

RESOLUTION NO. R- 38 -2024

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE PUBLIC
COMMENT PERIOD REGARDING THE CREATION OF A NEW SCHOOL DISTRICT
PURSUANT TO UTAH CODE § 53G-3-301.4**

WHEREAS, pursuant to the provisions of Utah Code § 53G-3-301.4, Eagle Mountain City, the City of Saratoga Springs, and the Town of Fairfield (“interlocal participants”), with the written support from the Town of Cedar Fort, approved an interlocal agreement on April 29, 2024 to begin the process for the possible creation of a new school district encompassing the incorporated limits of Saratoga Springs, Eagle Mountain, Fairfield, and Cedar Fort, as well as certain unincorporated areas west of Utah Lake; and

WHEREAS, pursuant to Utah Code § 53G-3-301.4(4), on April 30, 2024, the interlocal participants filed a request with the Utah County Clerk to initiate the new school district creation process (“Request”); and

WHEREAS, in accordance with Utah Code § 53G-3-301.4(5), on May 7, 2024, the County Clerk certified the Request; and

WHEREAS, a feasibility study was conducted by MGT Education and Lewis Robertson Burningham to meet the requirements under Utah Code Ann. § 53G-3-301.4(7)(b) (“Feasibility Study”); and

WHEREAS, the City Council of Eagle Mountain City, Utah received the Feasibility Study recommendations pursuant to § 53G-3-301.4(7)(b) on May 21, 2024; and

WHEREAS, the Utah Legislature adopted House Bill 3003 on June 19, 2024 and which the Governor signed on June 21, 2024, which amends Utah Code § 53G-3-301.4(8)(a)(i) to shorten the public comment period from 45 days to 30 days but delays the start of public comment until July 1, 2024; and

WHEREAS, the public comment period originally began on May 21, 2024 (the date the Feasibility Study was received by the City Council) and was slated to end on July 5, 2024; and

WHEREAS, pursuant to House Bill 3003, the public comment period will now end on July 31, 2024; and

WHEREAS, pursuant to Utah Code § 53G-3-301.4(8)(a)(ii), public hearings with the City Council were previously held on June 13, 2024, and June 18, 2024, to consider public comment on the Feasibility Study and recommendations contained therein on the new school district creation; and

WHEREAS, pursuant to House Bill 3003 these public hearings are still valid even though they are not held between July 1, 2024 and July 31, 2024; and

WHEREAS, the City Council is currently scheduled to meet on July 16, 2024 to vote on the creation of the new school district and submittal of the matter to a vote by the residents of the new school district boundaries;

WHEREAS, pursuant to Utah Code § 53G-3-301.4(8)(b), the City Council must meet and vote on the creation of the new school district and submittal of the matter to a vote by the residents of the new school district boundaries within 14 days after the day on which public comment period ends;

WHEREAS, pursuant to House Bill 3003 the public comment period now ends on July 31, 2024; and

WHEREAS, the change in the public comment period necessitates that the City Council meet and vote on the creation of the new school district and submittal of the matter to a vote by the residents of the new school district boundaries between August 1, 2024 and August 14, 2024.

NOW THEREFORE BE IT RESOLVED by the City Council of Eagle Mountain City, Utah as follows:

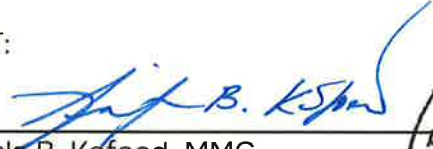
1. That the original 45-day public comment period required by Utah Code § 53G-3-301.4(8)(a)(i) and which originally began on May 21, 2024 shall now end on July 31, 2024;
2. That the City Council shall meet on August 6, 2024, in accordance with Utah Code § 53G-3-301.4(8)(b), to take final action on the creation of the new school district and submitting the matter to the legal voters residing in the boundaries of the new district; and
3. That this Resolution shall take effect immediately upon passage.

Passed, adopted, and approved this 2nd day of July, 2024.

EAGLE MOUNTAIN CITY, UTAH


Tom Westmoreland, Mayor

ATTEST:


Fionnuala B. Kofoed, MMC
City Recorder



The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 2nd day of July, 2024.

Those voting yes:

☒ Donna Burnham

☒ Melissa Clark

☒ Jared Gray

☒ Rich Wood

☒ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those abstaining:

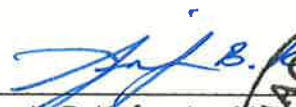
☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright


Fionnuala B. Kofoed, MMC
City Recorder

