Midterm Vacancy of City Council

Following State Code 20A-1-510, Midterm Vacancies in Municipal Offices, we note that, according to Bryan Pack, we are a six-member council.

Purpose: Midterm vacancy of Kevin Smith, Ivins City Council

We have 30 days to fill the vacancy once Kevin resigns and is sworn in as Mayor.

November 18, 2025: Once the election is complete and certified, the HR Department can post the City Council position, making it effective on January 8, 2026. That post will consist of:

- Qualifications
- Application
- Questionnaire (Optional)
- Statement of Intent and interest
- Conflict of Interest Disclosure Statement

These will be received into the Bamboo HR system to ensure professionalism, accuracy, and validation. Applications will be accepted for 2 weeks. Deadline is December 5, 2025.

Based on the Council Meeting of April 17, 2025. We agreed that the council should be more involved in the process along the way, as that strengthens our knowledge and decision-making.

While Section 7 of the code specifies: "A municipal legislative body may, consistent with the provisions of state law, adopt procedures governing the appointment, interview and voting process for filling vacancies in municipal offices." City Attorney, Bryan Pack believes we are still limited in the process we follow.

Here are two possible scenarios for the selection process:

1) All council members and mayor-elect will have access to data in Bamboo HR to review candidate profiles and questionnaire responses. Council member-elect(s)can be provided access via HR department. All candidates will participate in an in-depth interview with no more than two council members meeting at one time with a candidate to respect quorum rules. These will be recorded, so other

council members/council member elect/mayor-elect can watch. Evaluation forms will be utilized to insure documentation and fairness. Once the council-elect members and mayor-elect are sworn in, final interviews of all candidates will take place in an open public meeting per the state code with each council member/mayor-elect to ask two questions of each candidate. Then the council can vote

2) All council members and mayor-elect will have access to data in Bamboo HR to review candidate profiles and questionnaire responses. Council member-elect(s)can be provided access via HR department. In-depth interviews take place in an open public meeting. These will be lengthy to ensure all council members can ask multiple questions. Then the council can vote.

As we are a six(6) member council, the mayor will only vote in the event of a tie.