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MEMORANDUM

To: Sandy City Council

From: Council Member Christensen

Date: July 14, 2026

Subject: Legislative Advice and Consent Code Amendment

Issue

The Sandy City Council has a statutory responsibility to provide advice and consent for certain mayoral appointments. While that authority is well established, the procedures governing how appointments are presented, reviewed, and considered are currently dispersed among state law, city code, and council policy. Recent discussions regarding appointments have highlighted ambiguity surrounding the advice-and-consent process and demonstrated the need for greater clarity regarding the respective roles and processes of the Mayor and City Council.

This proposed code amendment is intended to establish a clear and predictable framework for appointments that require council advice and consent. It is not intended to alter the balance of authority between the executive and legislative branches, but rather to clarify expectations and procedures for future administrations and councils.

Background

Under Utah's council-mayor form of government, the Mayor is responsible for executive administration and appointments, while the City Council exercises legislative authority and provides advice and consent on appointments as required by state law and city ordinance. Although Sandy City has long exercised its advice-and-consent authority, the city code currently contains limited procedural guidance regarding how appointments are submitted, what information should be provided to the Council, how interim appointments should be handled, and what minimum qualifications should reasonably be expected for key leadership positions.

As a result, appointment processes have often relied on informal practices, council policy documents, or case-by-case decisions. While those approaches may work under some

circumstances, they can create uncertainty when vacancies arise, when leadership transitions occur, or when disagreements emerge regarding expectations and process.

Analysis

The proposed ordinance seeks to create consistency and predictability in the appointment process by establishing several basic principles. It provides clarity by identifying the information that should accompany appointments presented for council consideration. This allows both elected officials and the public to better understand the qualifications of proposed appointees. It establishes reasonable minimum qualifications for key statutory officers and department directors. These standards are intended to ensure that appointments are based on demonstrated professional competence while preserving the Mayor's authority to identify and nominate candidates.

It also clarifies procedures regarding interim appointments. Interim appointments are often necessary to ensure continuity of city operations, but the city currently lacks clear expectations regarding their duration and the transition to a permanent appointment process. Finally, the ordinance provides future councils and administrations with a common framework that can be followed regardless of who occupies elected office. Good governance should not depend on institutional memory or unwritten customs. Clear procedures help reduce misunderstandings, improve transparency, and strengthen public confidence in the appointment process. Importantly, the Mayor retains authority to recruit, select, and appoint candidates. The Council retains its existing role of providing advice and consent as established by state law and city ordinance.

Proposal

Adopt the Legislative Advice and Consent code amendment included as Exhibit A to establish a clear and consistent process governing appointments subject to council advice and consent.

The ordinance would:

- Clarify information required when appointments are submitted to the Council.
- Establish reasonable qualification standards for key leadership positions.
- Create transparency regarding conflicts of interest and disclosure requirements.
- Provide a framework for interim appointments.
- Clarify expectations for scheduling and consideration of appointments.

Exhibit A

3.1.10 - LEGISLATIVE ADVICE AND CONSENT:

The purpose of this chapter is to promote clarity, transparency, and understanding in the role of:

- A. The mayor in appointing department heads and statutory officers requiring advice and consent; and
- B. The city council in giving its advice and consent to such appointments as required by law.

VACANCIES; SUBMISSION OF APPOINTMENT INFORMATION:

A. When a vacancy occurs in a department head or statutory officer position that is subject to the city council's advice and consent, the mayor shall give courtesy notice to the council of the vacancy.

B. When the mayor has appointed a department head or statutory officer that is subject to the city council's advice and consent, the mayor shall give courtesy notice to the council of the appointment.

C. The submission of any appointment to the city council for advice and consent shall be accompanied by the following:

1. The name of the position to which the person is being appointed;
2. A description of any statutory or other qualifications required to hold the appointed position;
3. A brief description of the hiring process that led to the identification of the candidate;
3. The appointee's current resume or equivalent summary of academic, professional, and experiential qualifications, proposed compensation; and
4. A statement of whether the appointee currently serves on any government, private, or nonprofit board or commission.

D. After the city council receives the foregoing information, the council shall use its best efforts to schedule consideration of its advice and consent to the mayor's appointment at one of the next two (2) council meetings following receipt.

E. The appointee shall comply with all applicable conflict-of-interest and financial disclosure requirements imposed by state or city law

F. An individual shall be informed that their employment is subject to the council's advice and consent and shall not begin work as a department director or statutory officer until the city council has given its advice and consent for such appointment.

MINIMUM QUALIFICATIONS:

A. An appointee shall meet the applicable minimum requirements set forth in this section and as otherwise required by applicable law. If no minimum requirement is set forth, the mayor shall propose a qualified individual. The minimum requirements include:

1. Chief Administrative Officer: The Chief Administrative Officer shall have demonstrated experience in business or public management.
2. City Attorney: The city attorney shall be a member of the Utah state bar or shall gain admittance to the Utah state bar within six (6) months of hiring date.
3. City Engineer: The city engineer shall be a professional engineer licensed in Utah or shall become licensed within six (6) months of hiring date.
4. City Recorder: The recorder shall have demonstrated experience or expertise in records management, public administration, or a related field.
5. City Treasurer: The treasurer shall have demonstrated experience or expertise in finance, banking, investments, debt management, budgeting, or a related field.
6. Community Development Director: The community development director shall have demonstrated experience or expertise in planning, housing, community engagement, transportation planning, building services management, or a related field.
7. Economic Development Director: The economic development director shall have demonstrated experience or expertise in economic development, redevelopment, business development, commercial real estate, public-private partnerships, public administration, or a related field.
8. Administrative Services Director: The administrative services director shall have demonstrated experience or expertise in finance, accounting, financial management, or a related field.
9. Fire Chief: The fire chief shall be a sworn firefighter with demonstrated experience or expertise in fire operations or a related field.
10. Human Resources Director: The human resources director shall have demonstrated experience or expertise in employee relations, organizational development, employee benefits, compliance, or related field.

11. Information Technology Services Director: The information technology services director shall have demonstrated experience or expertise in management of large information systems (including security), software development, business systems development, network systems including hardware and overall infrastructure planning, management of information technology professionals, or related fields.

12. Police Chief: The police chief shall be a sworn peace officer with demonstrated experience or expertise in police operations or a related field.

13. Public Works Director: The public works director shall have demonstrated experience or expertise in public works administration, municipal infrastructure, engineering, transportation systems, utilities, streets, stormwater, fleet operations, facilities management, capital project delivery, or a related field.

14. Parks and Recreation Director: The parks and recreation director shall have demonstrated experience or expertise in parks and open space management, recreation programming, trail systems, facility operations, urban forestry, sustainability initiatives, or a related field.

15. Communications Director: The communications director shall have demonstrated experience or expertise in strategic communications, public information, media relations, community engagement, digital communications, marketing, crisis communications, or a related field.

B. The city council may decline to give its consent to a proposed appointment, even if an appointee meets applicable minimum requirements.

INTERIM APPOINTMENTS; DURATION:

A. If a vacancy occurs in a department director or statutory officer position requiring the advice and consent of the city council, the mayor may fill the position on an interim basis, pending completion of the selection, appointment, and advice and consent process.

A person serving on an interim basis to fill a department director or statutory officer position shall be:

1. A current city employee who has been a city employee for at least one (1) year;
2. A former city employee who was employed by the city for at least two (2) years and left city employment in good standing; or
3. Another qualified individual.

B. An individual serving in an interim capacity, who is nominated to serve as the department director, or statutory officer, may not continue to serve in that interim capacity if the City Council has voted not to give its advice and consent to the appointment.

Notwithstanding the foregoing, the mayor may request a vote of the city council to grant an exception to this rule.

C. The mayor shall give notice to the city council of an interim appointment.

D. No interim appointment, or combination of interim appointments for the same position during the same period of time, may extend beyond four (4) months unless:

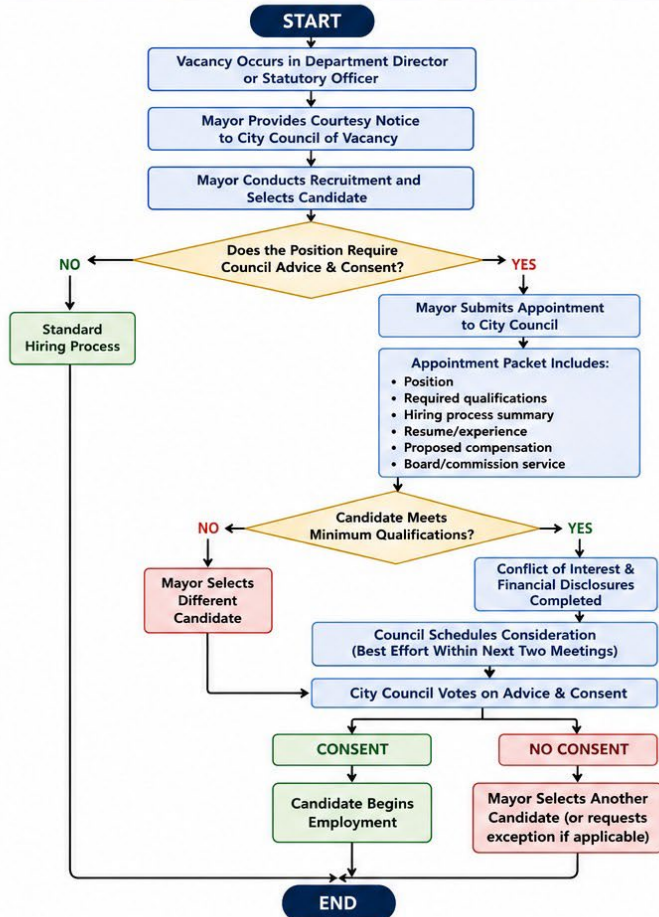
1. An extension of time is requested in writing by the mayor; and

2. The request shall be accompanied by a written report to the City Council describing recruitment efforts, anticipated timelines, and the reasons additional time is necessary.

3. The Mayor has requested that the Council give advice and consent to the appointment, but the Council has failed to vote on the nomination.

Exhibit B

LEGISLATIVE ADVICE & CONSENT PROCESS



INTERIM APPOINTMENT PROCESS

