City, any refunding bonds relating to such bond) after a period exceeding Forty (40) years from the first date of imposition of the mill levy for such bond (the "Maximum Debt Mill Levy Imposition Term").

E. Debt Repayment Sources.

The District may impose a mill levy on Taxable Property within its boundaries, up to the Maximum Mill Levy, as a primary source of revenue for repayment of debt service. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the levy of ad valorem property taxes, the power to assess Assessments, and the power to impose Fees, penalties, and charges, including as provided in Section 17D-4-304, Utah Code, as amended from time to time. Except as described in Section VII.C(a), the debt service mill levy in the District shall not exceed the Maximum Debt Mill Levy or, the Maximum Debt Mill Levy Imposition Term, except for repayment of General Obligation Debt.

All Assessments (other than Assessments under the C-PACE Act) imposed by any District on a residential parcel shall be payable at or before the time of transfer of such parcel to a Residential Homeowner. Any Assessments issued under the C-PACE Act may be repayable in accordance with the provisions of such act.

The District shall not be permitted to charge an End User the costs of any portion of a Public Improvement for which such End User has already paid or is presently obligated to pay through any combination of mill levy or Assessment. This provision shall not prohibit the division of costs between mill levies and Assessments, but is intended to prevent double taxation of End Users for the costs of Public Improvements.

F. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

> By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the District authorizing the issuance of this Bond and in the Governing Document for creation of the District.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Governing Document shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the District.

G. Security for Debt.

The District shall not pledge any revenue or property of the City as security for the indebtedness set forth in this Governing Document. Approval of this Governing Document shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor

shall anything in the Governing Document be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

H. District's Operating Costs.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, are anticipated to be Fifty Thousand Dollars ($50,000), which will be eligible for reimbursement from Debt proceeds.

In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed. The first year's operating budget is estimated to be approximately Fifty Thousand Dollars ($50,000) which is anticipated to be derived from property taxes and other revenues.

VIII. DISSOLUTION

Upon an independent determination of the Board that the purposes for which the District was created have been accomplished, the District agrees to file petitions for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

IX. DISCLOSURE TO PURCHASERS

Within thirty (30) days of the Office of the Lieutenant Governor of the State of Utah issuing a certificate of creation of each District, each Board shall record a notice with the recorder of Box Elder County. Such notice shall (a) contain a description of the boundaries of the District, (b) state that a copy of this Governing Document is on file at the office of the City, (c) state that the District may finance and repay infrastructure and other improvements through the levy of a property tax; (d) state the Maximum Debt Mill Levy of the District; and (d) if applicable, stating that the Debt may be converted to General Obligation Debt and outlining the provisions relating to such conversion. Such notice shall further be filled with the City.

In addition, the Applicant and the Board shall ensure that the Applicant, homebuilders, commercial developers, and commercial lessors, as applicable, disclose the following information to initial resident homeowners, renters, commercial property owners, and/or commercial tenants:

(1) All of the information in the first paragraph of this XI;

(2) A disclosure outlining the impact of any applicable property tax, in substantially the following form:

"Under the maximum property tax rate of the District, **for every $100,000 of taxable value**, there would be an **additional annual property tax of $500** for the duration of the District's Bonds."

(3) Such disclosures shall be contained on a separate colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.

X. ENFORCEMENT

In accordance with Section 17D-4-201(5) of the Utah Code, the City has imposed certain limitations on the powers of the District through this Governing Document. The City shall have the right to enforce any of the provisions, limitations or restrictions in this Governing Document against the District, through any and all legal or equitable means available to the City, including, but not limited to, injunctive relief, specific performance, and/or monetary damages.

EXHIBIT A

Legal Descriptions

INITIAL DISTRICT BOUNDARIES

PARCEL 03-118-0008

Beginning at a point 388 feet more or less North from the Southeast corner of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian to the North bank of a ditch Westerly along the North bank of a ditch 270 feet to a lane; thence North 15° West 150 feet; thence South 67 ¾° East 150 feet; thence Southeasterly 170 feet, more or less, to the Quarter Section line; thence South 63 feet more or less to the point of beginning.

PARCEL 03-118-0021

Beginning at a point 25.39 chains South and 53 links East of the Northwest corner of Section 23 Township 9 North, Range 2 West, the Salt Lake Base and Meridian; thence South 89°47; East 35.26 chains; thence North 3.5° West 91 links; thence North 88 ¼° East 35.26 chains; thence North 3.5° West 91 links; thence North 88 ¼° East 9.61 chains; thence South 44 ¾° East 1 chain; thence South 4° West 2.68 chains; thence South 87° East 7.24 chains; thence South 25° West 3.14 chains; thence East 14.92 chains; thence South 8.80 chains; thence West 19.60 chains to O.S.L.R.R.; thence North 24.5° East 6.42 chains; thence West 8.81 chains; thence North 47 ¼° West 1.36 chains; thence North 67 ¾° West 2.25 chains; thence North 5.93 chains to the point of beginning.

LESS: that portion lying easterly of the Railroad right of way

ALSO LESS: A part of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian. Beginning at Grantors Northwest property corner beginning a point on the existing East right-of-way line of 1200 West Street located 1680.43 feet South 00°14'42" East along the West line of said Section and 34.98 feet North 89°43'55" East from the Northwest corner of said Section 23, said point described of record as being located 25.39 chains South and 53 links East of the Northwest corner of said Northwest Quarter; running thence South 89°31'35" East (South 89°47' East by record) 38.41 feet along Grantors North boundary line to the new East right-of-way line of 1200 West Street; thence South 00°15'29" East 391.23 feet along said new East right-of-way line to Grantors South boundary; thence North 89°44'27" West (North 89°47' West by Record) 38.50 feet along said North right-of-way line to Grantors Southwest Property corner being on said existing East right-of-way line; thence North 00°14'42" West (North by Record) 391.38 feet along said existing East right-of-way line; thence North 00°14'42" West (North by Record) 391.38 feet along said existing East right-of-way line to the point of beginning.

PARCEL 03-118-0023

Beginning at a point 3.79 chains North and 50 links East of the Southwest corner of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian; thence North 1.43 chains; thence South 89°47' East 35.24 chains; thence South 15.5° East 1.43 chains; thence North 89°47' West 35.93 chains to the beginning.

ALSO: Beginning at a point 5.22 chains North and 50 links East of the Southwest corner of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian; thence North 1.43 chains; thence South 89°47' East 35.24 chains; thence South 15.5° East 1.43 chains; thence North 89°47' West 35.93 chains to the beginning.

ALSO: Beginning at a point 6.45 chains North and 50 links East of the Southwest corner of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian; thence North 2.23 chains, thence South 89°47' East 34.90 chains; thence South 13 ¾° West 70 links; thence South 15.5° East 1.53 chains; thence North 89°47' West 35.24 chains to the point of beginning.

LESS: A part of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian. Beginning at Grantors Southwest property corner being a point on the existing East right-of-way line of 1200 West Street located 2401.86 feet South 00°14'42" East along the West line of said Section and 33.00 feet North 89°45"18" East from the Northwest corner of said Section 23, said point described of Record as being located 3.79 chains North and 50 links East of the Southwest corner of said Northwest Quarter; running thence North 00°14'42" West 330.06 feet (North 322.74 feet by record) along said existing East right-of-way line to Grantor's Northwest property corner; thence South 89°47'07" East (East by Record) 40.58 feet along said new East right-of-way line of 1200 West Street; thence South 00°15'29" East 330.19 feet along said new East right-of-way line to Grantor's South boundary; thence North 89°36'00" West (West by Record) 40.55 feet along said North right-of-way line to the point of beginning.

PARCEL 03-118-0025

Beginning at a point 19.62 chains South of the Northwest corner of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian; thence South 89°47' East 35.26 chains; thence South 3.5° East 5.78 chains; thence North 89°47' West 35.57 chains North 5.77 chains to the point of beginning.

LESS: A part of the Northwest Quarter of Section 23, Township 9 North, Range 2 West of the Salt Lake Base and Meridian. Beginning at a point on the West line of said Section 23 located 1295.00 feet South 00°14'42" East (19.62 chains South by Record) along said West line of said Section from the Northwest corner of said Section 23; running thence South 89°32'54" East (South 89°47' East by Record) 73.30 feet along Grantor's North boundary line to the new East right-of-way line of 1200 West Street; thence South 00°15'29" East 385.02 feet along said new East right-of-way line to Grantor's South boundary line; thence North 89°52'48" West (North 89°47' West by Record) 73.39 feet along said North boundary line to the West line of said Section; thence North 00°14'42" West 385.45 feet (North 380.82 feet by Record) along said East line to the point of beginning.

Parcel 03-112-0006

The Southeast Quarter of the Northeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Also: The East 2 rods of the West Half of the Southeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Also: The South 10 rods of the West half of the Northeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Less: The South 4 rods and North 3 rods of the Southeast Quarter of the Northeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Parcel 03-112-0030

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS THAT TRACT DEEDED TO BRIGHAM CITY CORPORATION DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER BEING A POINT LOCATED 2649.30 FEET SOUTH 00°14'42" EAST ALONG THE EAST LINE OF SAID SECTION FROM THE NORTHEAST CORNER OF SAID SECTION 22; RUNNING THENCE SOUTH 00°14'42" EAST 1328.23 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 90°00'00" WEST 32.09 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER TO THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1328.23 FEET ALONG SAID NEW WEST RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.39 FEET TO THE POINT OF BEGINNING.

Parcel 03-112-0039

The West half of the following described parcel:

The Southeast Quarter of the Southeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Less: Beginning at the Southeast corner of said Section 22 and running thence North 90°00'00" West 31.78 feet along the South line of said Southeast Quarter to new West right of way line of 1200 West Street; thence North 00°15'29" West 1325.84 feet along said new West right of way line to the North line of the Southeast Quarter of said Southeast Quarter; thence North 90°00'00" East 32.09 feet along said North line to the East line of said Section 22; thence South 00°14'42" East 1325.84 feet along said East line to the point of beginning.

Parcel 1A: Together with an easement shown in that certain Temporary Easement recorded as Entry No. 485629 in the office of the Recorder of Box Elder County Utah, over and across the South 60 feet of the following described property:
The East half of the following described parcel: The Southeast Quarter of the Southeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.
Less: Beginning at the Southeast corner of said Section 22 and running thence North 90°00'00" West 31.78 feet along the South line of said Southeast Quarter to new West right of way line of 1200 West Street; thence North 00°15'29" West 1325.84 feet along said new West right of way line to the North line of the Southeast Quarter of said Southeast Quarter; thence North 90°00'00" East 32.09 feet along said North line to the East line of said Section 22; thence South 00°14'42" East 1325.84 feet along said East line to the point of beginning.

Parcel 03-112-0038

The East half of the following described parcel:

The Southeast Quarter of the Southeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.

Less: Beginning at the Southeast corner of said Section 22 and running thence North 90°00'00" West 31.78 feet along the South line of said Southeast Quarter to new West right of way line of 1200 West Street; thence North 00°15'29" West 1325.84 feet along said new West right of way line to the North line of the Southeast Quarter of said Southeast Quarter; thence North 90°00'00" East 32.09 feet along said North line

to the East line of said Section 22; thence South 00°14'42" East 1325.84 feet along said East line to the point of beginning.

Parcel 1A: Together with an easement shown in that certain Temporary Easement recorded as Entry No. 485629 in the office of the Recorder of Box Elder County Utah, over and across the South 60 feet of the following described property:
The East half of the following described parcel: The Southeast Quarter of the Southeast Quarter of Section 22, Township 9 North, Range 2 West of the Salt Lake Base and Meridian.
Less: Beginning at the Southeast corner of said Section 22 and running thence North 90°00'00" West 31.78 feet along the South line of said Southeast Quarter to new West right of way line of 1200 West Street; thence North 00°15'29" West 1325.84 feet along said new West right of way line to the North line of the Southeast Quarter of said Southeast Quarter; thence North 90°00'00" East 32.09 feet along said North line to the East line of said Section 22; thence South 00°14'42" East 1325.84 feet along said East line to the point of beginning.

ANNEXATION AREA BOUNDARIES

The Annexation Area includes the entirety of the Initial District Boundaries as well as the following property:

Parcel 03-114-0021 (WITHIN ANNEXATION AREA, BUT NOT IN THE INITIAL DISTRICT BOUNDARY)

BEGINNING AT POINT LOCATED SOUTH 3391.2 FT FROM NW CORNER SEC 23, T 09N, R 02W, SLM. THENCE SOUTH 1466.5 FT ALONG WEST LINE SAID SEC; SOUTH 89*42`46" EAST 1425.9 FT; NORTH 01*03`14" WEST 763.8 FT; NORTH 85*58`19" EAST 897.6 FT TO WESTERLY LINE OF OSLRR R/W; NORTH 27*03`38" EAST 772.6 FT ALONG SAID R/W; NORTH 89*32`16" WEST 2664.1 FT TO POB. ALL COURSES BEING ALONG EXIST FENCE LINES. LESS [03-108-0116]: A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 10 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 14 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 15 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 22 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE INTERSECTION OF THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET AND THE SOUTH RIGHT-OF-WAY OF THE OREGON SHORT LINE RAIL ROAD LOCATED 2435.02 FEET SOUTH 00*23'59" WEST ALONG THE WEST LINE OF SAID SECTION 10 AND 3093..22 FEET NORTH 90*00'00" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 10, SAID POINT BEING LOCATED NORTH 74*31'13" WEST FEET FROM THE NORTHEAST CORNER OF LOT 1, AMEND AND EXTENDED JACK FRANCIS TRUCKING SUBDIVISION - ADDITION NO 1; RUNNING THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 15*29'43" WEST 163.10 FEET; THENCE SOUTHERLY TO THE LEFT ALONG THE ARC OF A 876.21 FOOT RADIUS CURVE, A DISTANCE OF 748.00 FEET, CHORD BEARS SOUTH 08*57'37" EAST 725.49 FEET, HAVING A CENTRAL ANGLE OF 48*54'47"; THENCE SOUTH 33*25'00" EAST 467.00 FEET; THENCE SOUTH 33*31'33" EAST 1235.15 FEET; THENCE SOUTH 33*21'38" EAST 553.43 FEET; THENCE SOUTHEASTERLY TO THE RIGHT ALONG THE ARC OF A 19619.00 FOOT RADIUS CURVE, A DISTANCE OF 284.02 FEET, CHORD BEARS SOUTH 32*56'45" EAST 284.01 FEET, HAVING A CENTRAL ANGLE OF 00*49'46"; THENCE SOUTH 32*31'52" EAST 25.04 FEET, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 13189.33 RADIUS CURVE, A DISTANCE OF 273.10 FEET, CHORD BEARS SOUTH 33*07'28" EAST 273.10 FEET, HAVING A CENTRAL ANGLE OF 01*11'11"; THENCE SOUTH 33*43'03" EAST 163.36 FEET, THENCE IN A SOUTHEASTERLY DIRECTION WITH A REVERSE TANGENT CURVE TO THE RIGHT OF A 864.44 FOOT RADIUS CURVE, A DISTANCE OF 310.81 FEET, CHORD BEARS SOUTH 24*22"16" EAST 309.14 FEET, HAVING A CENTRAL ANGLE OF 20*36'03"; THENCE SOUTH 14*04'14" EAST 519.26 FEET; THENCE SOUTHERLY TO THE RIGHT ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE, A DISTANCE OF 501.02 FEET, CHORD BEARS SOUTH 06*53'38" EAST 499.71 FEET, HAVING A CENTRAL ANGLE OF 14*21'12"; THENCE SOUTH 00*16'58" WEST 2966.35 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE FOREST STREET; THENCE SOUTH 00*34'57" WEST 103.97 FEET TO THE SOUTH RIGHT-OF-WAY LINE TO FOREST STREET; THENCE SOUTH 00*15'29" EAST 2853.03 FEET TO THE NORTH BOUNDARY LINE OF THE PETER MORRIS CLAWSON PROPERTY, TAX ID. NO. 03-112-0009; THENCE NORTH 90*00'00" EAST 14.50 FEET ALONG SAID NORTH BOUNDARY LINE TO AN EXISTING FENCE LINE LONG ESTABLISHED AS BEING THE ACCEPTED WEST RIGHT-OF-

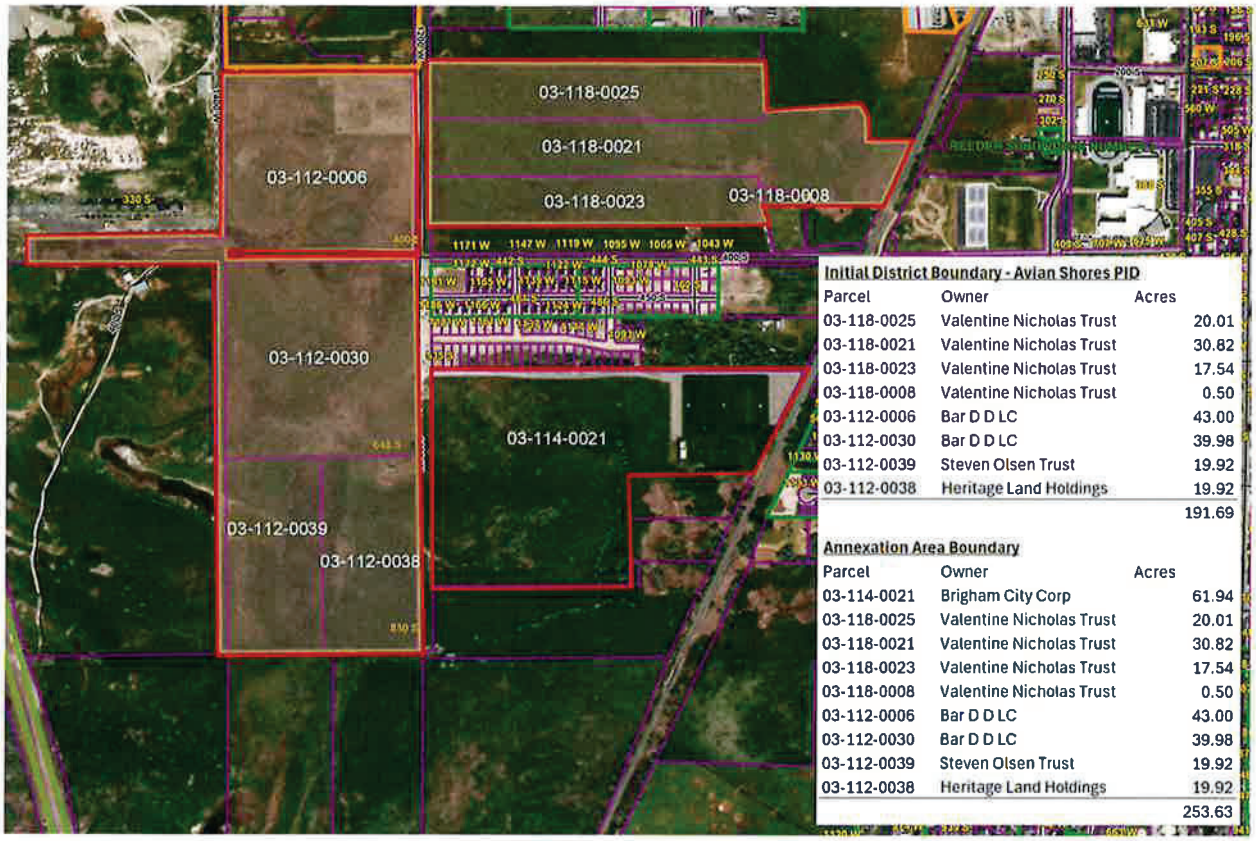
WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID FENCE LINE SOUTH 00*07'18" WEST 66.00 FEET TO THE SOUTH BOUNDARY LINE OF SAID CLAWSON PROPERTY; THENCE NORTH 90*00'00" WEST 14.07 FEET ALONG SOUTH BOUNDARY LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 00*15'29" EAST 2654.07 FEET TO THE SOUTH LINE OF SAID SECTION 22; THENCE SOUTH 90*00'00" EAST 31.77 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89*54'43" EAST 19.86 FEET ALONG THE SOUTH LINE OF SAID SECTION 23 TO AND EXISTING FENCE LINE; THENCE NORTH 75*22'58" EAST 56.11 FEET ALONG SAID FENCE LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW EAST RIGHT-OF-WAY LINE NORTH 00*15'29" WEST 5517.35 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00*20'43" EAST 136.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00*16'58" EAST 2975.21 FEET; THENCE NORTHERLY TO THE LEFT ALONG THE ARC OF A 2106.00 FOOT RADIUS CURVE, A DISTANCE OF 527.58 FEET; CHORD BEARS NORTH 06*53'38" WEST 526.20 FEET, HAVING A CENTRAL ANGLE OF 14*21'12"; THENCE NORTHWESTERLY TO THE LEFT ALONG THE ARC OF A 19725.00 FOOT RADIUS CURVE, A DISTANCE OF 285.55 FEET, CHORD BEARS NORTH 32*56'45" WEST 285.55 FEET, HAVING A CENTRAL ANGLE OF 0*49'46"; THENCE NORTH 33*21'38" WEST 448.06 FEET (448.63' BY RECORD) TO THE NORTH BOUNDARY LINE OF THE BRIGHAM CITY CORPORATION PROPERTY TAX ID. NO. 03-075-0041, SAID POINT BEING THE SOUTHWEST CORNER OF THE NUCOR SUBDIVISION; THENCE NORTH 90*00'00" EAST 3.59 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION TO THE SOUTHWEST CORNER OF LOT 1 OF SAID NUCOR SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 1 AND THEN LOT 2 OF SAID NUCOR SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33*21'38" WEST 106.93 FEET; (2) NORTH 33*31'33" WEST 1235.20 FEET; AND (3) NORTH 33*25'00" 357.49 FEET TO THE NORTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION, SAID POINT BEING ON THE SOUTH BOUNDARY LINE OF THE JACK FRANCIS TRUCKING SUBDIVISION; THENCE NORTH 87*54'17" WEST 3.69 FEET ALONG THE SAID SOUTH BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID JACK FRANCIS TRUCKING SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID JACK FRANCIS TRUCKING SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33*25'00" WEST 107.84 FEET; (2) NORTHERLY TO THE RIGHT ALONG THE ARC OF A 770.21 FOOT RADIUS CURVE, A DISTANCE OF 657.51 FEET, CHORD BEARS NORTH 08*57'37" WEST 637.73 FEET, HAVING A CENTRAL ANGLE OF 48*54'43"; AND (3) NORTH 15*29'43" EAST 163.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE OREGON SHORT LINE RAIL ROAD; THENCE NORTH 74*31'13" WEST 106.00 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

EXHIBIT B

Brigham City Vicinity Map

EXHIBIT C

Initial District and Annexation Area Boundaries Map



Initial District Boundary - Avian Shores PID

Parcel	Owner	Acres
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		191.69

Annexation Area Boundary

Parcel	Owner	Acres
03-114-0021	Brigham City Corp	61.94
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		253.63

= Initial District Boundary - Avian Shores PID

= Annexation Area Boundary

EXHIBIT C

NOTICE OF BOUNDARY ACTION

NOTICE OF IMPENDING BOUNDARY ACTION

(Avian Shores Public Infrastructure District)

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of Brigham City, Utah (the "Council"), acting in its capacity as the creating entity for Avian Shores Public Infrastructure District (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on December 4, 2025 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, a true and correct copy of which is attached as APPENDIX "A" hereto and incorporated by this reference herein (the "Creation Resolution").

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-73-507, approved as a final local entity plat by the Surveyor of Box Elder County, Utah, is attached as APPENDIX "B" hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this 4th day of December, 2025.

CITY COUNCIL OF BRIGHAM CITY UTAH, acting in its capacity as the creating authority for AVIAN SHORES PUBLIC INFRASTRUCTURE DISTRICT

By:_____
AUTHORIZED REPRESENTATIVE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this _____ day of December, 2025.

_____
CITY RECORDER

NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC INFRASTRUCTURE DISTRICT BY BRIGHAM CITY, UTAH

December 4, 2025

Notice is hereby given that the City Council (the "Council") of Brigham City, Utah (the "City") will hold a public hearing on **Thursday, December 4, 2025, at or after 6:30 P.M.** The public hearing is regarding the proposed creation of Avian Shores Public Infrastructure District (the "Proposed District") and to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed District, (ii) whether the service should be provided by the City or the Proposed District, and (iii) all other matters relating to the Proposed District.

Because consent to the creation of the Proposed District and waiver of the protest period has been obtained from all property owners and registered voters within the boundaries of the Proposed District, pursuant to Utah Code, Section 17D-4-201, the City may adopt a resolution creating the Proposed District immediately after holding the public hearing described herein or on any date thereafter. **Any withdrawal of consent to creation or protest of the creation of the Proposed District by an affected property owner must be submitted to the City prior to the public hearing described herein.**

Meeting Information:

Held By: The City Council of Brigham City, Utah
Date and Time: Thursday, December 4, 2025 at or after 6:30 P.M.
Location: Brigham City Council Chambers
20 N. Main Street
Brigham City, UT 84032

Proposed District Boundaries:

Legal descriptions for the Proposed District are attached as **Appendix A**. In addition, it is anticipated that the Proposed District would be authorized to adjust its boundaries through annexation and withdrawal of properties, so long as such properties are within the proposed inclusion area, as shown on the map attached as **Appendix B** and certain requirements as established in a governing document have been met.

Summary of Proposed Resolution:

The proposed resolution regarding the creation of the Proposed District contains consideration of approval of the following items:

- Creation of the Proposed District with the initial boundaries as described herein
- Approval of the annexation of or withdrawal from the boundaries of the Proposed District of any area within the annexation area without additional approvals or hearings of the City, subject to the conditions of the Governing Document
- Establishment of a Board of Trustees for the Proposed District, comprised as follows:
    - Trustee 1 – Boyd Cook, for an initial 6-year term;
    - Trustee 2 – Garth Day, for an initial 4-year term; and
    - Trustee 3 – Clay Jensen, for an initial 6-year term.
- Authorization for execution by the City of a Notice of Boundary Action and Final Entity Plat
- Approval of a Governing Document for the Proposed District:
    - Permitting a mill levy of 0.005 per dollar of taxable value of property in the Proposed District
    - Permitting the Proposed District to issue debt repayable from property taxes, special assessments, tax increment and other revenues of the Proposed District

Proposed Service:

Avian Shores Public Infrastructure District is proposed to be created for the purpose of financing the construction of public infrastructure relating to the Avian Shores development (the "Project"), as permitted under the Special District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953.

Sincerely,

The City Council of Brigham City, Utah

APPENDIX A

PROPOSED DISTRICT BOUNDARIES

Legal Description (Initial District Boundaries)

Initial District Boundary - Avian Shores PID

Parcel	Owner	Acres
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		191.69

Annexation Area Boundary

Parcel	Owner	Acres
03-114-0021	Brigham City Corp	61.94
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		253.63

PARCEL 03-118-0008

BEGINNING AT A POINT 388 FEET MORE OR LESS NORTH FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN TO THE NORTH BANK OF A DITCH WESTERLY ALONG THE NORTH BANK OF A DITCH 270 FEET TO A LANE; THENCE NORTH 15° WEST 150 FEET; THENCE SOUTH 67 ¾° EAST 150 FEET; THENCE SOUTHEASTERLY 170 FEET, MORE OR LESS, TO THE QUARTER SECTION LINE; THENCE SOUTH 63 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 03-118-0021

BEGINNING AT A POINT 25.39 CHAINS SOUTH AND 53 LINKS EAST OF THE NORTHWEST CORNER OF SECTION 23 TOWNSHIP 9 NORTH, RANGE 2 WEST, THE SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°47; EAST 35.26 CHAINS; THENCE NORTH 3.5° WEST 91 LINKS; THENCE NORTH 88 ¼° EAST 35.26 CHAINS; THENCE NORTH 3.5° WEST 91 LINKS; THENCE

NORTH 88 ¼° EAST 9.61 CHAINS; THENCE SOUTH 44 ¾° EAST 1 CHAIN; THENCE SOUTH 4° WEST 2.68 CHAINS; THENCE SOUTH 87° EAST 7.24 CHAINS; THENCE SOUTH 25° WEST 3.14 CHAINS; THENCE EAST 14.92 CHAINS; THENCE SOUTH 8.80 CHAINS; THENCE WEST 19.60 CHAINS TO O.S.L.R.R.; THENCE NORTH 24.5° EAST 6.42 CHAINS; THENCE WEST 8.81 CHAINS; THENCE NORTH 47 ¼° WEST 1.36 CHAINS; THENCE NORTH 67 ¾° WEST 2.25 CHAINS; THENCE NORTH 5.93 CHAINS TO THE POINT OF BEGINNING.

LESS: THAT PORTION LYING EASTERLY OF THE RAILROAD RIGHT OF WAY

ALSO LESS: A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT GRANTORS NORTHWEST PROPERTY CORNER BEGINNING A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET LOCATED 1680.43 FEET SOUTH 00°14'42" EAST ALONG THE WEST LINE OF SAID SECTION AND 34.98 FEET NORTH 89°43'55" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 23, SAID POINT DESCRIBED OF RECORD AS BEING LOCATED 25.39 CHAINS SOUTH AND 53 LINKS EAST OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE SOUTH 89°31'35" EAST (SOUTH 89°47' EAST BY RECORD) 38.41 FEET ALONG GRANTORS NORTH BOUNDARY LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE SOUTH 00°15'29" EAST 391.23 FEET ALONG SAID NEW EAST RIGHT-OF-WAY LINE TO GRANTORS SOUTH BOUNDARY; THENCE NORTH 89°44'27" WEST (NORTH 89°47' WEST BY RECORD) 38.50 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO GRANTORS SOUTHWEST PROPERTY CORNER BEING ON SAID EXISTING EAST RIGHT-OF-WAY LINE; THENCE NORTH 00°14'42" WEST (NORTH BY RECORD) 391.38 FEET ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE; THENCE NORTH 00°14'42" WEST (NORTH BY RECORD) 391.38 FEET ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL 03-118-0023

BEGINNING AT A POINT 3.79 CHAINS NORTH AND 50 LINKS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 1.43 CHAINS; THENCE SOUTH 89°47' EAST 35.24 CHAINS; THENCE SOUTH 15.5° EAST 1.43 CHAINS; THENCE NORTH 89°47' WEST 35.93 CHAINS TO THE BEGINNING.

ALSO: BEGINNING AT A POINT 5.22 CHAINS NORTH AND 50 LINKS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 1.43 CHAINS; THENCE SOUTH 89°47' EAST 35.24 CHAINS; THENCE SOUTH 15.5° EAST 1.43 CHAINS; THENCE NORTH 89°47' WEST 35.93 CHAINS TO THE BEGINNING.

ALSO: BEGINNING AT A POINT 6.45 CHAINS NORTH AND 50 LINKS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 2.23 CHAINS, THENCE SOUTH 89°47' EAST 34.90 CHAINS; THENCE SOUTH 13 ¾° WEST 70 LINKS; THENCE

SOUTH 15.5° EAST 1.53 CHAINS; THENCE NORTH 89°47' WEST 35.24 CHAINS TO THE POINT OF BEGINNING.

LESS: A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT GRANTORS SOUTHWEST PROPERTY CORNER BEING A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET LOCATED 2401.86 FEET SOUTH 00°14'42" EAST ALONG THE WEST LINE OF SAID SECTION AND 33.00 FEET NORTH 89°45"18" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 23, SAID POINT DESCRIBED OF RECORD AS BEING LOCATED 3.79 CHAINS NORTH AND 50 LINKS EAST OF THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE NORTH 00°14'42" WEST 330.06 FEET (NORTH 322.74 FEET BY RECORD) ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE TO GRANTOR'S NORTHWEST PROPERTY CORNER; THENCE SOUTH 89°47'07" EAST (EAST BY RECORD) 40.58 FEET ALONG SAID NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE SOUTH 00°15'29" EAST 330.19 FEET ALONG SAID NEW EAST RIGHT-OF-WAY LINE TO GRANTOR'S SOUTH BOUNDARY; THENCE NORTH 89°36'00" WEST (WEST BY RECORD) 40.55 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL 03-118-0025

BEGINNING AT A POINT 19.62 CHAINS SOUTH OF THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°47' EAST 35.26 CHAINS; THENCE SOUTH 3.5° EAST 5.78 CHAINS; THENCE NORTH 89°47' WEST 35.57 CHAINS NORTH 5.77 CHAINS TO THE POINT OF BEGINNING.

LESS: A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 23 LOCATED 1295.00 FEET SOUTH 00°14'42" EAST (19.62 CHAINS SOUTH BY RECORD) ALONG SAID WEST LINE OF SAID SECTION FROM THE NORTHWEST CORNER OF SAID SECTION 23; RUNNING THENCE SOUTH 89°32'54" EAST (SOUTH 89°47' EAST BY RECORD) 73.30 FEET ALONG GRANTOR'S NORTH BOUNDARY LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE SOUTH 00°15'29" EAST 385.02 FEET ALONG SAID NEW EAST RIGHT-OF-WAY LINE TO GRANTOR'S SOUTH BOUNDARY LINE; THENCE NORTH 89°52'48" WEST (NORTH 89°47' WEST BY RECORD) 73.39 FEET ALONG SAID NORTH BOUNDARY LINE TO THE WEST LINE OF SAID SECTION; THENCE NORTH 00°14'42" WEST 385.45 FEET (NORTH 380.82 FEET BY RECORD) ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

PARCEL 03-112-0006

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

ALSO: THE EAST 2 RODS OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

ALSO: THE SOUTH 10 RODS OF THE WEST HALF OF THE NORTHEAST QUARTER OF

SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS: THE SOUTH 4 RODS AND NORTH 3 RODS OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

Parcel 03-112-0030

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS THAT TRACT DEEDED TO BRIGHAM CITY CORPORATION DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER BEING A POINT LOCATED 2649.30 FEET SOUTH 00°14'42" EAST ALONG THE EAST LINE OF SAID SECTION FROM THE NORTHEAST CORNER OF SAID SECTION 22; RUNNING THENCE SOUTH 00°14'42" EAST 1328.23 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 90°00'00" WEST 32.09 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER TO THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1328.23 FEET ALONG SAID NEW WEST RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.39 FEET TO THE POINT OF BEGINNING.

Parcel 03-112-0039

THE WEST HALF OF THE FOLLOWING DESCRIBED PARCEL:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 90°00'00" WEST 31.78 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO NEW WEST RIGHT OF WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1325.84 FEET ALONG SAID NEW WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.09 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 00°14'42" EAST 1325.84 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

PARCEL 1A: TOGETHER WITH AN EASEMENT SHOWN IN THAT CERTAIN TEMPORARY EASEMENT RECORDED AS ENTRY NO. 485629 IN THE OFFICE OF THE RECORDER OF BOX ELDER COUNTY UTAH, OVER AND ACROSS THE SOUTH 60 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 90°00'00" WEST 31.78 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO NEW WEST RIGHT OF WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1325.84 FEET ALONG SAID NEW WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.09 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 00°14'42" EAST 1325.84 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

Parcel 03-112-0038

THE EAST HALF OF THE FOLLOWING DESCRIBED PARCEL:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

LESS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 90°00'00" WEST 31.78 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO NEW WEST RIGHT OF WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1325.84 FEET ALONG SAID NEW WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.09 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 00°14'42" EAST 1325.84 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

PARCEL 1A: TOGETHER WITH AN EASEMENT SHOWN IN THAT CERTAIN TEMPORARY EASEMENT RECORDED AS ENTRY NO. 485629 IN THE OFFICE OF THE RECORDER OF BOX ELDER COUNTY UTAH, OVER AND ACROSS THE SOUTH 60 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.
LESS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 90°00'00" WEST 31.78 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO NEW WEST RIGHT OF WAY LINE OF 1200 WEST STREET; THENCE NORTH 00°15'29" WEST 1325.84 FEET ALONG SAID NEW WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 90°00'00" EAST 32.09 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 00°14'42" EAST 1325.84 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

Parcel 03-114-0021 (WITHIN ANNEXATION AREA, BUT NOT IN THE INITIAL DISTRICT BOUNDARY)

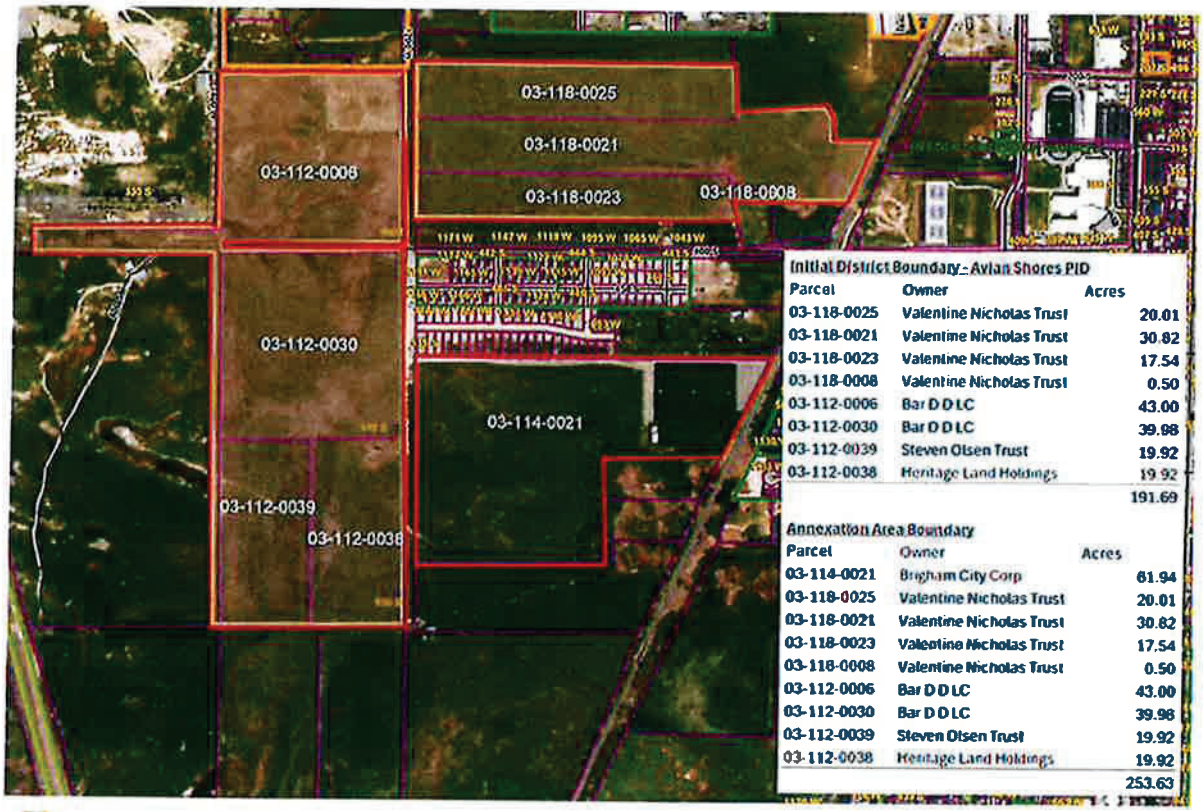
BEGINNING AT POINT LOCATED SOUTH 3391.2 FT FROM NW CORNER SEC 23, T 09N, R 02W, SLM. THENCE SOUTH 1466.5 FT ALONG WEST LINE SAID SEC; SOUTH 89*42`46" EAST 1425.9 FT; NORTH 01*03`14" WEST 763.8 FT; NORTH 85*58`19" EAST 897.6 FT TO WESTERLY LINE OF

OSLRR R/W; NORTH 27*03`38" EAST 772.6 FT ALONG SAID R/W; NORTH 89*32`16" WEST 2664.1 FT TO POB. ALL COURSES BEING ALONG EXIST FENCE LINES. LESS [03-108-0116]: A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 10 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 14 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 15 AND A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 22 AND A PART OF THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE INTERSECTION OF THE NEW WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET AND THE SOUTH RIGHT-OF-WAY OF THE OREGON SHORT LINE RAIL ROAD LOCATED 2435.02 FEET SOUTH 00*23'59" WEST ALONG THE WEST LINE OF SAID SECTION 10 AND 3093..22 FEET NORTH 90*00'00" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 10, SAID POINT BEING LOCATED NORTH 74*31'13" WEST FEET FROM THE NORTHEAST CORNER OF LOT 1, AMEND AND EXTENDED JACK FRANCIS TRUCKING SUBDIVISION - ADDITION NO 1; RUNNING THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 15*29'43" WEST 163.10 FEET; THENCE SOUTHERLY TO THE LEFT ALONG THE ARC OF A 876.21 FOOT RADIUS CURVE, A DISTANCE OF 748.00 FEET, CHORD BEARS SOUTH 08*57'37" EAST 725.49 FEET, HAVING A CENTRAL ANGLE OF 48*54'47"; THENCE SOUTH 33*25'00" EAST 467.00 FEET; THENCE SOUTH 33*31'33" EAST 1235.15 FEET; THENCE SOUTH 33*21'38" EAST 553.43 FEET; THENCE SOUTHEASTERLY TO THE RIGHT ALONG THE ARC OF A 19619.00 FOOT RADIUS CURVE, A DISTANCE OF 284.02 FEET, CHORD BEARS SOUTH 32*56'45" EAST 284.01 FEET, HAVING A CENTRAL ANGLE OF 00*49'46"; THENCE SOUTH 32*31'52" EAST 25.04 FEET, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 13189.33 RADIUS CURVE, A DISTANCE OF 273.10 FEET, CHORD BEARS SOUTH 33*07'28" EAST 273.10 FEET, HAVING A CENTRAL ANGLE OF 01*11'11"; THENCE SOUTH 33*43'03" EAST 163.36 FEET, THENCE IN A SOUTHEASTERLY DIRECTION WITH A REVERSE TANGENT CURVE TO THE RIGHT OF A 864.44 FOOT RADIUS CURVE, A DISTANCE OF 310.81 FEET, CHORD BEARS SOUTH 24*22"16" EAST 309.14 FEET, HAVING A CENTRAL ANGLE OF 20*36'03"; THENCE SOUTH 14*04'14" EAST 519.26 FEET; THENCE SOUTHERLY TO THE RIGHT ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE, A DISTANCE OF 501.02 FEET, CHORD BEARS SOUTH 06*53'38" EAST 499.71 FEET, HAVING A CENTRAL ANGLE OF 14*21'12"; THENCE SOUTH 00*16'58" WEST 2966.35 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE FOREST STREET; THENCE SOUTH 00*34'57" WEST 103.97 FEET TO THE SOUTH RIGHT-OF-WAY LINE TO FOREST STREET; THENCE SOUTH 00*15'29" EAST 2853.03 FEET TO THE NORTH BOUNDARY LINE OF THE PETER MORRIS CLAWSON PROPERTY, TAX ID. NO. 03-112-0009; THENCE NORTH 90*00'00" EAST 14.50 FEET ALONG SAID NORTH BOUNDARY LINE TO AN EXISTING FENCE LINE LONG ESTABLISHED AS BEING THE ACCEPTED WEST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID FENCE LINE SOUTH 00*07'18" WEST 66.00 FEET TO THE SOUTH BOUNDARY LINE OF SAID CLAWSON PROPERTY; THENCE NORTH 90*00'00" WEST 14.07 FEET ALONG SOUTH BOUNDARY LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW WEST RIGHT-OF-WAY LINE SOUTH 00*15'29" EAST 2654.07 FEET TO THE SOUTH LINE OF SAID SECTION 22; THENCE SOUTH 90*00'00" EAST 31.77 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89*54'43" EAST 19.86 FEET ALONG THE

SOUTH LINE OF SAID SECTION 23 TO AND EXISTING FENCE LINE; THENCE NORTH 75*22'58" EAST 56.11 FEET ALONG SAID FENCE LINE TO THE NEW EAST RIGHT-OF-WAY LINE OF 1200 WEST STREET; THENCE ALONG SAID NEW EAST RIGHT-OF-WAY LINE NORTH 00*15'29" WEST 5517.35 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00*20'43" EAST 136.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF FOREST STREET; THENCE NORTH 00*16'58" EAST 2975.21 FEET; THENCE NORTHERLY TO THE LEFT ALONG THE ARC OF A 2106.00 FOOT RADIUS CURVE, A DISTANCE OF 527.58 FEET; CHORD BEARS NORTH 06*53'38" WEST 526.20 FEET, HAVING A CENTRAL ANGLE OF 14*21'12"; THENCE NORTHWESTERLY TO THE LEFT ALONG THE ARC OF A 19725.00 FOOT RADIUS CURVE, A DISTANCE OF 285.55 FEET, CHORD BEARS NORTH 32*56'45" WEST 285.55 FEET, HAVING A CENTRAL ANGLE OF 0*49'46"; THENCE NORTH 33*21'38" WEST 448.06 FEET (448.63' BY RECORD) TO THE NORTH BOUNDARY LINE OF THE BRIGHAM CITY CORPORATION PROPERTY TAX ID. NO. 03-075-0041, SAID POINT BEING THE SOUTHWEST CORNER OF THE NUCOR SUBDIVISION; THENCE NORTH 90*00'00" EAST 3.59 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION TO THE SOUTHWEST CORNER OF LOT 1 OF SAID NUCOR SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 1 AND THEN LOT 2 OF SAID NUCOR SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33*21'38" WEST 106.93 FEET; (2) NORTH 33*31'33" WEST 1235.20 FEET; AND (3) NORTH 33*25'00" 357.49 FEET TO THE NORTH BOUNDARY LINE OF SAID NUCOR SUBDIVISION, SAID POINT BEING ON THE SOUTH BOUNDARY LINE OF THE JACK FRANCIS TRUCKING SUBDIVISION; THENCE NORTH 87*54'17" WEST 3.69 FEET ALONG THE SAID SOUTH BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID JACK FRANCIS TRUCKING SUBDIVISION; THENCE ALONG THE WEST BOUNDARY LINE OF SAID JACK FRANCIS TRUCKING SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) NORTH 33*25'00" WEST 107.84 FEET; (2) NORTHERLY TO THE RIGHT ALONG THE ARC OF A 770.21 FOOT RADIUS CURVE, A DISTANCE OF 657.51 FEET, CHORD BEARS NORTH 08*57'37" WEST 637.73 FEET, HAVING A CENTRAL ANGLE OF 48*54'43"; AND (3) NORTH 15*29'43" EAST 163.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE OREGON SHORT LINE RAIL ROAD; THENCE NORTH 74*31'13" WEST 106.00 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

APPENDIX B

MAP OF PROPOSED DISTRICT BOUNDARIES AND ANNEXATION AREA



Initial District Boundary - Avian Shores PID

Parcel	Owner	Acres
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		191.69

Annexation Area Boundary

Parcel	Owner	Acres
03-114-0021	Brigham City Corp	61.94
03-118-0025	Valentine Nicholas Trust	20.01
03-118-0021	Valentine Nicholas Trust	30.82
03-118-0023	Valentine Nicholas Trust	17.54
03-118-0008	Valentine Nicholas Trust	0.50
03-112-0006	Bar D D LC	43.00
03-112-0030	Bar D D LC	39.98
03-112-0039	Steven Olsen Trust	19.92
03-112-0038	Heritage Land Holdings	19.92
		253.63

= Initial District Boundary - Avian Shores PID

= Annexation Area Boundary

BRIGHAM CITY
AGENDA ITEM FOR CITY COUNCIL MEETING

1. INITIATED BY: Chris Horsley (Sammy Oberg)

2. DEPARTMENT OR DIVISION: Public Works - Recreation Division

3. DATE INITIATED: 11/25/25

4. BRIEF EXPLANATION OF PROPOSED ACTION (ATTACH OTHER DOCUMENTATION AS NECESSARY):

   Recreation Fee Resolution to include soccer programming fees.

5. ESTIMATED TIME NEEDED: 10 min

6. PROPOSED DATE FOR COUNCIL ACTION: 12/4/25

7. EXPLANATION OF DEADLINE, IF APPLICABLE:

8. REVIEW

Date	Name	Signature	Attachment
11/25/25	Sammy Oberg	Sammy Oberg	X
11/25/25	Tyler Rugsley		X

9. MAYOR'S SIGNATURE: _____

BRIGHAM CITY

CITY ATTORNEY
LEGAL DOCUMENT REVIEW

Document Name: Field Use Fee Resolution Update

Name of Person Requesting Legal Review: Tyler Pugsley

Date Sent: 11/25/2025 Review Date Deadline: 11/26/2025

Reviewed by Attorney: _____ Date: 11/25/25

X Reviewed and acceptable as submitted
___ See suggested changes

Returned to: _____ Date: 11/25/25

___ Accepted as Received

Submitted to Mayor's Office By: _____ Date: _____

Reviewed by Mayor's Office: _____
Derek Oyler, City Administrator

RESOLUTION NO. 25-_____

A RESOLUTION SETTING FEES FOR RECREATION ACTIVITIES, POOL ACTIVITIES, COMMUNITY CENTER ACTIVITIES, PARK BOWERY RESERVATIONS AND SPORT FIELDS USE

WHEREAS, the City desires to consolidate resolutions setting fees and rates for the Recreation Activities, Pool Activities, Community Center Activities, Park Bowery Reservations and Sport Fields Use for the purpose of ease and transparency; and

WHEREAS, it appears necessary and desirable to change the Community Center fees, and the Park Bowery Reservations fees to conform to current costs and conditions; and

WHEREAS, Brigham City Code Section 91.006(F)(2) provides that fees for the use of the Swimming Pool shall be pursuant to resolution as approved by the City Council; and

WHEREAS, City Code Sections 91.006(G)(2) and 92.020 provide that fees for Bowery facilities shall be set by resolution as approved by the City Council; and

WHEREAS, the purpose of this resolution is to establish rates, charges and fees for the City's recreation, pool, community center, and parks;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRIGHAM CITY, UTAH with _____ members present and _____ members voting in favor thereof, that the following changes be made, effective this _____ day of _____, 2025.

RECREATION

Youth Recreation Programs

Program	Fee
Basketball	$25.00 - $80.00
Softball/Baseball	$25.00 - $80.00
Tennis/Pickleball – Lessons/Leagues	$20.00 - $80.00
Outdoor Recreation Programs	$10.00 - $130.00
Flag Football	$35.00 - $80.00
Volleyball	$40.00 - $80.00
Field Sports	$25.00 - $80.00
Soccer – Camp/Leagues	$40.00 - $75.00

Adult Recreation Programs

Program	Fee
Men's Basketball (per team)	$395.00 - $450.00
Volleyball (per team)	$200.00 - $300.00
Softball	$375.00 - $400.00
Pickleball: Leagues, Tournaments, & Lessons	$ 10.00 - $ 100.00
Outdoor Recreation Programs	$10.00 - $200.00
Soccer	$400.00

Competitive Tournaments

Program	Fee
Youth Softball/Baseball Tournaments	$460.00 - $600.00
Adult Softball Tournaments	$300.00 - $600.00

Equipment Rentals

Volleyball Equipment bag	$10.00 - $40.00
Disc Golf (set of 12 discs)	$10.00 - $40.00
Pickleball Equipment (4 paddles / 2 balls)	$10.00 - $40.00

Jerseys

- For City programs that require a city provided jersey, additional fee of $20.

Non – Resident Fees

- All individual recreation registration fees will include an additional $5.00 fee

Late Fees

- A $5.00 late fee may be assessed after registration deadlines

Resident Discount

- A Resident Discount is included in all program pricing for Brigham City residents. The market rate will be charged for all participants that are considered non-resident.

Field, Facility Use Rentals

Courses, courts, and sport field reservations. An application must be submitted when requesting field usage. Please contact the Recreation Department.

Pickleball Courts

Single Court Rental: $10 per court per hour (exclusive use)

*Single court rental rates apply when courts are rented between the hours of 6:00am – 8:00am and 6:00pm – 10:00pm.

Block of Courts*	4 Hour Block	Per Day 8:00am-6:00pm
4 Courts	$145.00	$250.00
8 Courts	$290.00	$490.00
12 Courts	$450.00	$730.00
17 Courts**	$575.00	$1000.00***
24 Courts***	$875.00	$1500.00****

*An additional Special Event permit may be required based upon event parameters
**Includes use of (1) Championship Court
***Includes use of (2) Championship Courts
****$500 deposit is required to reserve the venue one year in advance max, unless approved by the Special Event Committee. Remaining total of venue fees are due 45 calendar days prior to the event. Cancellations require a 90-day notice, under 90 days forfeits deposit.

Wi-Fi Request: $50 per day.

Staff Fee: $49.00/hr. per employee (dependent on availability)

*****Replacement costs will be assessed for damaged items

Usage Fees:

Tennis Courts

Single Court	$10.00 per hour
Two Courts	$20.00 per hour
Four Courts	$40.00 per hour

Wadman Courts

Court Use	$20.00 per hour

Disc Golf Course

(2 hour maximum for tournament or league play/week)

Weekly Leagues	$15.00
Tournament Fee	$40.00

Multi – Use Fields

Field Rental	$30.00 per hour

Softball/Baseball Fields

Rental	Fee
Field	$25.00 per game
Weekend	$40.00 per game

Field prep	$25.00 per field
In between games field prep	$10.00 per field
Mound	$15.00 per game
Equipment rental (chalk etc.)	$15.00
Lights	$20.00 per hour

Request for equipment rental must be pre-approved by the Recreation department.

POOL

Open Plunge

Daily Admission	$8.00
Senior Admission (60+)	$4.00

Group Rates

(During open plunge)

25 people or more or with shade structure	$ 7.00 per person to be paid in one transaction

Punch Passes

10 Punches	$70.00
20 Punches	$135.00

Family Season Passes

Family Members	**Fee**
3	$360.00
4	$440.00
5	$520.00
6	$600.00

Additional family members may be added to the season pass for an additional $80.00 per person. Family members must be added at the time of purchase to be included on passes.

Family Night

(Monday night 5 to 8 p.m.)

Admission	$30.00 (family of 6 or more) or $5.00 per person

Practice times for swim teams

Monday – Friday 7:00a.m. to 8:30a.m.	Negotiated Rate

Morning Fitness

Punch Passes	**Fee**

1 Visit	$ 3.00
5	$13.00
10	$23.00
20	$40.00
Aquatic Fitness Summer pass	$40.00
Aquatic Fitness drop-in	$ 6.00

Swim Lessons

Program	Fee
General Class (per student)	$45.00
Mom & Tot class (per parent/per student)	$35.00
General Class Weekend	$35.00
Mom & Tot Class Weekend	$20.00
MISC Programs	$45.00 - $70.00

Pool and facility rental

For exclusive use by groups, businesses, and other organizations, etc.

Date to pool opening to June 30

Month of June (up to 200 people*) 6:30pm-8pm	$400.00
*Additional charge for groups over 200	$ 2.00(per person)

July to pool closing

Weekday (Mon, Tue, Wed, Thu) (up to 200 people*)	$500.00
Weekend (up to 200 people*)	$600.00
*Additional charge for groups over 200	$ 2.00(per person)

Shade structure: Half day rentals, during open plunge.

(facility admission not included)

Block	Rate
Monday: 12pm – 3:45pm	$25.00
Monday: 4:15pm – 6pm	$25.00
Tuesday – Friday: 12pm – 2:45pm	$15.00
Tuesday – Friday: 12pm – 2:45pm	$15.00
Weekend: 10am – 1:45pm	$25.00
Weekend: 2:15pm – 6pm	$25.00

COMMUNITY CENTER

Events hosted by the Community Center Personnel	$5.00 - $35.00
Co- Sponsored Community Center Events*	At the discretion of the instructor

*Co-Sponsor community center/contractor must enter into an independent contractor agreement.

PARK BOWERY RESERVATIONS

Facility	Resident/Non-Profit (Brigham City Residents, this does not include groups, associations, clubs, or organizations that a resident may be a member of)	Non-Resident (Reservations made online paying the resident fee but do not qualify as a resident will be billed additional amounts due)
Small Bowery Lindsay, Mary Christensen, Snow, & Horsley.	**$75.00**	**$150.00**
Mid-Sized Bowery John Adams, Sports Complex,& Rotary Constitution	**$150.00**	**$300.00**
Large Bowery Rees Pioneer	**$200.00**	**$400.00**

Recreation Refunds:

Should registered teams or groups withdraw from a tournament the refund policy is as follows:

- Full refund minus $5.00 processing fee prior to the tournament registration deadline.
- 50% refund minus $5.00 after registration closes and prior to posting the tournament.
- No refund will be given once the tournament has been posted.

Should registered individuals withdraw from an activity or program the refund policy is as follows:

- Full refund minus $5.00 processing fee during registration period
- 50% refund minus $5.00 processing after registration closes.
- No refund will be given once the activity or program has been posted or begins.
- Refunds from external sites/programs will be processed by them. Brigham City is not responsible for processing.

Concessions

- Recreation and Pool, Concessions – shall not be sold at less than cost. Must be approved by the Recreation Division.

- If an item becomes unavailable after sale, Brigham City may offer a replacement item or a refund
- Sale items & equipment rentals are final sale

Pool Refunds:

Passes:

- All fees paid are good for only the season issued. No carryovers permitted.
- No refunds on unused passes. They are essentially day passes purchased in advance at a reduced rate.

Punch passes are transferrable upon request and consent of original purchaser

Swim lessons/classes:

- Full refund minus $5.00 processing before registration closes
- 50% refund minus $5.00 processing fee after registration has closed
- No refunds after lessons have begun
- If a student is registered at an incorrect skill level, the Brigham City Pool reserves the right to move students to the correct skill level. If there is no space in the correct skill level, a credit for the value of the current lessons will be added to the student's Brigham City Recreation account.

The pool department has the authority to cancel registrations or modify them based on the level of participation in the registration process. This means that if there is not enough interest or participation in a particular registration, the pool department reserves the right to cancel it or make changes as they see fit

Pool and facility rental:

- Two (2) week notice is required to receive a refund for cancellation.
- Rescheduling based on availability is provided without an additional fee and must be arranged within 3 days of the original reservation date.
- A $5.00 fee is charged for all refunds.
- Refunds will not be given due to inclement weather.

Full refunds will be offered for rentals cancelled by Brigham City Pool for unavoidable circumstances. The Brigham City Pool will make weather calls 1 hour before rental begins, when possible, though last-minute situations may happen. If a weather or unavoidable incident occurs during a rental, a prorated refund may be offered. Refunds will not be offered for contamination incidents (fecal, vomit, etc.) by rental-goers. Once a rental begins, it is deemed free from any human contaminants.

Community Center Refund:

Should registered individuals withdraw from an activity or program the refund policy is as follows:

- Full refund minus $5.00 processing fee during registration period
- 50% refund minus $5.00 processing fee prior to registration closing and activity or program beginning
- No refund will be given once the activity or program has been posted or begun

Bowery Refund:

- 30 days' notice is required to receive a refund for cancellation.
- A $25.00 fee is charged for all refunds.

Marketing & Promotions

a. The Recreation Department has the discretion to offer promotions to businesses for marketing opportunities.

The above listed schedule of fees and rates shall remain in effect until revised from time to time as determined by the City Council of Brigham City. The City finds these fees and rates to be just, reasonable, and necessary changes.

BRIGHAM CITY CORPORATION

_____

Dennis J. Bott, Mayor

ATTEST:

_____

Kristina Rasmussen, City Recorder

RESOLUTION NO. 25-_____

A RESOLUTION SETTING FEES FOR RECREATION ACTIVITIES, POOL ACTIVITIES, COMMUNITY CENTER ACTIVITIES, PARK BOWERY RESERVATIONS AND SPORT FIELDS USE

WHEREAS, the City desires to consolidate resolutions setting fees and rates for the Recreation Activities, Pool Activities, Community Center Activities, Park Bowery Reservations and Sport Fields Use for the purpose of ease and transparency; and

WHEREAS, it appears necessary and desirable to change the Community Center fees, and the Park Bowery Reservations fees to conform to current costs and conditions; and

WHEREAS, Brigham City Code Section 91.006(F)(2) provides that fees for the use of the Swimming Pool shall be pursuant to resolution as approved by the City Council; and

WHEREAS, City Code Sections 91.006(G)(2) and 92.020 provide that fees for Bowery facilities shall be set by resolution as approved by the City Council; and

WHEREAS, the purpose of this resolution is to establish rates, charges and fees for the City's recreation, pool, community center, and parks;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRIGHAM CITY, UTAH with _____ members present and _____ members voting in favor thereof, that the following changes be made, effective this _____ day of _____, 2025.

RECREATION

Youth Recreation Programs

Program	Fee
Basketball	$25.00 - $80.00
Softball/Baseball	$25.00 - $80.00
Tennis/Pickleball – Lessons/Leagues	$20.00 - $80.00
Outdoor Recreation Programs	$10.00 - $130.00
Flag Football	$35.00 - $80.00
Volleyball	$40.00 - $80.00
Field Sports	$25.00 - $80.00
Soccer – Camp/Leagues	$40.00 - $75.00

Amends Res Nos. 24-06, 24-07, 24-08, 24-09

Adult Recreation Programs

Program	Fee
Men's Basketball (per team)	$395.00 - $450.00
Volleyball (per team)	$200.00 - $300.00
Softball	$375.00 - $400.00
Pickleball: Leagues, Tournaments, & Lessons	$ 10.00 - $ 100.00
Outdoor Recreation Programs	$10.00 - $200.00
Soccer	$400.00

Competitive Tournaments

Program	Fee
Youth Softball/Baseball Tournaments	$460.00 - $600.00
Adult Softball Tournaments	$300.00 - $600.00

Equipment Rentals

Volleyball Equipment bag	$10.00 - $40.00
Disc Golf (set of 12 discs)	$10.00 - $40.00
Pickleball Equipment (4 paddles / 2 balls)	$10.00 - $40.00

Jerseys

- For City programs that require a city provided jersey, additional fee of $20.

Non – Resident Fees

- All individual recreation registration fees will include an additional $5.00 fee

Late Fees

- A $5.00 late fee may be assessed after registration deadlines

Resident Discount

- A Resident Discount is included in all program pricing for Brigham City residents. The market rate will be charged for all participants that are considered non-resident.

Field, Facility Use Rentals

Courses, courts, and sport field reservations. An application must be submitted when requesting field usage. Please contact the Recreation Department.

Pickleball Courts

Single Court Rental: $10 per court per hour (exclusive use)

*Single court rental rates apply when courts are rented between the hours of 6:00am – 8:00am and 6:00pm – 10:00pm.

Block of Courts*	4 Hour Block	Per Day 8:00am-6:00pm
4 Courts	$145.00	$250.00
8 Courts	$290.00	$490.00
12 Courts	$450.00	$730.00
17 Courts**	$575.00	$1000.00***
24 Courts***	$875.00	$1500.00****

*An additional Special Event permit may be required based upon event parameters
**Includes use of (1) Championship Court
***Includes use of (2) Championship Courts
****$500 deposit is required to reserve the venue one year in advance max, unless approved by the Special Event Committee. Remaining total of venue fees are due 45 calendar days prior to the event. Cancellations require a 90-day notice, under 90 days forfeits deposit.

Wi-Fi Request: $50 per day.

Staff Fee: $49.00/hr. per employee (dependent on availability)

*****Replacement costs will be assessed for damaged items

Usage Fees:

Tennis Courts

Single Court	$10.00 per hour
Two Courts	$20.00 per hour
Four Courts	$40.00 per hour

Wadman Courts

Court Use	$20.00 per hour

Disc Golf Course

(2 hour maximum for tournament or league play/week)

Weekly Leagues	$15.00
Tournament Fee	$40.00

Multi – Use Fields

Field Rental	$30.00 per hour

Softball/Baseball Fields

Rental	Fee
Field	$25.00 per game
Weekend	$40.00 per game

Field prep	$25.00 per field
In between games field prep	$10.00 per field
Mound	$15.00 per game
Equipment rental (chalk etc.)	$15.00
Lights	$20.00 per hour

Request for equipment rental must be pre-approved by the Recreation department.

POOL

Open Plunge

Daily Admission	$8.00
Senior Admission (60+)	$4.00

Group Rates

(During open plunge)

25 people or more or with shade structure	$ 7.00 per person to be paid in one transaction

Punch Passes

10 Punches	$70.00
20 Punches	$135.00

Family Season Passes

Family Members	**Fee**
3	$360.00
4	$440.00
5	$520.00
6	$600.00

Additional family members may be added to the season pass for an additional $80.00 per person. Family members must be added at the time of purchase to be included on passes.

Family Night

(Monday night 5 to 8 p.m.)

Admission	$30.00 (family of 6 or more) or $5.00 per person

Practice times for swim teams

Monday – Friday 7:00a.m. to 8:30a.m.	Negotiated Rate

Morning Fitness

Punch Passes	**Fee**

1 Visit	$ 3.00
5	$13.00
10	$23.00
20	$40.00
Aquatic Fitness Summer pass	$40.00
Aquatic Fitness drop-in	$ 6.00

Swim Lessons

Program	**Fee**
General Class (per student)	$45.00
Mom & Tot class (per parent/per student)	$35.00
General Class Weekend	$35.00
Mom & Tot Class Weekend	$20.00
MISC Programs	$45.00 - $70.00

Pool and facility rental

For exclusive use by groups, businesses, and other organizations, etc.

Date to pool opening to June 30

Month of June (up to 200 people*) 6:30pm-8pm	$400.00
*Additional charge for groups over 200	$ 2.00(per person)

July to pool closing

Weekday (Mon, Tue, Wed, Thu) (up to 200 people*)	$500.00
Weekend (up to 200 people*)	$600.00
*Additional charge for groups over 200	$ 2.00(per person)

Shade structure: Half day rentals, during open plunge.

(facility admission not included)

Block	**Rate**
Monday: 12pm – 3:45pm	$25.00
Monday: 4:15pm – 6pm	$25.00
Tuesday – Friday: 12pm – 2:45pm	$15.00
Tuesday – Friday: 12pm – 2:45pm	$15.00
Weekend: 10am – 1:45pm	$25.00
Weekend: 2:15pm – 6pm	$25.00

COMMUNITY CENTER

Events hosted by the Community Center Personnel	$5.00 - $35.00
Co- Sponsored Community Center Events*	At the discretion of the instructor

*Co-Sponsor community center/contractor must enter into an independent contractor agreement.

PARK BOWERY RESERVATIONS

Facility	Resident/Non-Profit (Brigham City Residents, this does not include groups, associations, clubs, or organizations that a resident may be a member of)	Non-Resident (Reservations made online paying the resident fee but do not qualify as a resident will be billed additional amounts due)
Small Bowery Lindsay, Mary Christensen, Snow, & Horsley.	**$75.00**	**$150.00**
Mid-Sized Bowery John Adams, Sports Complex,& Rotary Constitution	**$150.00**	**$300.00**
Large Bowery Rees Pioneer	**$200.00**	**$400.00**

Recreation Refunds:

Should registered teams or groups withdraw from a tournament the refund policy is as follows:

- Full refund minus $5.00 processing fee prior to the tournament registration deadline.
- 50% refund minus $5.00 after registration closes and prior to posting the tournament.
- No refund will be given once the tournament has been posted.

Should registered individuals withdraw from an activity or program the refund policy is as follows:

- Full refund minus $5.00 processing fee during registration period
- 50% refund minus $5.00 processing after registration closes.
- No refund will be given once the activity or program has been posted or begins.
- Refunds from external sites/programs will be processed by them. Brigham City is not responsible for processing.

Concessions

- Recreation and Pool, Concessions – shall not be sold at less than cost. Must be approved by the Recreation Division.

- If an item becomes unavailable after sale, Brigham City may offer a replacement item or a refund
- Sale items & equipment rentals are final sale

Pool Refunds:

Passes:

- All fees paid are good for only the season issued. No carryovers permitted.
- No refunds on unused passes. They are essentially day passes purchased in advance at a reduced rate.

Punch passes are transferrable upon request and consent of original purchaser

Swim lessons/classes:

- Full refund minus $5.00 processing before registration closes
- 50% refund minus $5.00 processing fee after registration has closed
- No refunds after lessons have begun
- If a student is registered at an incorrect skill level, the Brigham City Pool reserves the right to move students to the correct skill level. If there is no space in the correct skill level, a credit for the value of the current lessons will be added to the student's Brigham City Recreation account.

The pool department has the authority to cancel registrations or modify them based on the level of participation in the registration process. This means that if there is not enough interest or participation in a particular registration, the pool department reserves the right to cancel it or make changes as they see fit

Pool and facility rental:

- Two (2) week notice is required to receive a refund for cancellation.
- Rescheduling based on availability is provided without an additional fee and must be arranged within 3 days of the original reservation date.
- A $5.00 fee is charged for all refunds.
- Refunds will not be given due to inclement weather.

Full refunds will be offered for rentals cancelled by Brigham City Pool for unavoidable circumstances. The Brigham City Pool will make weather calls 1 hour before rental begins, when possible, though last-minute situations may happen. If a weather or unavoidable incident occurs during a rental, a prorated refund may be offered. Refunds will not be offered for contamination incidents (fecal, vomit, etc.) by rental-goers. Once a rental begins, it is deemed free from any human contaminants.

Community Center Refund:

Should registered individuals withdraw from an activity or program the refund policy is as follows:

- Full refund minus $5.00 processing fee during registration period
- 50% refund minus $5.00 processing fee prior to registration closing and activity or program beginning
- No refund will be given once the activity or program has been posted or begun

Bowery Refund:

- 30 days' notice is required to receive a refund for cancellation.
- A $25.00 fee is charged for all refunds.

Marketing & Promotions

a. The Recreation Department has the discretion to offer promotions to businesses for marketing opportunities.

The above listed schedule of fees and rates shall remain in effect until revised from time to time as determined by the City Council of Brigham City. The City finds these fees and rates to be just, reasonable, and necessary changes.

BRIGHAM CITY CORPORATION

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Dennis J. Bott, Mayor

ATTEST:

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Kristina Rasmussen, City Recorder