



CITY COUNCIL

MEMBERS:

LEANNE HUFF
COREY THOMAS
SHARLA BYNUM
NICK MITCHELL
PAUL SANCHEZ
NATALIE PINKNEY
CLARISSA WILLIAMS

South Salt Lake City Council Work Meeting Agenda

Public notice is hereby given that the **South Salt Lake City Council** will hold a Work Meeting on **Wednesday, February 28, 2024** in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **6:15 p.m.**, or as soon thereafter as possible.

To watch the meeting live click the link below to join:

<https://zoom.us/j/93438486912>

Watch recorded City Council meetings at: youtube.com/@SouthSaltLakeCity

Conducting: Council Chair Bynum

MATTERS FOR DISCUSSION:

1. Appointment by the Mayor: Zana Jokic – Civilian Review Board Alternate Member	Mayor Wood
2. Budget Amendment	Crystal Makin
3. Council Code of Conduct	Sharla Bynum

Adjourn

Posted February 23, 2024

ARIEL ANDRUS
CITY RECORDER
220 E MORRIS AVE
SUITE 200
SOUTH SALT LAKE
UTAH
84115
P 801.483.6019
F 801.464.6770
SSLC.GOV

Those needing auxiliary communicative aids or other services for this meeting should contact Ariel Andrus at 801-483-6019, giving at least 24 hours' notice.

In accordance with State Statute and Council Policy, one or more Council Members may be connected electronically.

Have a question or concern? Call the connect line 801-464-6757 or email connect@sslc.gov



Employment Application | Submitted: 24-Oct-2023

AAA

Zana Jokic



Civilian Review Board Member

Job Location - South Salt Lake, UT

Department - Civilian Review Board

Source - City of South Salt Lake Website

Employment History

Beginning with the present or most recent experience, account for all employment up to the last ten (10) years.

Note: If you are unable to provide a phone number, you will need to enter 000-000-0000. If you are unable to provide an email address, you will need to enter noreply@noemail.com

10/2022-05/2023 Housing Authorities Salt Lake City

Job Title: Eligibility Worker

Dates Employed From: Oct/2022

Dates Employed To: Apr/2023

Employment Length: 0 years, 6 months

Position Type: Full-Time

Duties: Prepare and/or process applications for several public housing programs; giving information about housing options in Salt Lake City, making directory of housing resources and other programs.

Reason For Leaving: better job offer

Supervisor Name: Rhonda Barrow

Address: 1776 S W Temple St, Salt Lake City

Phone: ([REDACTED])

May We Contact? Yes

10/2021-4/2023 SLC Mayor Resident Food Equity Advisor

Job Title: Mayor Advisor on Food Equity Considers Opportunity, Access and Barriers; providing opportunities and reducing access barriers to healthy and relevant fresh food.

Dates Employed From: Oct/2021

Dates Employed To: Apr/2023

Employment Length: 1 year, 6 months

Position Type: Per Diem

Duties: Mayor Advisor on Food Equity Considers Opportunity, Access and Barriers; providing opportunities and reducing access barriers to healthy and relevant fresh food.

Reason For Leaving: finished project

2/2007-10/2022 Utah State / DWS CIU

Job Title: Office Specialist

Dates Employed From: Feb/2007

Dates Employed To: Oct/2022

Employment Length: 15 years, 8 months

Position Type: Full-Time

Duties: Prepare and/or process applications for several state programs, documents and payments; review for accuracy and completeness; update information and/or evaluate against policy; compare elements for consistency or logical relationships, operating an imaging machine (Opex and Bell and Howell), use Kofax /Batch Manager-electronic imaging filing system, imaging hardware and software/PACMIS, UWORKS, Kofax Ascent Capture, GroupWise (email) and the Internet

Reason For Leaving: better job offer

Employment Additional Questions

The applicant did not answer any Additional Questions

Education

List below your educational background, including high school, all colleges, trade and military service schools.

University of Sarajevo | College or University

Degree: BA Sociology

Major: Sociology

Location: Sarajevo, Bosnia and Herzegovina, BOSNIA AND HERZEGOWINA

Supervisor Name: MARIA SCHWARZ

Address: SUSTAINABILITY
DEPARTMENT | SALT LAKE CITY
CORPORATION

Phone: ([REDACTED]

May We Contact? Yes

Supervisor Name: Ashley Baker

Address: 720 S 200 E, Salt Lake City,
UT 84111

Phone: ([REDACTED]

May We Contact? Yes

Education Additional Questions

The applicant did not answer any Additional Questions

Graduated? Yes

Years Attended: 1999

Resume

You can provide us with your resume here. You may either upload a file containing a formatted version, or cut & paste a text version in the space provided.

Click on the link to open the resume file if you wish to print the formatted resume.

File Name	Link
ZANA JOKICupdate-2023.docx	 Preview Download
diploma _1_.pdf	 Preview Download
vista _1_.pdf	 Preview Download
Mayor letter.pdf	 Preview Download

Text Only Resume

No Text Only Resume on File

Admin Uploaded Files

There are no admin uploaded files for this applicant.

References

Please fill out the information below regarding references.

Note: If you are unable to provide a phone number, you will need to enter 000-000-0000. If you are unable to provide an email address, you will need to enter noreply@noemail.com

Anja [REDACTED]

Company: Slavic LLC
Occupation: Consultant
Years Known:

Phone: [REDACTED]
Email: [REDACTED]

Kathy [REDACTED]

Company: Utah State
Occupation: Office Specialist
Years Known: 15

Phone: [REDACTED]
Email: [REDACTED]

MARIA [REDACTED]

Company: SUSTAINABILITY DEPARTMENT | SALT LAKE CITY CORPORATION
Occupation: Food & Equity Program Manager
Years Known: 2 years

Phone: [REDACTED]
Email: [REDACTED]

Job Questions

CRB | Score Total - 0

Interests and Experience

Please share with us your reasons for wanting to be on the SSL Citizen Review Board:

Question	Answer	Score	Disqualifier?
Please share with us your reasons for wanting to be on the SSL Citizen Review Board. *	I am interested in communication and accountability between the South Salt Lake Police Department and the community, as well as the review of complaints of potential police misconduct. Open and transparent communication between law enforcement agencies and the community they serve is crucial for building trust and ensuring accountability. Ensure transparency in police operations/making policies, procedures, and data related to complaints and misconduct publicly available; Clearly define and publicize the process for filing complaints against police officers. Make it easily accessible to all community members; Train officers in de-escalation techniques, cultural sensitivity, and bias awareness to minimize potential conflicts; Advocate for policies that protect individuals' rights and due process, such as Miranda rights and the right to an attorney.		
Are you a resident of South Salt Lake or do you own/represent a business located in the city? *	Yes	0	
If you own/represent a business in South Salt Lake, please list business name and location.	This question was not answered.		
Are you currently a Law Enforcement Officer? *	No	0	
Are you currently serving on any other city committees or councils? *	No	0	
If yes, please list:	This question was not answered.		
Do you have previous experience serving on other city committees or councils? *	No	0	

If yes, please explain:

List any community service/activities (past or present):	no
List any civic/professional experience or organization memberships:	<p>10/2022-05/2023 Housing Athorities Salt Lake City Eligibility Worker for Public Housing Prepare and/or process applications for several public housing programs.</p> <p>10/2021-4/2023 SLC Mayor Resident Food Equity Advisor Mayor Advisor on Food Equity Considers Opportunity, Access and Barriers; providing opportunities and reducing access barriers to healthy and relevant fresh food.</p> <p>2/2007-10/2022 Utah State / DWS CIU Office Specialist Prepare and/or process applications for several state programs, documents and payments; review for accuracy and completeness; update information and/or evaluate against policy; compare elements for consistency or logical relationships, operating an imaging machine (Opex and Bell and Howell), use Kofax /Batch Manager-electronic imaging filing system, imaging hardware and software/PACMIS, UWORKS, Kofax Ascent Capture, GroupWise (email) and the Internet</p> <p>02/01/2003-Present Freelance Medical and Court Intrepreter for Bosnian , Croat and Serbian languages / Utah University, IHC, Utah State (DWS, Education)</p> <p>01/04/03-09/01/04 Utah Health and Human Rights Salt Lake City, UT Rehabilitation for survivors of political torture; Training for health providers in refugee-specific issue; Promotion of human rights education among the healthcare community.</p> <p>10/01/02-02/01/04 Utah Issues- Center for Poverty Research and Action Salt Lake City, UT Homeless Research Project Provide a base of knowledge and approaches to qualitative social research methods in the homelessness projects; Collecting, interpreting and analyzing qualitative research data; data gathering, data analysis, planning, sorting/create structure which provides a coherent and clear focus; Related research literature, policy papers, other analyses and</p>

key data; 01/18/02 09/01/02 USA National
Peace Corps Salt Lake City, UT Homeless
Youth Center

Other pertinent information:	4/00-09/00 International Rescue Committee Sarajevo, BH Training Manager Network development of non-governmental organizations; Plans for training, education and dissemination, capacity building; Publishing a newsletter for non-governmental organizations; 09/99-04/00 HelpAge International Sarajevo, BH Training Manager Management of training; organization of seminars and conferences; Contacts with the international agencies, lobbying and advocacy related to the issue of elderly persons; Development of a network; project design, capacity building;
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Additional Questions

Personal Information | Score Total - 0

Question	Answer	Score	Disqualifier?
Do you have any relatives working for South Salt Lake? *	No	0	
Please list their name:	This question was not answered.		
Are you 18 years or older? *	Yes	0	
Have you ever been employed by South Salt Lake? *	No	0	
Are you aware of any physical disabilities that would prevent you from performing the duties of the position for which you are applying: *	No	0	
Are you aware of any emotional or mental disabilities that would prevent you from performing the duties of the position for which you are applying: *	No	0	

Applicant Statement

I certify that the facts contained in this application are true and complete to the best of my knowledge and understand that any misstatement of material facts may subject me to disqualification, dismissal or even criminal proceedings. I authorize investigation of all statements contained herein and the references listed above to give you any and all information concerning my previous or current employment and any pertinent information they may have, personal or otherwise, and release all parties from all liability for any damage that may result from furnishing same to you. I understand that the top applicant will be tested for drugs following an offer of employment, and prior to beginning employment. The offer of employment shall be contingent upon submitting to and passing the drug test. I understand that refusal to take the test, test results reporting a presence of illegal drugs or narcotics, or the abuse of prescribed or non-prescribed drugs will result in withdrawing offer of employment and be cause for disqualifying an applicant from applying for any other City of South Salt Lake positions for a minimum of six (6) months. Applicants found to have been convicted of the illegal sale, manufacture or distribution of any narcotic/drug will be permanently rejected from future employment consideration with the City of South Salt Lake. I understand and agree that, if hired, my employment is for no definite period and may, regardless of the date of payment of my wages and salary, be terminated at any time without prior notice. I understand that any oral or written statements to the contrary are hereby disavowed and should not be relied upon by any prospective or existing employee.

Note: 1. Any applicant may be given any combination of the following: polygraph exam, written exam, agility exam, physical exam, psychological exam and oral interview as condition of employment.

2. Any applicant may be subject to an employment background investigation and a credit and/or criminal check, which may be ordered at any time during the employment and/or placement process.

If I am a commercial drivers license holder, I hereby authorize any employer listed above to provide the City with information for the purposes of investigation and qualifying me to drive a commercial motor vehicle as required and allowed by the U.S. Department of Transportation and Federal Motor Carrier Safety Regulations.

I agree to the above.

Signature: Zana Jokic

Date: 2023-10-24 08:55:49pm

IP Address: 136.36.137.28

Signature

Date

RESOLUTION NO. R2024-____

A RESOLUTION OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING THE 2023-2024
FISCAL YEAR BUDGET

WHEREAS, the South Salt Lake City Council (the “Council”) met in regular session on February 28, 2024, to consider, among other things, amending the budget for the 2023-2024 fiscal year; and

WHEREAS, Utah Code § 10-6-127 enables the City to review the individual budgets of the funds set forth in the City’s budget; and

WHEREAS, Utah Code § 10-6-128 allows the Council to adopt budget amendments by resolution or ordinance following a public hearing; and

WHEREAS, the Finance Director has prepared and filed with the City Recorder the proposed amendments, which are attached, and has submitted the same to the Council for its review and for the public review; and

WHEREAS, the amendments to the budget were the proper subject at a duly noticed public hearing and all interested persons in attendance at the public hearing were given the opportunity to be heard for or against, amending the budget for the 2023-2024 fiscal year; and

WHEREAS, the amendments conform to the requirements of the Utah Uniform Fiscal Procedures Act and Council finds it has satisfied all legal requirements required to amend a budget;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of South Salt Lake as follows:

SECTION I: The budget amendments attached hereto and incorporated herein by this reference are hereby adopted and incorporated into the budget for the City for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION II: Pursuant to Utah Code Ann. 10-6-118, a copy of the Budget for each fund within the Budget shall be certified by the Budget Officer and it is hereby directed that the Budget be filed with the State Auditor and in the Office of the City recorder and shall be available to the public in accordance with the law.

SECTION III: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION IV. This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

(remainder of page intentionally left blank)

(signatures appear on next page)

Adopted this _____ day of _____, 2024.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Bynum	_____
Huff	_____
Mila	_____
Pinkney	_____
Sanchez	_____
Thomas	_____
Williams	_____

Transmitted to the Mayor's office on this _____ day of _____ 2024.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2024.

Cherie Wood, Mayor

ATTEST:

Ariel Andrus, City Recorder

**Amendments to the City of South Salt Lake Budget for the Fiscal Year
2023-2024**

General Fund

Ref	Description	Acct No	Uses:	Sources:	NOTES:
NEIGHBORHOODS-ANIMAL SERVICES					
	Operating Supplies	10-69-265-02	\$ 8,000.00		
	Pet Supplies/Food	10-69-265-03	\$ 8,000.00		
	Building Maintenance	10-69-265-05	\$ 12,000.00		
	Veterinarian Fees	10-69-265-07	\$ 30,000.00		
	Equipment Acquisition	10-69-265-09	\$ 4,000.00		
	Unexpended Animal Control Donations	10-2640-000		\$ 48,000.00	
	Animal Services Revenue	10-3227-000		\$ 12,000.00	
	Dog Licenses	10-3225-000		\$ 2,000.00	
STREETS DEPARTMENT					
	Equipment Maintenance	10-61-250-00	\$ 40,000.00		Unexpected and costly repairs to the asphalt paver and
	Fund Balance	10-3890-000		\$ 40,000.00	street sweepers
COMMUNITY DEVELOPMENT					
	Planning Commission Equipment	10-65-311-01	\$ 15,000.00		Computers for planning commission-backordered from 2023.
	Building Permits	10-3221-000		\$ 15,000.00	

FY 2024 Budget

Proposed Budget Amendments - February 2024

Public Safety Service Special Revenue Fund

Ref	Description	Acct No	Uses:	Sources:	NOTES:
HOMELESSNESS MITIGATION					
PSS-1	Salaries-Homeless Mitigation	20-57-117-00	\$ 14,671.00		Account for additional funds awarded to aid in winter response for
	State Homeless Center Assistance	20-3341-000		\$ 14,671.00	homelessness mitigation support.
PSS-2	Police-Homeless Mitigation Salaries	20-51-117-00		\$ 65,875.00	Account for additional mitigation funding awarded for homelessness
	Police-Homeless Mitigation Benefits	20-51-150-01	\$ 189,460.00		mitigation support services.
	Fire-Homeless Mitigation Salaries	20-57-117-00		\$ 67,334.00	
	Fire-Homeless Mitigation Benefits	20-57-150-01	\$ 243,066.00		
	Homeless Strategies-Salaries	20-52-110-00		\$ 80,450.00	
	Homeless Strategies-Benefits	20-52-150-00	\$ 31,000.00		
	Recovery Support Services	20-52-335-02	\$ 15,000.00		
	State Homeless Center Assist	20-3341-000		\$ 264,867.00	

Attachment C: Budget
DWS Office of Homeless Services (OHS)
Grant Budget Narrative and Itemization Form
October 15, 2023 - April 30, 2024

Organization:	City of South Salt Lake
HMIS Project Name(s):	Winter Overflow Response
WebGrants Project Letter:	
Contract Award Amount:	\$90,172.32

All planned expenses must be itemized, detailed and described for each line item.

Cells may be expanded as necessary in order to provide all required information. Funding cannot supplant or replace existing funding.

Category I - Indirect Expenses:

a) NICRA - If the organization has a federally approved Negotiated Indirect Cost Rate Agreement (NICRA), the NICRA **must** be used in Category I, unless the organization voluntarily chooses to waive indirect costs or charge less than the full indirect cost rate. Any administrative costs that are not part of the basis of the NICRA and are direct charged can be listed in Category II.

b) De Minimis - If the organization does not have a NICRA and chooses a **de minimis rate**, Category I **must** be used. The de minimis rate can be charged at 10% of Modified Total Direct Costs (MTDC). MTDC is defined as being: ****All direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward.**

Category I *Indirect Expenses	Itemized Details of Grant Funds Requested	Grant Funds Requested
Indirect Costs		\$ -

**Cannot exceed the entities federally approved indirect cost rate (NICRA) - OR - the entities 10% de minimis rate certificate based upon eligible Category III **expenses.*

****Indirect costs may be modified after funding sources have been determined so not to exceed federal regulations of the federal funds awarded.*

Category II - Direct Administrative Expenses:

If the organization DOES NOT have a NICRA and chooses not to use the de minimis rate, the organization **must** use Category II if charging Direct Administrative Expenses.

Category II Direct Administrative Expenses	Itemized Details of Grant Funds Requested	Grant Funds Requested
Salaries		\$ -
Fringe Benefits		\$ -
Communications		\$ -
Equipment		\$ -
Insurance		\$ -
Organization Space Costs		\$ -
Organizations Utilities		\$ -
Professional Development & Training		\$ -
Professional Fees & Contract Services		\$ -
Supplies		\$ -
Travel & Transportation		\$ -

****Direct Administrative costs may be modified after funding sources have been determined so not to exceed federal regulations of the federal funds awarded.*

Total Category I/Category II Administrative Expenses

\$ -

Category III	Itemized Details of OHS Grant Funds Requested	Grant Funds
**Salaries	Additional public safety response personnel including police and fire/paramedic officers to respond to additional calls for service due to increased population at PARC.	\$ 65,004.80
**Fringe Benefits	Additional public safety response personnel including police and fire/paramedic officers to respond to additional calls for service due to increased population at PARC.	\$ 25,167.00
Client Rent and Arrears Payments		\$ -
Client Deposit, App Fees, and Utility Assistance		\$ -
Client Services		\$ -
Hotel/Motel Payments		\$ -
**Conference Attendance and Staff Training/Development		\$ -
**Professional Fees & Contract Services		\$ -
Program Space Costs		\$ -
**Program Insurance		\$ -
**Program Supplies, Space Utilities, Internet, Etc.		\$ -
Program Equipment		\$ -
**Program Transportation		\$ -
**Subawards - limited to the first \$25,000		\$ -
Total Category III Project Expenses		\$ 90,171.80
Total Expenses Category I/II and Category III		\$ 90,171.80

Attachment C: Budget
DWS Office of Homeless Services (OHS)
Grant Budget Narrative and Itemization Form
July 1, 2023 - June 30, 2024

Organization:	South Salt Lake City
HMIS Project Name(s):	NA
WebGrants Project Letter:	Christine Simonette/Crystal Makin
Contract Award Amount:	\$3,377,848.00

All planned expenses must be itemized, detailed and described for each line item.

Cells may be expanded as necessary in order to provide all required information. Funding cannot supplant or replace existing funding. Please refer to the "Category Definitions for Allowable Expenditures" document for additional information.

Category I - Indirect Expenses:

a) NICRA - If the organization has a federally approved Negotiated Indirect Cost Rate Agreement (NICRA), the NICRA **must** be used in Category I, unless the organization voluntarily chooses to waive indirect costs or charge less than the full indirect cost rate. Any administrative costs that are not part of the basis of the NICRA and are direct charged can be listed in Category II.

b) De Minimis - If the organization does not have a NICRA and chooses a **de minimis rate**, Category I **must** be used. The de minimis rate can be charged at 10% of Modified Total Direct Costs (MTDC). MTDC is defined as being: ****All direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward.**

Category I *Indirect Expenses	Itemized Details of Grant Funds Requested	Grant Funds Requested
Indirect Costs		\$ -

**Cannot exceed the entities federally approved indirect cost rate (NICRA) - OR - the entities 10% de minimis rate certificate based upon eligible Category III **expenses.*

****Indirect costs may be modified after funding sources have been determined so not to exceed federal regulations of the federal funds awarded.*

Category II - Direct Administrative Expenses:

If the organization DOES NOT have a NICRA and chooses not to use the de minimis rate, the organization **must** use Category II if charging Direct Administrative Expenses.

Category II Direct Administrative Expenses	Itemized Details of Grant Funds Requested	Grant Funds Requested
Salaries		\$ -
Fringe Benefits		\$ -
Communications		\$ -
Equipment		\$ -
Insurance		\$ -
Organization Space Costs		\$ -
Organizations Utilities		\$ -
Professional Development & Training		\$ -
Professional Fees & Contract Services		\$ -
Supplies		\$ -
Travel & Transportation		\$ -

****Direct Administrative costs may be modified after funding sources have been determined so not to exceed federal regulations of the federal funds awarded.*

\$ -

Category III	Itemized Details of OHS Grant Funds Requested	Grant Funds
**Salaries	1 lieutenant at \$74.02 per hour @ 40 hours per week/1 Sergeant at @ \$52.94 per hour at 40 hours per week/10 police officers at various per hour (please see attached sheet for specific breakdown of all officers) @ 40 hours per week/ 1 Battalion Chief at \$54.99 per hour @ 40 hours per week/ 2 Captains at \$54.99 @ 40 hours per week/ 3 engineers at \$44.36 @ 40 hours per week/ 6 Paramedics at \$44.36 per hour @ 40 hours per week/ 1 Homeless Strategies Director at \$38.94 @ 40 hours per week	\$ 2,392,341.02
**Fringe Benefits	Benefits are calculated at 40%	\$ 970,506.98
Recovery Support Services (RSS)	RSS can include: Rent, deposit, transportation, medical or mental health services, assessments, etc. (This amount will be allocated for 6 months due to the addition of new legislative funds allocated January 2024) For a full list, please see the RSS manual attached.	\$ 15,000.00
		\$ -
		\$ -
		\$ -
		\$ -
Total Category III Project Expenses		\$ 3,377,848.00
Total Expenses Category I/II and Category III		\$ 3,377,848.00

FY 2024 Budget
Proposed Budget Amendments - February 2024

Capital Fund

NOTES:

Ref	Description	Acct No	Uses:	Sources:	
FACILITIES					
	SSL Community Center Improvements	40-80-727-00	\$ 10,000		Replace sound system in auditorium
	Capital Projects Professional Fees	40-80-794-00	\$ 50,000		Additional funds needed for capital infrastructure study
	City Hall Improvements	40-80-712-00	\$ 10,000		Security updates
	City Hall Improvements	40-80-712-00	\$ 10,000		Carpet replacement
	Fund Balance	40-3890-000		\$ 80,000	
C-1	Capital Projects Professional Fees	40-80-794-00	\$ 40,000		Grant awarded to fund an Urban Forestry Inventory Study
		40-		\$ 40,000	
	Capital Projects Professional Fees	40-80-794-00	\$ 100,000		Grant awarded to fund an Arts and Campus Master Plan for the Historic
	County Grants-TRCC	40-3342-000		\$ 50,000	Scott School Community Center. City responsible for 50% of cost.
	Scott School Capital Improvements	40-80-722-00		\$ 50,000	Discontinuing boiler and canopy expenditure

2023 Urban and Community Forestry Subaward Agreement

City of South Salt Lake - South Salt Lake Urban Forestry Program

This Subaward Agreement is accepted by City of South Salt Lake, hereinafter referred to as the 'Subrecipient', SAMS #38091398, CAGE# 49WB7 and represented by Sharen Hauri, Director, Department of Neighborhoods, 220 E Morris Ave, South Salt Lake, UT 84115, telephone 801-633-1262, according to the following terms and conditions.

This Subaward, awarded and administered by the Utah Division of Forestry, Fire & State Lands (FFSL), Federal ID No. 87-6000545, SAMS# CCFZCKJ64E69, and is consistent with the policies, procedures and objectives of the Cooperative Forestry Assistance Act of 1978, Public Law 95-313, as amended. This Subaward is awarded under federal grant #23-DG-11046013-625, awarded on June 29, 2023, Inflation Reduction Act Grant from the United States Department of Agriculture – Forest Service (USFS) and Catalog of Federal Domestic Assistance (CFDA) number 10.664, "Cooperative Forestry Assistance." The funds provided by this award are not for R&D and an indirect rate is not applied to this funding.

SECTION 1, PURPOSE. The purpose of this Subaward is to establish mutually agreeable terms and conditions, specifications, and requirements to grant funds to the Subrecipient for a Community Forestry Partnership Grant Community Forestry Development/Tree Planting Project. Basis for this subaward is the UCF Program, which is administered through a partnership with the United States Department of Agriculture, Forest Service (USFS) and FFSL. The Community Forestry Development/Tree Planting project proposal for this Subaward to the Subrecipient is attached hereto as Appendix A, and is incorporated herein by reference.

SECTION 2, TERM. This Subaward is effective on the date of last signature. The Subrecipient shall have until 5/31/2026, to complete the project and work described in Section 4, Project Scope. FFSL may, pursuant to Section 19, Agreement Extension, grant an extension for completion upon request and showing of good cause by the Subrecipient. Good cause is defined as external factors preventing the Subrecipient from completing the work, including but not limited to, inadequate staff, construction, hazard trees or other barriers on project site(s) and extensive and prolonged inoperable weather conditions. A request for extension must be submitted in writing no less than thirty (30) days prior to the termination date if an extension is to be considered by FFSL.

SECTION 3, FFSL's ROLE. FFSL is administering grant funds awarded by the USFS to ensure that the funds are used according to the intent and procedures of the Community Forestry Partnership Grant program. FFSL will monitor project expenditures to assure payment eligibility. FFSL assumes no responsibility for the Subrecipient's obligation to faithfully perform the tasks and activities required by this Subaward. The Subrecipient may contact FFSL's liaison, Jeran Farley, at (801) 330-7976, jlfarley@utah.gov, 1594 W. North Temple, Suite 3520, PO Box 145703, Salt Lake City, Utah 84114 for guidance related to administration of the terms of this Subaward. All requests for information and assistance shall be submitted to the FFSL liaison or his designee.

SECTION 4, PROJECT SCOPE. The Subrecipient must use the proceeds provided pursuant to this Subaward to perform allowable activities under the Program. The key outcomes of the project are tree plantings, removals, maintenance, or community forestry development. The Project Proposal submitted by the Subrecipient, attached hereto as Appendix A, describes the project and activities to be performed by the Subrecipient.

SECTION 5, PROJECT BUDGET. This Subaward does not require a match, as it is for project work in a federally designated disadvantaged area.

Total payment for all purposes under this Subaward shall not exceed \$156000.

Subrecipient shall follow all applicable procurement procedures as required in Section 12, Compliance with Applicable Laws, and the applicable OMB Circular 2 CFR 200.317 – 200.326.

SECTION 6, AVAILABILITY OF SUBAWARD FUNDS. The Subrecipient acknowledges and understands that Subaward funds become available based on federal awards to FFSL.

The commitment by FFSL to expend money is contingent upon FFSL receiving funds under the Cooperative Forestry Assistance Act of 1978, Public Law 95-313, as amended. No liability shall accrue to FFSL or its officials in the event such funds are not appropriated or allotted as authorized under this legislation. FFSL may, at its sole discretion, terminate or reduce the scope of this Subaward if available funding is reduced for any reason. FFSL will provide Subrecipient at least 30 days' notice if termination of this Subaward is determined to be necessary due to unavailability of funds. Until FFSL notifies

Subrecipient that obligated funds are unavailable, FFSL will continue to comply with the terms of this Subaward, including the disbursement of funds for eligible expenses incurred by Subrecipient up to the specified date and time of termination.

SECTION 7, BIDDING REQUIREMENTS. Upon acquiring products and/or services with funds awarded pursuant to this Subaward, Subrecipient must submit verification that a minimum of two (2) bids have been solicited for every contract or purchase issued by the Subrecipient over \$1,000 for which subaward funds will be disbursed. A telephone quote sheet, attached as Appendix B, may be used or any other form of bid verification designated by Subrecipient.

SECTION 8, DISBURSEMENTS. The Subrecipient shall submit claims for disbursement of Subaward funds to the FFSL liaison. Documentation of reimbursable costs incurred must be submitted with the disbursement requests. Documentation may include but is not limited to itemized receipts, vendor invoices, inspections certificates, financial reports that clearly show expenditures, payroll records, copies of checks, bank statements, or other forms of proof of payment. FFSL will determine whether documentation submitted adequately supports the disbursement request and may require additional documentation before approving payment. FFSL will verify the claims and check them against the Report required in Section 9 and the Project Budget guidelines provided in Section 5. FFSL will disburse Subaward funds to the Subrecipient only upon FFSL's review and approval of the documentation submitted by the Subrecipient. FFSL may withhold reimbursement for costs that are not allowed under this Subaward and may require Subrecipient to provide adequate documentation to substantiate the expenditures as allowable costs.

SECTION 9, REPORT. A Final Report that details the project status, results, accomplishments and financial status will be submitted to the FFSL liaison by the Subrecipient for approval upon project completion. Final disbursement of Subaward funds is contingent upon FFSL's receipt and approval of the report, final budget, and required receipts and expenditure documentation, however, partial reimbursement may be issued at appropriate intervals, with proper documentation (receipts, invoices, etc.)

The deadline for submitting the Project Report is 5/31/2026. Subrecipient understands that if the Project Report is not provided to FFSL by the deadline, that FFSL may elect to not make payment under the terms of this Subaward. Furthermore, failure by Subrecipient to provide the Project Report to the FFSL liaison as required herein may cause FFSL to terminate this Subaward.

FFSL shall, if necessary, provide the Subrecipient with further instructions regarding the required reporting format and other specific reporting requirements when such requirements are mandated by the Federal and/or State government(s). Any new reporting requirements will be provided in writing to Subrecipient and will be added to the terms of this Subaward via an amendment should Subrecipient and FFSL agree to those terms. The foregoing notwithstanding, Subrecipient must comply with the terms of any future reporting requirements that do not differ materially from those required by this Subaward.

SECTION 10, RECORDS AND AUDITS. The Subrecipient must maintain appropriate and adequate records showing complete entries of all receipts, disbursements, and other transactions relating to this Subaward for three (3) years after the later of either the final Subaward payment of the termination or expiration of this Subaward. DNR, FFSL, the Utah Legislative Auditors, or the Utah State Auditor's Office may, at any reasonable time, audit all records, reports, and other documents that the Subrecipient maintains under or during the course of this Subaward to ensure compliance with its terms and conditions.

SECTION 11, PROJECT MONITORING AND ACCESS FOR INSPECTION AND MONITORING. FFSL or its agents may monitor and inspect all phases and aspects of the Subrecipient's performance to determine compliance with this Subaward, including the adequacy of records and accounts. The Subrecipient shall accommodate requests for FFSL access to the site and records with due consideration for safety, private property rights, and convenience of everyone involved.

SECTION 12, EMPLOYMENT STATUS AND WORKER'S COMPENSATION. FFSL is not an owner or general contractor for the project. FFSL does not control the work activities or worksite of the Subrecipient or any contractors that might be engaged by the Subrecipient for completion of the project. The Subrecipient is independent from and is not an employee, officer, or agent of FFSL. The Subrecipient, its employees and contractors, are not covered by FFSL's Workers' Compensation Insurance. The Subrecipient is responsible for making sure that it and its employees are covered by Workers' Compensation Insurance and that its contractors are in compliance with the coverage provisions of the Workers' Compensation Act.

SECTION 13, COMPLIANCE WITH APPLICABLE LAWS. The Subrecipient must comply with the requirements of the Federal Office of Management and Budget (OMB) guidance in subparts A through F of Circular 2 CFR 200 *Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards* as adopted and supplemented by the USDA in 2 CFR part 400. These regulations are available online at the following website: www.ecfr.gov.

Subrecipient certifies that it will abide by all certifications and assurances set forth in Federal Form AD-1048, "Certification Regarding Debarment, Suspension, Ineligibility & Voluntary Exclusion – Lower Tier Covered Transactions," this form having been signed, attached hereto as Appendix G, and incorporated herein by reference. Per the terms of the federal award, the Subrecipient shall also require all second-tier subrecipients and contractors who will be paid with subaward funds to sign form AD-1048, and subrecipient shall keep completed forms on file.

All work performed under this Subaward must fully comply with all applicable federal, state, and local laws, rules, and regulations, including but not limited to, the Utah Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Any subletting or subcontracting by the Subrecipient subjects subcontractors to the same provision. In accordance with 49-3-207, MCA, the Subrecipient agrees that the hiring of persons to perform this Subaward will be made on the basis of merit and qualifications and without discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin of the persons performing this Subaward. It shall be the Subrecipient's responsibility to obtain all permits, licenses, or authorizations that might be required from government authorities for completion of the project. Procurement of labor, services, supplies, materials and equipment shall be conducted according to applicable federal, state, and local statutes. FFSL's signature on this Subaward does not guarantee the approval or issuance of any permits, licenses, or any other form of authorization to take action for which Subrecipient must apply with FFSL or any other government entity and submit to FFSL to fulfill the terms of this Subaward.

TRAFFICKING IN PERSONS. Subrecipients under this award and the Subrecipient's employees may not: (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; (2) Procure a commercial sex act during the period of time that the award is in effect; or (3) Use forced labor in performance of the award or subawards under the award.

NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. The Subrecipient shall include the following statement, in full, in any printed audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

If the material is too small to permit the full statement to be included, the material must at minimum, include the following statement, in print size no smaller than the text:

"This institution is an equal opportunity provider."

SECTION 14, AGENCY RECOGNITION REQUIREMENTS.

Use of Agency Insignia. Subrecipient shall request in writing permission from the USFS and receive written permission from the USFS before using the USFS insignia on any published media, such as a webpage, printed publication, or audiovisual production. Subrecipient shall request in writing and receive written permission from FFSL before using the FFSL insignia on any published media, such as a webpage, printed publication, or audiovisual production.

Public Notices. Subrecipient is encouraged to give public notice of the receipt of this subaward of federal grant funds and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows: "The funding for this project is derived in full or in part from a federal award of the U.S. Forest Service, Department of Agriculture, subawarded by the Utah Division of Forestry, Fire and State Lands."

Acknowledgement in Publications, Audiovisuals, and Electronic Media. Subrecipient shall acknowledge USFS and FFSL support as appropriate in any publications, audiovisuals, and electronic media developed as a result of this subaward of USFS grant funds. Follow direction in USDA Supplemental 2 CFR 415.2.

Acknowledgement Signage. Subrecipient will be required to provide signage, detailing the use of Federal Inflation Reduction Act Funds for this grant project, use the official description and logo provided by the USFS, and meet its approval.

SECTION 15, COPYRIGHTING AND GOVERNMENT RIGHT TO USE. Subrecipient is granted sole and exclusive right to copyright any publications developed as a result of this award. The State of Utah and the USFS reserve a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for government purposes. This provision includes any right of copyright to which Subrecipient purchases ownership with any federal contributions. No original text or graphics produced by the State of Utah or the USFS shall be copyrighted.

SECTION 16, FAILURE TO COMPLY. If the Subrecipient fails to comply with the terms and conditions of this Subaward, FFSL may terminate this Subaward and refuse additional disbursements of subaward funds and take legal action to recover disbursed subaward funds. Such termination will become a consideration in FFSL's evaluation of future applications for subawards.

SECTION 17, ASSIGNMENT AND AMENDMENT. The Subrecipient may not assign or transfer any portion of this Subaward without FFSL's express written consent. Amendments will be in writing, signed by both parties, and attached as an integral component of this Subaward. This Subaward may be terminated by the mutual written consent of both parties. If this Subaward is terminated, the Subrecipient may not submit claims for reimbursement for costs incurred beyond the mutually agreed to termination date.

SECTION 18, AGREEMENT EXTENSION. This Subaward may, upon mutual written agreement between the parties and according to its terms, be extended.

SECTION 19, INDEMNITY AND LIABILITY (HOLD HARMLESS/INDEMNIFICATION). Subrecipient agrees to be financially responsible for any audit exception or other financial loss to FFSL and the State of Utah which occurs due to the negligence, intentional acts, or failure by Subrecipient and/or its agents, employees, subcontractors, or representatives to comply with the terms of this Subaward.

Subrecipient hereby agrees to defend, indemnify and hold harmless FFSL and the State of Utah and its agents from and against any and all claims, demands, or actions for damages to property or injury to persons or other damage to persons or entities arising out of, or resulting from the performance of this Subaward or the results of this Subaward, provided such damage to property or injury to persons is due to the negligent act or omission, recklessness, or intentional misconduct of Subrecipient or any of its employees. This Subaward is not intended to relieve a liable party of financial or legal responsibility.

SECTION 20, INSURANCE REQUIREMENTS. General Requirements: The Subrecipient shall maintain for the duration of this Subaward, at its cost and expense, insurance against claims for injuries to persons or damages to property, including liability, which may arise from or in connection with the performance of the work by the Subrecipient, agents, employees, representatives, assigns, or contractors. This insurance shall cover such claims as may be caused by any negligent act or omission.

Specific Requirements for Commercial General Liability: The Subrecipient shall purchase and maintain occurrence coverage with combined single limits for bodily injury, personal injury, and property damage of \$750,000 per occurrence and \$1,500,000 aggregate per year to cover such claims as may be caused by any act, omission, or negligence of the Subrecipient or its officers, agents, representatives, assigns or contractors.

This Subaward consists of pages 1 – 5, plus the following appendices:

- Appendix A (Community Forestry Partnership Grant Project Proposal)
- Appendix B (Telephone Quote Sheet)
- Appendix C (Final Report Form)
- Appendix D (Volunteer Log Sheet)
- Appendix E (Budget Calculation Form)
- Appendix F (W9 Form)
- Appendix G (Federal Form AD-1048)

The Subrecipient hereby accepts this Subaward according to the above terms and conditions.

10/3/2023
Date

By:



FFSL Authorized Representative

Jeran Farley

Printed Name

Dec 01 2023
Date

By:



Subrecipient or Subrecipient's Authorized Representative

Cherie Wood

Printed Name

FY 2024 Budget**Proposed Budget Amendments - February 2024**

Water Fund**NOTES:**

Ref	Description	Acct No	Uses:	Sources:	Notes:
W-1	Water Distribution Mains	51-80-735-00	\$ 145,000		Upgrade City Waterline as part of SSL Bridge Replacement
	Fund Balance	51-90-910-00		\$ 145,000	project with UDOT



45408

Local Agency	Betterment Description: This betterment is for the upgrade and adjustment to the City Waterline within the project limits	Estimated Cost for Betterment
Cost Estimate		\$144,080.00
Betterment Agreement		
PIN: 21005 FINET/CID: 56253	Project Number: F-LC35(0)0 Project Name: BFP: South SLC Bridge Replacement 035123F	Agreement 248892 Date Executed 02/13/2024

THIS AGREEMENT made and entered into the date shown below, by and between the **Utah Department of Transportation, ("UDOT")**, and **South Salt Lake City, ("Local Agency")** a political subdivision of the State of Utah.

Subject to the attached provisions, UDOT will include the following betterment work items into the above referenced Project and will oversee construction of the betterment work. Upon signing this Agreement, the Local Agency agrees that the costs shown below are estimates only and the Local Agency is responsible for paying all actual costs associated with these betterment items, based on Contract Unit Bid Prices, and actual quantities placed.

Waterline work for the waterline at 200 East within the project limits of structure replacement 035123F. Includes design and construction of the waterline through the project limits.

Item No.	Description	Quantity	Estimated Unit Price	Estimated Cost
1	Design of waterline	1	\$21,080	\$21,080
2	Construction of waterline	1	\$123,000	\$123,000
	Subtotal			\$144,080
	Preliminary Engineering @ __% (If applicable)			NA
	Construction Engineering @ __% (If applicable)			NA
	Total Estimated Cost of Betterment Work			\$144,080

The total estimated cost of the betterment work shall be advanced / deposited with UDOT prior to advertising / procurement of the Project. The Local Agency shall deposit the amount with UDOT's Comptroller's Office located at UDOT/Comptroller, 4501 South 2700 West, Box 141510, Salt Lake City 84119-1510.

In the event the actual betterment costs are higher, the Local Agency shall pay the additional amount required within 30 days of receiving an invoice from UDOT. In the event the actual betterment cost lower, UDOT will refund the balance of the amount deposited within 30 days of determining the final cost of the betterment work.



Provisions

(Note: the language in these provisions shall not be changed without prior approval from the Utah AG's office)

The Local Agency desires to include the betterment work items described herein in the project contract work.

UDOT will include the Local Agency's requested betterment work in the project contract provided that the Local Agency pay the actual additional costs and UDOT's project will not be delayed because of the betterments. No betterments will be added to the bid package until this Agreement has been signed by both parties.

The Local Agency, at no cost to the Project, shall provide on-call support from Local Agency's Design Engineer or appropriate representative to correct or clarify issues during construction and to perform the necessary inspection for the Local Agency work installed by the contractor. The Local Agency engineer and / or inspector shall work with and through UDOT's Project Manager or Resident Engineer and shall give no orders directly to UDOT's contractor unless authorized in writing to do so. UDOT's contractor will accomplish the work covered herein on the Local Agency's facilities in accordance with the plans and specifications provided by the Local Agency, including changes or additions to the plans and specifications which are approved by the parties.

The Local Agency, through its inspection of the work, will provide UDOT's Project Manager or Resident Engineer with information covering any problems or concerns the Local Agency may have with acceptance of the facilities upon completion of construction.

Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the project does not relieve the Local Agency of its duty in the performance of this project or to ensure compliance with acceptable standards.

Except in cases of emergency, access for maintenance and servicing of the Local Agency facilities located on UDOT's right-of-way will be by permit issued by UDOT to the Local Agency, and that the Local Agency will obtain the permit and abide by the conditions thereof for policing

and other controls in the conformance with Utah Administrative Rules.

I. Indemnification:

UDOT and the Local Agency are both governmental entities subject to the Governmental Immunity Act. Each party agrees to indemnify, defend, and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out of its negligent acts, errors or omissions of its officers, agents, contractors or employees in the performance of this agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any of the provisions of the Governmental Immunity Act. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided the Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

II. Termination:

This Agreement may be terminated as follows:

- a. By mutual agreement of the parties, in writing.
- b. By either UDOT or the Local Agency for failure of the other party to fulfill their obligations as set forth in the provisions of this Agreement. Reasonable allowances will be made for circumstances beyond the control of the parties. Written notice of intent to terminate is required and shall specify the reasons for termination.
- c. By UDOT for the convenience of the State upon written notice to the Local Agency.
- d. Upon satisfactory completion of the provisions of this Agreement.

III. Maintenance:

The Local Agency agrees that, upon completion and final inspection of the project construction, to accept, own and maintain the betterment work covered herein at no further cost to UDOT.

IV. Payment and Reimbursement to UDOT:



South Salt Lake City Council

Code of Conduct

As elected representatives, Council Member conduct is of utmost importance. Each Council Member is expected to and is relied upon to represent the City and the Council Member's community with dignity and respect. The expectations set out below are not an exhaustive list of all considerations.

(a) Established Role:

- (1) As elected representatives of the Council and as stewards of City resources, Council Members are charged with finding common ground and working toward the best interests of the City as a whole.
- (2) All members of the City Council have equal voting power and have committed to serve in the role of an elected official. All members of the body shall be treated with equal respect.
- (3) Upon taking the oath of office, Council Members are provided the code of conduct and are asked to sign and abide by the Model of Excellence Member Statement (see Appendix A), and file it with the City Recorder's office as a public record.

(b) Overview of Standards of Responsibility

All Council Members shall:

- (1) Participate fully in City Council meetings and other public forums while demonstrating respect, consideration, and courtesy to their colleagues on the Council, the public, and City staff. It is not acceptable to show antagonism or hostility, lie or mislead, speak recklessly, spread rumors, or unnecessarily stir up divisiveness or controversy.
- (2) Plan to attend and prepare in advance of Council meetings in order to be familiar with issues on the agenda. As outlined in these rules, fines may be imposed in the event of excessive absences.
- (3) Practice fiscal responsibility with public funds.
- (4) Be attentive and act efficiently during public meetings. The actions of each Council Member shall not cause disruption or detract from the focus of the meeting either through conversations with other Council Member or attendees when not recognized as the speaker, use of electronic devices for personal reasons during the meeting, or any other behavior that could distract from the meeting's purpose of conducting the business of the City.
- (5) Serve as a model of civility to the community.
- (6) When required to perform the functions of a Council Member, either in a public meeting or otherwise, no Council Member shall be under the influence of any substance that has the effect of impairing that Council Member's ability to perform their required duties.
- (7) Instill public confidence in the City through an engaged approach.

- (8) Demonstrate honesty and integrity.
- (9) If committing to a meeting or activity, make the best effort to attend.
- (10) Recognize the role of the Mayor as the official spokesperson of the City administrative positions, while the Council Chair/Vice Chair speak on behalf of the Council as a public body, and individual Council Members speak only in an individual capacity.

(c) Ethics

Council Members are expected to comply with State law and City code and policy, including ethical requirements. If a Council Member has a conflict of interest under applicable law or policy and if the Council holds a closed session as permitted by Utah law, the conflicted Council Member may be excluded from participation in that closed session in the Council Chair's reasonable discretion, or that of the authorized conducting Council Member for that meeting.

(d) Conduct Guidance

- (1) **Council Member Conduct with Colleagues**
 - i. Practice civility and professionalism in discussions and debate.
 - ii. In public meetings use formal titles, honor the role of the Council Chair in maintaining order and recognition of the selected speaker, and avoid personal commentary.
 - iii. Council Members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the Council or the audience from business before the Council, or which might interfere with any person's right to be heard after recognition by the Conducting Council Member.
 - iv. Be aware of the potential public disclosure of written notes, voicemail messages, email, text messages, or social media posts and comments. Social media platforms should be used in a positive and respectful manner free from personal attacks or threats.
 - v. Robust legislative debates and differences of opinion will occur and should center on policy, actions, and ideas; Members of the Council shall avoid personal attacks and restrict comments to issues before the body.
 - vi. Council Members should respect the personal and work life of other Council Members and should refrain showing up at fellow Council Member's homes or places of work uninvited.
 - vii. Violations of Decorum or Conduct of Council Members shall be resolved as outlined below at the direction of the Council Chair.

(2) Council Member Conduct with City Staff

- i. The Mayor's role is to direct the administration. Council Members are prohibited by State law from directing City staff or functions.
- ii. Treat all City employees as professionals.
- iii. Keep in mind the professional boundary necessary to allow City employees to complete tasks associated directly with their employment.
- iv. Avoid romantic or sexual relationships with any City employee. Any such

relationship should be disclosed to the Council Chair and the City Attorney. In the case of a relationship by the Chair, disclosure should be made to the Vice Chair as well. Council Members engaging in these types of relationships must recuse themselves from any actions impacting the City employee's direct responsibilities.

- v. Recognize the power dynamic as an elected official. Council Members, by virtue of their position, have power over staff members' livelihood and should be cognizant to not take advantage of that power dynamic.
- vi. Recognize the training and experience of City staff members, which makes those staff members experts on certain topics.
- vii. Do not solicit political support from City staff during business hours or on City property.
- viii. Do not use City staff for unauthorized purposes such as personal tasks, social events not attended on behalf of the Council, or work to benefit the Council Member or the Council Member's family personally.
- ix. Do not use City resources to prepare or publish controversial positions. Controversial positions include those that: a) attack or criticize other Council Members or the Mayor, b) address an issue which is being discussed by candidates opposing an incumbent Council Member during an election year, c) address an issue which is an integral part of an incumbent Council Member's platform for elected office during an election year, or d) address sensitive subjects on which Council Members are sharply divided.

(3) Council Member Conduct in Public Meetings

- i. Be welcoming to speakers and treat them with respect.
- ii. Actively listen to presenters and commenters with an open mind. Avoid debate and argument with the public during meetings.
- iii. Demonstrate effective problem-solving approaches.
- iv. Strive to be succinct and keep comments and debate relative to topics discussed.
- v. Be fair and equitable in allocating public hearing time to individual speakers.
- vi. Disagreements with the public will occur. Comments and questions should center on policy, ideas, and actions. Refrain from criticizing an individual person.
- vii. Follow the Council's rules of procedure in conducting public meetings.

(4) Council Member Conduct while Traveling on City Business (travel paid with taxpayer funds)

- i. Taxpayer funds are paying for Council Member travel, conferences, seminars, and meetings to benefit the City through the Council Member's enrichment and opportunity.
- ii. When registering for an event that requires travel, strive to participate in the event to make the most of the available opportunities.
- iii. Be professional and act according to the setting of the activity.
- iv. When traveling, be mindful of the following considerations:
 - a) You are a representative of the City's elected leaders through the

duration of the travel.

- b) Comments or positions may be attributed to you or the City.
- c) Consuming alcohol or other substances may impair your ability to remain professional or to conduct yourself to these standards.

(5) **Council Member Conduct in Other Public and Professional Settings**

- i. As an individual of a deliberative body, do not make promises or assurances on behalf of the Council, any City board, any City commission, or the City.
- ii. Refrain from sharing unfavorable personal commentary or personal opinions of your Council colleagues as individuals.
- iii. In dealing with other public agencies or state legislative meetings, be clear in communications that you are either leadership representing the City or are there representing your personal interests.
- iv. When attending a City board or commission meeting, state explicitly whether you are attending as a Council member or are providing your personal opinions.
- v. With the media, choose words carefully and best practice is never to go “off the record.”

(e) **Compliance and Enforcement**

This Code of Conduct expresses standards of ethical conduct expected for Council Members. Council Members are responsible for assuring that the public can continue to have full confidence in the integrity of government. Council Members have the additional responsibility to intervene when actions of other members appear to be in violation of this Code of Conduct are brought to their attention.

(1) If a Council Member violates this Code of Conduct, the following steps should be taken as appropriate. These steps are not all required; however, the alleged offending Council Member should be given notice prior to any public Council discussions. At any step in this process, if the Chair is the individual whose actions are being challenged, then the matter should be referred to the Vice Chair. Council Members are encouraged to discuss any concerns or questions with the City Attorney at any time.

- i. A Council Member who believes that a violation has occurred should first discuss the potential violation with the other Council Member. If such discussion is not appropriate for any reason, the concerned Council Member should talk directly to the Council Chair.
 - a) If a potential violation becomes known to City staff, the concerned City staff member should bring the concern to the Mayor who shall then communicate the concern to the Chair or Vice Chair.
- ii. If the offense is significant, not resolved by discussion, or the concerned Council Member can't discuss the matter with the other Council Chair. The Council Chair should discuss the matter with the offending Council Member in private. If the matter is significant or continues to be unresolved, the Council Chair should discuss it with the Mayor and City Attorney.

- iii. It is the responsibility of the Chair to bring the matter to the entire Council if a Council Member's behavior warrants sanctions under this Code. If no action is taken by the Chair, the alleged violation can be brought up with the full Council in a public meeting as a point of personal privilege or as an agenda item. Prior to any discussion with Council, the Chair or other Council Member should provide written notice to the offending Council Member of the alleged violation.
- iv. The majority of the Council may call for an investigation of member conduct. Should the City Attorney believe an investigation is warranted, they shall confer with the Council in a closed meeting. The Council may ask the City Attorney to investigate the allegations and report the findings. The City Attorney may designate an outside investigator to investigate any allegations where appropriate.
- v. It shall be the Council's responsibility to determine the next appropriate action. Any such action taken by the Council, with the exception of a determination to "take no further action," shall be conducted at a noticed public meeting, which may be closed if appropriate pursuant to Utah law, and shall require a 2/3 vote of Council Members.

Any such closed meeting for violations of this Code of Conduct may exclude the offending Council Member in the Council Chair's reasonable discretion, or that of the authorized Council Member conducting the meeting.

- a) The Council may find that no further action is warranted.
- b) If the Council determines that sanctions are appropriate, the Council action imposing sanctions should specify the length of time for which those sanctions will be in place. Actions taken by the Council may include one or more of the following:
 1. Discussing and counseling the individual on the violation;
 2. Placing the matter on a future public meeting agenda to consider sanctions;
 3. Censuring the offending Council Member in a Council meeting and/or in writing;
 4. Suspending the offending Council Member from placing items on the Council agenda;
 5. Suspending the offending Council Member from conducting formal meetings;
 6. Suspending the offending Council Member from City or Council related travel;
 7. Removing the offending Council Member from leadership or committee roles;
 8. Requiring the offending member to participate in Council Meetings remotely; and
 9. Requesting that the offending Council Member resign their Council position.

(2) A Council Member's conduct may create legal liability on the part of the City,

and it is not the Council member's role to determine whether the potential for liability is acceptable. The City Attorney may advise taking additional actions not included in this Code of Conduct to minimize legal liability for the City. If there is legal action taken naming the City and/or a Council Member, a Council member may be entitled to indemnification by the City for actions taken within the role of Council Member. However, Council Member actions taken outside of the role as Council Member may result in personal liability. The City Attorney is the attorney for the City and the elected officials on all matters related to public business.

(f) Implementation

As an expression of the standards of conduct for Council Members expected by the City, this Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document must be included in the regular orientations for Council Members. Council Members entering office shall sign the attached Model of Excellence statement affirming that the Council member read and understood Code of Conduct. This Code of Conduct is in effect regardless of a Council Member's execution of the Model of Excellence Member Statement. The City Attorney's office or designee will provide annual training to the Council on this Code.



Appendix A

MODEL OF EXCELLENCE MEMBER STATEMENT

As a member of the South Salt Lake City Council, I understand I am held to a higher standard by the public, and I agree to uphold the Code of Conduct for the City Council and conduct myself by the following model of excellence.

I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, City employees, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid illegal and reckless behavior whether in private or public life, while serving as an elected official for the City of South Salt Lake;
- Avoid and discourage conduct which is divisive or harmful to the best interests of the City of South Salt Lake; and
- Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read and understood the South Salt Lake City Code of Conduct for the South Salt Lake City Council and agree to abide by such Code.

Signature

Date



Appendix B

CHECKLIST FOR SELF-MONITORING CONDUCT

- ✓ Will my decision/statement/action violate the trust, rights, or good will of others?
- ✓ If I have to justify my conduct in public tomorrow, will I do so with confidence that I acted according to our Code of Conduct?
- ✓ How would my conduct be evaluated by people whose integrity and character I respect?
- ✓ Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it destroy their trust in me? Will it harm their reputation?
- ✓ Is my conduct fair? If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ✓ Does my conduct give others reason to trust or distrust me?
- ✓ Can I take legitimate pride in the way I conduct myself and the example I set?
- ✓ Do I listen and understand the views of others?
- ✓ Do I question different points of view in a constructive manner?
- ✓ Do I work to resolve differences and come to mutual agreement?
- ✓ Do I support others and show respect for their ideas?
- ✓ Will my conduct cause public embarrassment to someone else, the City Council, my community, or the City overall?

**SOUTH SALT LAKE CITY
CITY COUNCIL RULES OF PROCEDURE
(Last Amended August 23, 2024)**

Listed below are the rules of procedure used by the South Salt Lake City Council. The Council has not adopted the formality of Robert's Rules of Order. However, the following rules are based on Robert's Rules of Order, with modifications, and more fully suit the needs of the South Salt Lake City Council. These are not the only rules followed by the South Salt Lake City Council. They are in addition to rules set forth in Utah Code Annotated (Title 10, Utah Municipal Code, and Title 52, Chapter 4, Open and Public Meetings). All rules and procedures of the South Salt Lake City Council must remain consistent with the Utah Code. These rules shall be made available to the public at each public meeting held by the Council and shall be posted on the City's website.

When the Rules refer to "2/3 vote of Council Members", 2/3 will be defined as follows:

If there are 7 Council Members present,	5 will be 2/3
If there are 6 Council Members present,	4 will be 2/3
If there are 5 Council Members present,	3 will be 2/3
If there are 4 Council Members present,	3 will be 2/3

Rule 1: Organization of the Council - Election of the Chairperson and Vice-Chairperson

1. The Council Members will elect one Council Member as Chairperson and one Council Member as Vice-Chairperson. The elections will take place once a year at the first work meeting in January, or at a work meeting called specially for such election, to be held immediately preceding the first regular Council meeting in January. The action of the Council will be announced in the first regular Council meeting after such work meeting.
2. The election shall comply with the following procedures:
 - (a) The Council Chair shall call for nominations, and any member of the Council may submit names for nomination. A voice vote is necessary to close the period of time for nominations.
 - (b) If two or fewer names are submitted for

nomination, then only one vote will be held. If three or more are submitted, then voting will take place in two rounds.

(c) Voting shall be by written ballot which identifies the Council member casting the vote. The City Recorder shall collect all written votes and announce the vote cast, as well as the council member who cast the vote.

(d) In elections with two rounds, the first round shall narrow the field of candidates down to the two who received the most votes, and the Council will vote in a second round.

(e) Separate ballots shall be held for the Chairperson and Vice-Chairperson positions.

(f) All direct ties between two candidates shall be resolved by an immediate coin toss by the City Recorder in the presence of the Council. The Council Member whose surname is earlier in the alphabet shall be assigned "heads." In the event of a three-way tie in an initial round of voting, the field shall be narrowed by means of drawing straws, with the Council Member who draws the short straw being eliminated. Straws shall be drawn by Council Members in alphabetical order.

3. The Chairperson and Vice-Chairperson shall serve for a one-year term.
4. In the event of a vacancy in the position of Chairperson, the Vice-Chairperson shall become Chairperson and shall serve the remainder of the term. A vacancy in the position of Vice-Chairperson shall be filled by election in the manner prescribed in paragraph 2 of this Rule.

Rule 2: Powers and Duties of the Chairperson and Vice-Chairperson

1. The Chairperson shall sign:
 - (a) all ordinances and resolutions passed by the Council,
 - (b) all official minutes of City Council meetings after such minutes have been approved, and

- (c) all correspondence determined by the Council Members to be representative of the group as a whole.
- 2. The Chairperson shall receive all messages and communications from the Mayor and others addressed to the Council as a body and shall be responsible to convey all such messages and communications to the other Council Members. All email communication between any member of the City Council and the Mayor, or City staff, shall be conducted through City issued email.
- 3. During emergency, special, or work meetings, the Chairperson shall serve as Conducting Council Member, or the Chairperson may designate another Council Member to conduct. (See Rule 7, number 1).
- 4. In the absence of the Chairperson, or upon his/her inability to act, or upon request of the Chairperson, the Vice-Chairperson shall preside and shall have all the powers and authority of the Chairperson.
- 5. In the absence of both the Chairperson and Vice-Chairperson at a meeting, the Council Member who conducted at a meeting may sign all documents identified in this rule upon which final action was taken during that meeting.

Rule 3: Scheduling and Calling of Meetings

The following are the types of Council meetings that may be called or scheduled according to the Utah Code:

Regular Council Meetings
Work meetings
Special meetings
Emergency Meetings
Closed Meetings
Public Hearings

- 1. At least once each year the City Council shall give public notice of its annual meeting schedule as required by Utah Code Annotated 52-4-202(2)(a), 1953, as amended.
- 2. The City Council will meet in at least one regularly scheduled meeting per month. The City Council intends

to hold two meetings per month. Meetings will usually be held the second and fourth Wednesdays unless otherwise calendared. A Notice/Agenda for such meetings will be noticed in compliance with state law.

3. The Council Chairperson may schedule one or more "work" meetings of the Council each month, as needed. A Notice/Agenda for such "work" meetings will be "posted" at least 24 hours prior to the time of such meeting. (See Rule 4 for more information about "work" meetings.)

Any two (2) members of the Council or the Mayor may "order" a special meeting of the Council if the business of the City requires it. The order will be entered in the minutes of the City Council and shall provide at least three (3) hours' notice, which notice shall be served by the Recorder on each Council Member who did not sign the order by delivering the notice personally or by leaving it at the Council Member's usual place of abode. Utah Code Ann. Section 10-3-502, as amended. Notice of the meeting may also be conveyed by a telephone conversation or voice mail if personal delivery is not accomplished. All other notice and voting requirements shall be as required by the Utah Open and Public Meetings Act.

5. Any one (1) member of the Council or the Mayor may call an Emergency Meeting for "matters of an emergency or urgent matter." An attempt will be made to notify all Council Members of such meeting and the best notice practicable shall be given as required by the Open and Public Meetings Act. A majority of Council Members must vote in the affirmative to hold the meeting. Utah Code Ann. Section 52-4-202, as amended.
6. In certain circumstances, the Council may deem it advisable to take certain matters under discussion at a noticed meeting into a Closed Meeting with only the Council Members and City staff personnel essential to the meeting present. Such meeting may only be held upon the affirmative vote of 2/3 of the Council Members present at such meeting. (See Rule 7, number 6 for more information about Closed Meetings).
7. A public hearing on Council business generally is a part of a regularly scheduled and noticed Council meeting. (See Rule 7, number 5 for more information

about public hearings).

8. In compliance with this Rule, the Council may permit one or more Council Members located in a remote location to participate in a Council meeting by way of electronic communication.
9. Prior to permitting a Council Member located in a remote location to participate electronically in a Council meeting, the following conditions shall be met:
 - (a) A Council Member who desires to participate in a Council meeting from a remote location shall make a request to the Council Chairperson prior to the Council meeting.
 - (b) The City Recorder will affirm that proper notice of the intent to hold an "electronic meeting" was given as provided in paragraph 10 of this rule;
 - (c) The City Recorder will verify that an electronic connection is available, at no substantial cost to the City, sufficient to allow the remotely situated Council Member(s) to hear the discussion occurring in the Council meeting and to be heard in the meeting; and
 - (d) Only one member of the Council must be in attendance at the anchor location, which shall be the Council Chambers at City Hall.
Notwithstanding the forgoing, upon a written determination by the Council Chair that meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the principal location all members of the Council may join electronically and presence at the anchor location is not required. A quorum shall be present so long as at least four members of the Council participate.
10. Notice of the intent to permit one or more remotely situated Council Members to participate in a Council meeting electronically or hold a meeting electronically without an anchor location will be made in accordance with the Open and Public Meetings Act.

Rule 4: Work Meetings

1. The Council may, at the call of any two Council Members or the Council Chair, sit in a work meeting for the purpose of further discussion or study of items already before the Council for action or for the purpose of discussing items of Council business. The Council Chair, or a Council Member designated by the Chair, shall conduct such meetings.
2. Notice of work meetings shall be in conformance with the Utah Open and Public Meetings Act and the agenda for such meetings shall be posted by the City Recorder. Only those items listed on the posted agenda will be discussed at a work meeting. All work meetings of the Council shall be open.
3. After discussion, items will be referred to a future regular Council meeting to be considered under Unfinished Council Business or under the Consent Agenda if the matter is ready for final action, or to a future work meeting if the matter needs further work by the Council.
4. No action will be taken at a work meeting on items discussed during that meeting. However, the Council may suspend its rules to vote on matters under discussion. Suspension of the rules requires the affirmative vote of a majority of the Council Members.
5. Work meetings may be used for the purpose of special presentations, such as instructions on emergency preparedness, introduction to and discussion about pending or expected Council meeting agenda items, reports from elected officials, etc. Work meetings also will be used to discuss Council procedures, to set yearly Council meeting dates and to elect Council Chair and Vice-Chair.
6. During a work meeting the Council Members and the Mayor may sit around a conference table, rather than at the podium, to provide a more informal atmosphere and to allow a freer exchange of ideas.

Rule 5: Minutes of the Council - Recordings

1. The City Recorder shall keep the minutes of the proceedings of all open City Council meetings or any meeting during which official action of the Council is

taken.

2. Within thirty days of the open meeting, the City Recorder shall present the draft minutes to the Council for final approval by the Council. When convenient and possible, the Council shall approve, amend, or reject the minutes at its next meeting. Minutes which are submitted for approval, but upon which action is not taken within thirty days, shall be deemed approved and stand as proposed. Draft minutes are public records and must be clearly designated as "draft" minutes on any copy provided to the public.
3. Except for closed meetings to exclusively discuss the character, professional competence, or physical or mental health of an individual, or for discussion regarding deployment of security personnel, devices, or systems (see UCA 52-4-206(1) and (6)), upon request by any Council Member, the City Recorder may also keep minutes of closed meetings. Minutes and recordings of closed meetings shall be designated as protected records, pursuant to the Utah Government Records Access and Management Act.
4. The minutes of all meetings will include the time and date, the names of those speaking, reflect the essence of the proceedings and the perceived intent of the person speaking and will not necessarily be a verbatim transcript. Where necessary, as determined by the Council to accurately reflect the proceedings, a specific and/or verbatim transcript of the proceedings will be included in the minutes. If a Council Member, the Mayor, a member of the public or any other person wishes something to be entered verbatim in the minutes, a written copy of such entry will be provided to the City Recorder. Minutes may not be amended to include information which was not a part of the meeting.
5. The City Recorder shall make and keep an audio or audio-visual recording of all meetings, unless excepted pursuant to state law. The recording shall be made and kept in a format conducive to long-term storage. Recordings of open meetings shall be available to the public for inspection or purchase within three (3) business days of the Council hearing.

1. The Council will consider business in the following order:
 - A. Opening Ceremonies:
 1. Welcome/Introductions - Acknowledge Visitors
 2. ~~Serious Moment of Reflection~~/Pledge of Allegiance
 3. Special recognitions
 - B. Approval of Minutes
 - C. No Action Comments
 1. Scheduling
 2. Public Comments/Questions
 - (a) Response to Comments/Questions (at discretion of Conducting Council Member)
 3. Mayor
 4. City Attorney
 5. City Council Members
 7. Information (must be listed on Agenda)
 - D. Action Items
 1. Consent Agenda
 2. Unfinished Council Business
 3. New Council Business
 - E. Public Hearings
 - F. Closed Meeting
2. The conducting Council Member, by polling the Council Members, may, by affirmative consensus, proceed out of order to any order of business or return to an order already past. If two or more Council Members oppose, the original agenda will be followed. Information agenda items may be held prior to Public Comment where state law requires a specific Information item to have public comment (such as when a taxing entity other than the City is required to present information to the Council regarding a tax rate that entity is adopting, which exceeds the certified tax rate and public comment is required on that topic).

3. An item which appears on New Council Business may be referred to (a) the Consent Agenda for final action, (b) Unfinished Council Business for further discussion or action, (c) a work meeting of the Council for further study, or (d) a future meeting for a public hearing, if required.

The Council may suspend the rules to vote to adopt on first reading if immediate action is necessary, or otherwise deemed appropriate. Suspension of the rules requires the affirmative vote of a majority of the Council Members. See Rule 17 for more information about suspension of the rules.

4. An item may be placed on the Consent Agenda after discussion at a work meeting for the next regular meeting or may be placed on the agenda for a regular meeting on the same date as the work meeting, so long as it is done in compliance with state law.
5. Matters appearing on the Agenda may be discussed by the Council prior to any motion being made.
6. All open meetings of the Council shall be open to the public. Any Council Member, administrative staff or member of the public may request time to discuss matters of City business or to place an item on the agenda. Request for time to discuss a matter shall be made to the Chairperson with sufficient time for it to be placed on an agenda in compliance with state law, and whenever practical, shall be scheduled by the Chairperson for the first available regular or work Council meeting.

Rule 7: Conducting of Meetings and Agenda Definitions

The Chairperson shall serve as Conducting Council Member for special, emergency, or work meetings, or the Chairperson may designate another Council Member to conduct.

Each Council Member, other than the current Chairperson, shall conduct at regular Council meetings for a period of one month, not less than once per year nor more than twice per year, progressing in order from the representative for District #1 to the representative for District #5. At-large representatives shall rotate after the District representatives in alphabetical order.

The powers of the Conducting Council Member shall be limited to conducting the regular meetings of the Council only.

The Conducting Council Member will sit at the center of the podium, with the Council Chairperson at his or her right and with the Council Vice-Chair at his or her left.

The following steps are detailed to coincide with the form of the Agenda (as discussed in Rule 6 above) when conducting a regular Council meeting:

1. Opening Ceremonies.

- (a) Welcome/Introductions - Acknowledge Visitors.
The Conducting Council Member will strike the gavel, call the meeting to order, welcome those in attendance and acknowledge visitors.
- (b) Serious Moment of Reflection/Pledge of Allegiance. ~~The Council Member assigned to give the serious moment of reflection will announce the name of the person scheduled to present the serious moment of reflection, the person's connection to the City and the general nature of the presentation, for example, a prayer, supplication, inspirational thought, inspirational reading, a moment of silence or other appropriate activity, or in the absence of such a presenter, the Council Member assigned shall present the serious moment of reflection. Following the serious moment of reflection, the the assigned~~ Council Member will ask the audience to rise for the Pledge of Allegiance and lead the Pledge. ~~As more particularly set forth in Rule 21, any community member may volunteer to present the serious moment of reflection.~~
- (c) Special Recognitions. Occasionally, ceremonial tasks are performed at the beginning of the Council meeting. Normally, such items do not require a motion and very seldom require discussion. Resolutions of Appreciation do require a motion to adopt, a second, and a vote.

2. Approval of Minutes. The next agenda item is approval of the Minutes of preceding meeting(s). The Conducting

Council Member will ask if there are any changes or corrections. When changes and corrections have been made, the Conducting Council Member will ask for a motion and second to adopt the minutes as corrected, and a voice vote will be taken. Once the minutes have been adopted pursuant to a vote by the council, no alterations can be made and they are the official record of the meeting.

3. No Action Comments. The Conducting Council Member will not need to ask for a motion concerning any items listed under this section of the Agenda. However, any Council Member can make a request to schedule an item to appear on a future Agenda as an "Action Item."
 - (a) Scheduling. The Recorder will inform those in attendance of up-coming events, meetings, etc., in the community which may be of interest to members of the public.
 - (b) Public Comments/Questions. Time shall be made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business. Sign-up cards for Public Comments shall be made available to attendees at all regular meetings to gather names and addresses for the Recorder's purposes. Persons who sign such cards ahead of time may be given priority to speak.
 - (1) When a member of the audience addresses the Council and/or Mayor, that individual will come to the podium and state the individual's name and city/town in which the individual resides. Individuals will be asked to limit their remarks/questions to three (3) minutes each. Comments shall be civil in decorum. All comments shall be directed to the Mayor and City Council. During the comment period, no person shall be allowed to comment more than once. Speakers should not expect any debate or dialogue with the Mayor, City Council, or City Staff during the meeting.
 - (2) In meetings during which numerous individuals wish to comment, the time for all public comments may be limited to less than three (3) minutes each, at the discretion of the Conducting Council

Member. The Conducting Council Member shall have discretion as to who, if anyone, may respond to a comment/question. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks. Some comments/questions may have to wait for a response until the next regular Council meeting or may be referred to the Mayor's office to receive information from or input by staff. The Conducting Council Member (or another individual designated by the Conducting Council Member) will inform a member of the public when that individual's allotted time for comment has ended.

(3) Public comments regarding specific matters on a Council meeting agenda may be postponed until later in the regular Council meeting in order to be heard following the presentation of the specific business item at the discretion of the Conducting Council Member.

(4) Members of the public who are not able to personally attend a meeting may present written comments, addressed to the City Council and/or Mayor, to the City Recorder at least two (2) hours prior to the meeting. Written comments may be delivered to the City Recorder via letter or electronic mail and should be labeled as "written comment" for a particular meeting. Appropriately labeled and timely received written comments will be distributed to all Council members and attached to the written minutes of the meeting. Council members and/or the Mayor may, in their discretion, reference the receipt of particular written comments. In no event is there a guarantee that written comments will be read verbatim or otherwise referred to during the council meeting. Additionally, anyone who is unable to personally attend a meeting may present a comment by leaving a recorded message with the City at a number, or through another method designated by the City, for that purpose. Each recorded comment shall clearly state at the beginning of the message that it is intended for the Public Comment portion of the City Council meeting, shall clearly state the name of the individual providing comment, and shall clearly

state the City in which the individual leaving the comment resides. All comments, whether written or recorded, must be civil and conform to the same rules as all other public comments.

(5) Grievances by City employees must be processed in accordance with adopted personnel rules.

(c) Mayor. The Mayor will have the opportunity to address the meeting and inform the Council and the audience of any matters the Mayor desires to present which do not require action of the Council, such as community events, letters from members of the public, happenings within the City, etc. **Mayor comments will be limited to a maximum of five (5) minutes.**

(d) City Attorney. The City Attorney will have the opportunity to address the meeting and inform the Council of any matters which do not require action of the Council. **City Attorney comments will be limited to a maximum of five (5) minutes.**

(e) City Council Members. Each Council Member likewise will have the opportunity to address the other members of the Council, the Mayor and the audience. **Council Member comments will be limited to a maximum of five (5) minutes each.**

~~(f) Council Attorney. The Council Attorney will have the opportunity to address the meeting and inform the Council of any matters which do not require action of the Council.~~

~~(g)~~ f Information. Items may be placed on this portion of the agenda and presented by the Mayor, City Council Members, City staff, members of the public, etc. Items presented are for information only, but must be listed on the printed Agenda for the meeting. The Council will decide what further action, if any, it desires. Information items shall be limited to ten (10) minutes. Lengthier presentations shall be scheduled for a work meeting.

4. Action Items. The Conducting Council Member will ask for a motion on any items listed under this section of

the Agenda after discussion, as needed, has concluded.

(a) Consent Agenda. As a courtesy, the Conducting Council Member should ask if there are any questions concerning the "Consent" items. The Conducting Council Member should identify and briefly explain the items on the Consent Agenda to all those present at the meeting. The Consent Agenda, generally, shall consist of matters which require no further discussion or which are routine in nature. Usually, all items on the Consent Agenda shall be adopted by a single motion, second and vote. However, prior to the motion to adopt the Consent Agenda, a Council Member may have an item removed from the Consent Agenda without a motion to Unfinished Council Business for further discussion. Items moved to the Unfinished Council Business agenda will be addressed in that section of the agenda ahead of agenda items listed for discussion.

A motion, second, and vote will be called for the adoption of items remaining on the Consent Agenda.

(b) Appointments by the Mayor. Individuals subject to Mayoral appointment shall initially be introduced to the Council by The Mayor, or a designee, in a work meeting. The Council shall be provided with the resume of any candidate who is subject to appointment prior to the work meeting in which the candidate is introduced. The Council may pose questions to the candidate or request further information from the administration at the work meeting. The conducting Council Member may elect to poll the Council members during the work meeting to determine whether there is Council support for a candidate's appointment. The matter may then be referred to a future work meeting or regular meeting for further action by the Council. Advice and consent of the Council requires a majority vote.

(c) Unfinished Council Business. The Unfinished Council Business section shall consist of those items which have received a first reading in a prior regular Council meeting or a work meeting. All items on Unfinished Council Business are

subject to further discussion. After discussion, any Council Member may make a motion to vote, such motion to be seconded and a vote taken on these items.

The purpose of the Unfinished Council Business portion of the agenda is to finish the items that appear thereon.

(d) New Council Business. The New Council Business section is defined as the introduction or first reading of items on the Council's agenda. New Council Business items shall have a Council Member, Mayor, staff, or presenter's name listed next to each item as the sponsor of the item. Items are dealt with individually.

Matters before the Council, which require decision of the Council, will first be presented to and discussed by the Council. No New Council Business item shall receive Council action unless, at the discretion of the Council Chairperson, the item is deemed an emergency, or if immediate action is desirable, and the Council chooses to vote on the item. (See Rule 17, Suspension of the Rules.) Any Council Member can request deferral of an item on the New Council Business section.

After discussion, all New Council Business items not designated emergency shall be referred by a motion and a second to a work meeting or to a future Council agenda for further action.

5. Public Hearings. A public hearing generally is a part of a regularly scheduled and noticed Council meeting.

Public Hearings shall consist of those items for which the Council would like to receive public input. Such hearings shall include, but not be limited to, those requiring legal advertisement under state law.

When a public hearing is held, a member of the City staff having knowledge about the issue will first present information on the issue and answer questions. Then, all parties interested in addressing the issue are invited to speak before any discussion is held by the Council and before motions are made. Each

individual who speaks will state the individual's name and city/town in which the individual resides before proceeding. Individuals who wish to speak during the Public Hearing portion of a meeting, including those who are unable to attend the meeting in person, must be civil and shall follow the same rules stated above relating to Public Comments. Any comment submitted that fails to comply with these rules shall not be allowed.

After all individuals have spoken, the Conducting Council Member will close the public hearing. The City Council then proceeds with its discussion on the matter. When discussion by the Council is finished, a motion is made and seconded concerning the item. The Council will vote to (a) table action until a future specified meeting date, (b) take it to a work meeting for further discussion, or (c) take final action on the matter immediately after the hearing.

6. Closed Meeting. In certain circumstances, the Council may take certain matters under discussion at a noticed meeting to a Closed Meeting with only the Council Members and City staff personnel essential to the meeting present. Such meeting may be held upon the affirmative vote of 2/3 of the Council Members present at such meeting. (U.C.A. Sec. 52-4-204(1) (a) (iii) as amended) .

Closed meetings may only be held for purposes deemed lawful under Utah State law, as provided in U.C.A. § 52-4-205, as amended, which are:

- (a) Discussion of the character, professional competence, or physical or mental health of an individual;
- (b) Strategy sessions to discuss collective bargaining;
- (c) Strategy sessions to discuss pending or reasonably imminent litigation;
- (d) Strategy sessions to discuss the purchase, exchange or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would disclose the appraisal or estimated value of the property

under consideration, or prevent the public body from completing the transaction on the best possible terms;

- (e) Strategy sessions to discuss the sale of real property including any form of a water right or water shares, if:
 - (1) public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
 - (2) the public body previously gave public notice that the property would be offered for sale; and
 - (3) the terms of the sale are publicly disclosed before the public body approves the sale;
- (f) Discussion regarding deployment of security personnel, devices or systems; and
- (g) Investigative proceedings regarding allegations of criminal misconduct.

The reason for holding a Closed Meeting and the vote, either for or against the proposition to hold such a meeting, cast by each member by name, shall be entered on the minutes of the meeting. No ordinance, resolution, rule, regulation, contract, or appointment shall be approved in a Closed Meeting.

Unless a meeting is closed to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices or systems, the City Council shall record the closed portion of the meeting and may keep detailed written minutes that disclose the content of the closed portion of the meeting. Recordings and written minutes of closed meetings are protected records under the Utah Government Records Access and Management Act (GRAMA) and unauthorized disclosure triggers criminal penalties.

If the City Council closes a meeting exclusively to discuss the character, professional competence, or

physical or mental health of an individual, or to discuss the deployment of security personnel, devices or systems, the person presiding shall sign a sworn statement affirming that such was the sole purpose for closing the meeting.

Actions challenging the legality of a closed meeting are governed by U.C.A. § 52-4-304.

7. Adjournment.

When all items on the Council agenda have been disposed of, a motion to adjourn is made, seconded and voted upon. The presiding officer may state: "If there is no further business, we'll stand adjourned." The gavel is struck and the meeting is over.

Rule 8: Motions

1. Matters appearing on the Agenda can be discussed by the Council prior to a motion being made. After a matter has been discussed by the Council, the conducting Council Member will ask for a motion on the matter, and a second to the motion. A motion on the matter shall not be made prior to the conducting Council Member's request for a motion on the matter. The conducting Council Member will (1) announce the author of the motion, (2) restate the motion, (3) announce who seconded the motion, (4) ask if there is a question on the motion, and (5) call for a vote on the motion.

If further Council discussion is needed on a motion, the author of such motion is allowed to speak first. All other Council Members are allowed to address the issue after that. The author of the motion is also allowed to make a summation.

The author of a motion may amend or withdraw that motion before it has been voted on.

After a motion has been stated by the conducting Council Member, that motion belongs to the Council and it requires a majority vote to withdraw it. However, the author of a motion may withdraw it unless another Council Member objects.

A motion is lost or rejected which fails to receive a

"second."

2. A Council Member may make a motion to reconsider an item already voted on during the same or at the immediately preceding meeting if new information or a changed situation makes it appear that a different result might reflect the true will of the Council. A motion to reconsider must be made by a member present and voting on the prevailing side of the original motion and shall require the affirmative vote of a majority of the Council Members. Any action taken by the Council shall not be reconsidered at any special meeting unless the number of members of the Council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved or disapproved.

An item to be reconsidered shall appear on the unfinished business portion of the agenda and shall be identified as "Reconsideration of ... (the title of the matter previously voted upon)." Discussion of the substance of the matter to be reconsidered shall occur only after a motion to reconsider has been successfully approved by a majority of the Council present and voting.

3. A motion to rescind may be used to strike out an entire motion, resolution, rule, bylaw, section, or paragraph that has been adopted at some previous time. A motion to rescind may be applied only to a motion on which the vote was affirmative.
4. Other than the main motion, the most common motion used by the Council is a motion to amend. The intent of an amendment is to modify the original motion by inserting, adding to, striking out, and striking out and inserting language in the original motion. A motion to amend a main motion should relate to the same subject as the main motion. This ensures that the Council will vote on one matter at a time.

A motion to amend should not have as its intent a reversal of the main motion. For example, if the main motion is to adopt an ordinance, it is not a proper motion to submit an amendment to "not" adopt the ordinance.

Substitute motions are a type of amendment motion. The

difference is the striking out of an entire paragraph or more from the motion or ordinance and substituting different language.

Amendments to the main motion are discussed and voted on before the main motion. Only the amendment is discussed not the main motion. If the amendment fails, then discussion and voting on the main motion, as originally stated, follows. If the amended motion passes, the amended motion becomes the main motion. The Conducting Council Member will proceed with an amendment motion in the same manner as a main motion.

In conducting a Council discussion on an amendment motion, the author of such motion is allowed to speak first. All other Council Members are allowed to address the issue after that. The author of the amendment motion is also allowed to make a summation.

Any Council Member may move to amend any proposed ordinance or proposed resolution; provided, however, that no amendment shall change the original purpose.

Any amendments to a proposed ordinance or proposed resolution recommended by a committee of the Council shall be made to the appropriate document prior to its appearing on the Consent Agenda. Such amendment will be noted in the Council minutes.

5. The Council may move to table a motion. The purpose of tabling a motion is to delay action until later in the same meeting. When a matter is tabled, it takes all subsidiary motions with it (e.g., amendments) to the table. A matter should be tabled no longer than necessary.

The Council may move to continue a motion. The purpose of continuing a motion is to delay action until a future date. A continued motion is preferably scheduled for discussion at the next available regular or work meeting of the Council so that action can be taken as soon as possible.

6. The following procedural motions shall require the affirmative vote of a majority of the Council Members present:

- (a) To adjourn;

- (b) To recess;
- (c) To take up a question out of its proper order;
- (d) To move the previous question;
- (e) To postpone to a day certain;
- (f) To refer to a committee (commit or recommit);
- (g) To limit discussion;
- (h) To lay on the table (temporary only); and
- (i) To amend.

Such motions shall take precedence in the order moved.

Rule 9: Voting

Voting shall be in the form of "yes", "no" and "abstain," and the names of those voting for, against, or abstaining entered in the Council minutes.

The Council usually takes voice votes on noncontroversial items. A voice vote is when all Council Members say "yes" or "no" at the same time.

A roll call vote is usually taken on controversial items. A roll call vote is required on the following matters:

- (a) An ordinance;
- (b) A resolution;
- (c) Any action creating a liability against the City; and
- (d) All budget and financial items.

Any Council Member may request a roll call vote on any matter being voted on by the Council.

Any Council Member can change his or her vote before the results of the vote are announced.

At the conclusion of the vote on a matter, a Council Member may state a point of personal privilege and give an explanation of his or her vote, as provided in Rule 14.

Any Council Member can abstain from a vote. An abstention is not counted as a "yes" or "no" vote. A Council Member abstaining from voting should, as a common courtesy, state a point of personal privilege and give an explanation of such abstention.

In the event of a tie vote, the motion fails. The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the council, unless otherwise prescribed by law, is four (UCA §10-3-507).

Every Council Member who is in the Council Chambers when a question is stated from the Conducting Council Member shall vote. No Council Member absent from the Council Chambers when a question is stated by the Conducting Council Member shall be obliged to vote. A Council Member who is participating in a meeting electronically shall be considered to be within the Council Chambers as long as the Council Member is able to hear and audibly respond by electronic means when the question is stated.

Any Council Member entering the Chambers after the question is stated, but before it is decided, may have the question stated, cast his or her vote and be counted.

Unless another effective date is provided in the ordinance, all ordinances are effective twenty (20) days after publication by the City Recorder or thirty (30) days after final passage, whichever is closer to the date of final passage.

Rule 10: Discussion

The Conducting Council Member shall recognize any Council Member requesting recognition to speak, discuss, give a notice, make a motion, submit a report, or for any reason address the Council, unless a motion taking precedence is offered.

All Council Members shall be allowed to speak at least

once on any subject.

During discussion, the Conducting Council Member shall be responsible for maintaining order. If, in the opinion of the Conducting Council Member, private discourse among or between Council Members or any other disturbance disrupts the Council's business, the Conducting Council Member may call the Council to order. If the Conducting Council Member calls the Council to order, all Council business shall cease until such time as the Conducting Council Member resumes the Council's business.

Any Council Member may make a motion that the Council be called to order.

The following questions will be decided without discussion:

- (a) To adjourn;
- (b) To recess; and
- (c) Questions relating to order of business.

Rule 11: Conflict of Interest

Council Members are required by the Utah Municipal Officers' and Employees' Ethics Act (Utah Code Ann. 10-3-1301 et seq. the "Ethics Act") to disclose actual or potential conflicts of interest between their public duties and their personal interests. Under most conflict of interest situations, Council Members should abstain from voting on a matter if they have a substantial interest in the item before the Council, and to avoid participating in the discussion as well. "Substantial interest" means the ownership, either legally or equitably, by an individual, the individual's spouse, or the individual's minor children, of at least 10% of the outstanding shares of a corporation or 10% interest in any other business entity (UCA 10-3-1303(9)). See the Ethics Act for additional direction on conflicts of interest.

Rule 12: Decorum

~~Conduct of Members of the Council. Members of the~~

~~Council shall avoid personal attacks and restrict comments to issues before the body. Violations of Decorum or Conduct of Council Members shall be resolved by the Council Chair.~~

~~Council Members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the Council or the audience from business before the Council, or which might interfere with any person's right to be heard after recognition by the Conducting Council Member.~~

1. Conduct of Attendees at Council Meeting.

Those in attendance are admonished to avoid personal attacks, demonstrations, or outbursts without being recognized. Individuals shall address their remarks directly to the Council as a body concerning the agenda business.

When speaking about or discussing matters before the Council, all individuals, including Council Members, shall confine any remarks to the question under discussion. Anyone engaging in discussion beyond the question before the Council shall be ordered to stop by the Conducting Council Member and no further discussion will be allowed by said person.

Individuals engaged in disruptive behavior shall be removed by the Sergeant-at-Arms at the direction of the Council Chair or Conducting Council Member.

2. Conduct of Members of the Council.

As elected representatives, Council Member conduct is of utmost importance. Each Council Member is expected to and is relied upon to represent the City and the Council Member's community with dignity and respect. The expectations set out below are not an exhaustive list of all considerations.

(a) Established Role:

(1) As elected representatives of the Council and as stewards of City resources, Council Members are charged with finding common ground and working toward the best interests of the City as a whole.

- (2) All members of the City Council have equal voting power and have committed to serve in the role of an elected official. All members of the body shall be treated with equal respect.
- (3) Upon taking the oath of office, Council Members are provided the code of conduct and are asked to sign and abide by the Model of Excellence Member Statement (see Appendix A), and file it with the City Recorder's office as a public record.

(b) Overview of Standards of Responsibility

All Council Members shall:

- (1) Participate fully in City Council meetings and other public forums while demonstrating respect, consideration, and courtesy to their colleagues on the Council, the public, and City staff. It is not acceptable to show antagonism or hostility, lie or mislead, speak recklessly, spread rumors, or unnecessarily stir up divisiveness or controversy.
- (2) Plan to attend and prepare in advance of Council meetings in order to be familiar with issues on the agenda. As outlined in these rules, fines may be imposed in the event of excessive absences.
- (3) Practice fiscal responsibility with public funds.
- (4) Be attentive and act efficiently during public meetings. The actions of each Council Member shall not cause disruption or detract from the focus of the meeting either through conversations with other Council Member or attendees when not recognized as the speaker, use of electronic devices for personal reasons during the meeting, or any other behavior that could distract from the meeting's purpose of conducting the business of the City.
- (5) Serve as a model of civility to the community.
- (6) When required to perform the functions of a Council Member, either in a public meeting or otherwise, no Council Member shall be

under the influence of any substance that has the effect of impairing that Council Member's ability to perform their required duties.

- (7) Instill public confidence in the City through an engaged approach.
- (8) Demonstrate honesty and integrity.
- (9) If committing to a meeting or activity, make the best effort to attend.
- (10) Recognize the role of the Mayor as the official spokesperson of the City administrative positions, while the Council Chair/Vice Chair speak on behalf of the Council as a public body, and individual Council Members speak only in an individual capacity.

(c) Ethics

Council Members are expected to comply with State law and City cod and policy, including ethical requirements. If a Council Member has a conflict of interest under applicable law or policy and if the Council holds a closed session as permitted by Utah law, the conflicted Council Member may be excluded from participation in that closed session in the Council Chair's reasonable discretion, or that of the authorized conducting Council Member for that meeting.

(d) Conduct Guidance

- (1) Council Member Conduct with Colleagues
 - i. Practice civility and professionalism in discussions and debate.
 - ii. In public meetings use formal titles, honor the role of the Council Chair in maintaining order and recognition of the selected speaker, and avoid personal commentary.
 - iii. Council Members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the Council or the audience from business before the Council, or which might interfere with any person's right to be heard after recognition by the Conducting Council Member.
 - iv. Be aware of the potential public

disclosure of written notes, voicemail messages, email, text messages, or social media posts and comments. Social media platforms should be used in a positive and respectful manner free from personal attacks or threats.

- v. Robust legislative debates and differences of opinion will occur and should center on policy, actions, and ideas; Members of the Council shall avoid personal attacks and restrict comments to issues before the body.
- vi. Council Members should respect the personal and work life of other Council Members and should refrain showing up at fellow Council Member's homes or places of work uninvited.
- vii. Violations of Decorum or Conduct of Council Members shall be resolved as outlined below at the direction of the Council Chair.

(2) Council Member Conduct with City Staff

- i. The Mayor's role is to direct the administration. Council Members are prohibited by State law from directing City staff or functions.
- ii. Treat all City employees as professionals.
- iii. Keep in mind the professional boundary necessary to allow City employees to complete tasks associated directly with their employment.
- iv. Avoid romantic or sexual relationships with any City employee. Any such relationship should be disclosed to the Council Chair and the City Attorney. In the case of a relationship by the Chair, disclosure should be made to the Vice Chair as well. Council Members engaging in these types of relationships must recuse themselves from any actions impacting the City employee's direct responsibilities.
- v. Recognize the power dynamic as an elected official. Council Members, by virtue of their position, have power over staff members' livelihood and

should be cognizant to not take advantage of that power dynamic.

- vi. Recognize the training and experience of City staff members, which makes those staff members experts on certain topics.
- vii. Do not solicit political support from City staff during business hours or on City property.
- viii. Do not use City staff for unauthorized purposes such as personal tasks, social events not attended on behalf of the Council, or work to benefit the Council Member or the Council Member's family personally.
- ix. Do not use City resources to prepare or publish controversial positions. Controversial positions include those that: a) attack or criticize other Council Members or the Mayor, b) address an issue which is being discussed by candidates opposing an incumbent Council Member during an election year, c) address an issue which is an integral part of an incumbent Council Member's platform for elected office during an election year, or d) address sensitive subjects on which Council Members are sharply divided.

(3) In Public Meetings

- i. Be welcoming to speakers and treat them with respect.
- ii. Actively listen to presenters and commenters with an open mind. Avoid debate and argument with the public during meetings.
- iii. Demonstrate effective problem-solving approaches.
- iv. Strive to be succinct and keep comments and debate relative to topics discussed.
- v. Be fair and equitable in allocating public hearing time to individual speakers.
- vi. Disagreements with the public will occur. Comments and questions should center on policy, ideas, and actions. Refrain from criticizing an individual person.

vii. Follow the Council's rules of procedure in conducting public meetings.

(4) Council Conduct while Traveling on City Business (travel paid with taxpayer funds)

- i. Taxpayer funds are paying for Council Member travel, conferences, seminars, and meetings to benefit the City through the Council Member's enrichment and opportunity.
- ii. When registering for an event that requires travel, strive to participate in the event to make the most of the available opportunities.
- iii. Be professional and act according to the setting of the activity.
- iv. When traveling, be mindful of the following considerations:
 - a) You are a representative of the City's elected leaders through the duration of the travel.
 - b) Comments or positions may be attributed to you or the City.
 - c) Consuming alcohol or other substances may impair your ability to remain professional or to conduct yourself to these standards.

(5) Council Conduct in Other Public and Professional Settings

- i. As an individual of a deliberative body, do not make promises or assurances on behalf of the Council, any City board, any City commission, or the City.
- ii. Refrain from sharing unfavorable personal commentary or personal opinions of your Council colleagues as individuals.
- iii. In dealing with other public agencies or state legislative meetings, be clear in communications that you are either leadership representing the City or are there representing your personal interests.
- iv. When attending a City board or commission meeting, state explicitly whether you are attending as a Council member or are providing your personal

- opinions.
- v. With the media, choose words carefully and best practice is never to go "off the record."

(e) Compliance and Enforcement

This Code of Conduct expresses the standards of ethical conduct expected of Council Members. Council Members are responsible for assuring that the public can continue to have full confidence in the integrity of government. Council Members have the additional responsibility to intervene when actions of other members appear to be in violation of this Code of Conduct are brought to their attention.

- (1) If a Council Member violates this Code of Conduct, the following steps should be taken as appropriate. These steps are not all required; however, the alleged offending Council Member should be given notice prior to any public Council discussions. At any step in this process, if the Chair is the individual whose actions are being challenged, then the matter should be referred to the Vice Chair. Council Members are encouraged to discuss any concerns or questions with the City Attorney at any time.
 - i. A Council Member who believes that a violation has occurred should first discuss the potential violation with the other Council Member. If such discussion is not appropriate for any reason, the concerned Council Member should talk directly to the Council Chair.
 - a) If a potential violation becomes known to City staff, the concerned City staff member should bring the concern to the Mayor who shall then communicate the concern to the Chair or Vice Chair.
 - ii. If the offense is significant, not resolved by discussion, or the concerned Council Member can't discuss the matter with the other Council Chair. The Council Chair should discuss the matter with the

offending Council Member in private. If the matter is significant or continues to be unresolved, the Council Chair should discuss it with the Mayor and City Attorney.

- iii. It is the responsibility of the Chair to bring the matter to the entire Council if a Council Member's behavior warrants sanctions under this Code. If no action is taken by the Chair, the alleged violation can be brought up with the full Council in a public meeting as a point of personal privilege or as an agenda item. Prior to any discussion with Council, the Chair or other Council Member should provide written notice to the offending Council Member of the alleged violation.
- iv. The majority of the Council may call for an investigation of member conduct. Should the City Attorney believe an investigation is warranted, they shall confer with the Council in a closed meeting. The Council may ask the City Attorney to investigate the allegations and report the findings. The City Attorney may designate an outside investigator to investigate any allegations where appropriate.
- v. It shall be the Council's responsibility to determine the next appropriate action. Any such action taken by the Council, with the exception of a determination to "take no further action," shall be conducted at a noticed public meeting, which may be closed if appropriate pursuant to Utah law, and shall require a 2/3 vote of Council Members.
Any such closed meeting for violations of this Code of Conduct may exclude the offending Council Member in the Council Chair's reasonable discretion, or that of the authorized Council Member conducting the meeting.
 - a) The Council may find that no further action is warranted.
 - b) If the Council determines that sanctions are appropriate, the Council action imposing sanctions

should specify the length of time for which those sanctions will be in place. Actions taken by the Council may include one or more of the following:

1. Discussing and counseling the individual on the violation;
2. Placing the matter on a future public meeting agenda to consider sanctions;
3. Censuring the offending Council Member in a Council meeting and/or in writing;
4. Suspending the offending Council Member from placing items on the Council agenda;
5. Suspending the offending Council Member from conducting formal meetings;
6. Suspending the offending Council Member from City or Council related travel;
7. Removing the offending Council Member from leadership or committee roles;
8. Requiring the offending member to participate in Council Meetings remotely; and
9. Requesting that the offending Council Member resign their Council position.

(2) A Council Member's conduct may create legal liability on the part of the City, and it is not the Council member's role to determine whether the potential for liability is acceptable. The City Attorney may advise taking additional actions not included in this Code of Conduct to minimize legal liability for the City. If there is legal action taken naming the City and/or a Council Member, a Council member may be entitled to indemnification by the City for actions taken within the role of Council Member. However, Council Member actions taken outside of the role as Council Member may result in personal liability. The City Attorney is the attorney for the City and the elected officials on all matters related

to public business.

(f) Implementation

As an expression of the standards of conduct for Council Members expected by the City, this Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document must be included in the regular orientations for Council Members. Council Members entering office shall sign the attached Model of Excellence statement affirming that the Council member read and understood Code of Conduct. This Code of Conduct is in effect regardless of a Council Member's execution of the Model of Excellence Member Statement. The City Attorney's office or designee will provide annual training to the Council on this Code.

Rule 13: Sergeant-At-Arms

Upon request of the Council, a Sergeant-at-Arms will be assigned to a meeting.

The duty of the Sergeant-At-Arms shall be to assist the Conducting Council Member in preserving order and decorum in City Council meetings.

In the case of any disturbance or disorderly conduct within the Chambers or at a Council meeting, the Conducting Council Member may request the Sergeant-At-Arms to escort the offender(s) from the Council meeting.

Rule 14: Personal Privilege - Protest

Any Council Member shall have the right to protest any action of the Council, stating the reasons, and having the same entered in the minutes, provided such reasons do not impugn the motives or character of any person. A point of personal privilege shall be limited to five (5) minutes in length. Any additional objections may be submitted to the City Recorder in writing within forty-eight (48) hours of adjournment and will be attached to the meeting minutes.

Rule 15: Committees: Special, Ad Hoc, Joint Committee at Request of the Mayor, Oversight

The City Council may, from time to time, create, revise, or abolish any and all Council committees, or make any changes to the committee structure.

The City Council may create any special or ad hoc committee for any specific purpose proper for Council consideration. When such committee is created, its purpose and a relevant time frame will be established. After the final report of the committee, the special or ad hoc committee of the Council will be abolished.

The City Council may or may not elect to formally participate, either by its own membership or its designees, in a committee being established by the Mayor.

Any standing committee, or the Council as a whole, may resolve to sit as an oversight committee for the purpose of investigating items relating to the conduct of City business. However, no powers are accorded the committee other than those provided by state law.

All meetings of Council committees, standing, ad hoc, oversight, shall provide notice in conformance with the Utah Open and Public Meetings Act.

Rule 16: Suspension of the Rules

If a person presenting a matter to the Council informs the Council Members, by information delivered in Council packets prior to a regular Council meeting, why a matter must be acted upon/voted on at its first reading, Council Members may suspend their rules and vote on it. If the Council Members do not vote to suspend the rules on such matter, it will go to Unfinished Business or to the Consent Agenda for the next regular Council meeting.

No rule shall be suspended except by majority vote of the Council Members.

Rule 17: Amendment, Revision or Addition to Rules

Any Council Member may propose amendments, revisions, or additions to these Rules of Procedure.

Each amendment, revision, or addition proposed by a Council Member shall be in written form, and copies shall be provided to each Council Member.

Consideration of any amendments, revisions, or additions to these Rules of Procedure shall be noticed on a Council agenda in conformance with the Utah Open and Public Meetings Act.

A majority vote of all Council Members shall be required for passage and adoption of an amendment, revision, or addition to these Rules of Procedure.

Each Council Member shall have a copy of the latest edition of the Rules of Procedure.

A copy of the Rules of Procedure will be made available to all department heads of the City, any member of the City staff, any member of the public or other person who requests the same.

Rule 18: Time Frame for Delivery of Information Packets to Council Members

For each regular Council meeting, work meeting, Closed Meeting, special meeting, public hearing and other Council meetings, Council Members will receive a packet, which may be in digital form, containing the agenda of such meeting(s) and complete information pertaining to items on the agenda(s). To allow the Council Members adequate time to study the items for consideration at the upcoming meeting(s), all information for agendas and packets will ideally be delivered to the City Recorder by 5:00 p.m. on the Friday preceding the meeting(s). Notwithstanding the foregoing, a resolution or ordinance shall not be considered by the Council unless such has been properly noticed in accordance with the law and approved as to legal form by the City Attorney. All email communication between any member of the City Council and the Mayor, or City staff, shall be conducted through City issued email.

Rule 19: Computers, Cell Phones and Tablets for Council Members

The City may acquire and maintain for the Council Members computers, tablets, cell phones, etc., at a

level to allow Council Members to access all pertinent City information, such as e-mail, City Code, web sites and network. The City may also furnish to Council Members all supplies customarily used to operate such equipment. Council Members have discretion to allow others in their household to use the computer equipment in a manner that will not cause harm or damage to the equipment.

When maintenance or service is required for assigned equipment, the Council Members will bring such equipment to the City's IT Division Manager at City Hall.

The cost allotted for equipment, including maintenance and service, will be addressed and decided by the Council Members each year during budget sessions. The amount decided upon will be included as a line item in the City Council portion of the General Fund.

Rule 20: Serious Moment of Reflection

1. Each City Council Meeting will begin with a serious moment of reflection comprised of a prayer, other supplication, moment of silence, inspirational thought, an inspirational reading, etc. The serious moment of reflection will be led either by the member of the City Council assigned or by a volunteer community member.
2. Upon timely request, the serious moment of reflection may be conducted by any person having a significant connection to the South Salt Lake Community, including residents, city business leaders, city educational leaders, city religious leaders, city civic leaders, etc. Pursuant to Rule 19, the request must be delivered to the City Recorder no later than 8:00 a.m. on the Friday preceding the City Council Meeting for placement on the agenda. The request shall contain the following information to be printed on the agenda:
 - (a) The name and address of the individual requesting to present the serious moment of reflection;
 - (b) The person's connection to the South Salt Lake community; and

- (c) The general nature of the presentation, i.e., prayer, supplication, inspirational thought, moment of silence, or will specify if other than these types.
- 3. Upon receiving the request, if no other person has made an earlier request, the person will be placed on the agenda to present the serious moment of reflection at the next scheduled City Council Meeting. If multiple requests are made, each person making a request shall be scheduled to present at an upcoming Council Meeting according to the order in which the request is made.
- 4. Each person who files a request with the City Recorder will be given a copy of the guidelines for presenting the serious moment of reflection.
- 5. The person providing the serious moment of reflection shall adhere to the following:
 - (a) The presentation may not exceed three minutes;
 - (b) The presenter must be in attendance and prepared to proceed on time;
 - (c) A community member may only present once in a six-month period of time;
 - (d) The presenter must abide by the City Council's rules of decorum as set forth in Rule 12;
 - (e) The purpose of the serious moment of reflection is to set the tone for the proceedings of the City Council. It may consist of a prayer, supplication, inspirational thought, inspirational reading, a moment of silence or other appropriate activity.
 - (f) It should promote thoughtful attention to public duty and high moral and ethical standards.
 - (g) It should promote peace, unity, and tolerance in the community.
 - (h) It is not a time to disparage the beliefs of others or to promote one's own beliefs or point of view.

- (i) It should not degrade any person because of religion, race, ethnic background national origin, sex, or philosophy.
- (j) It should not be crude, vulgar, or offensive to the public sense of decency.
- (k) It is not a time to demean or insult local leaders.
- (l) If it is the person's intent to argue, complain, criticize, etc., the Public Comments portion of each City Council Meeting is the time to do so, not the serious moment of reflection.

7. To provide equal access to participate, the opportunity to present the serious moment of reflection at City Council Meeting will be advertised to the community by the following methods:

- (a) An invitation to the public to participate will be permanently posted outside the City Council Chambers at City Hall and posted on the City's website.
- (d) The invitation will be substantially in the following form:

The South Salt Lake City Council invites all South Salt Lake City residents, business representatives, education leaders, civic leaders, religious leaders, or any other person with a significant connection to the City of South Salt Lake to participate at an upcoming City Council Meeting by presenting a serious moment of reflection at the commencement of the meeting. Persons interested in volunteering for this public service should contact the City Recorder at (phone number or email) for more details no later than 8:00 a.m. on the Friday preceding a scheduled City Council Meeting.

8. If an interested community member fails to timely volunteer or, having volunteered, fails to timely appear, the member of the City Council assigned to conduct the meeting shall present the serious moment

of reflection.

Rule 21: Confidential Documents

1. Any document provided to the City Council in connection with a public meeting that is restricted by state or federal law from public disclosure will be stamped on the front page with a mark that clearly advises of the document's private, confidential, or protected classification.
2. Documents dealing with issues of the character or reputation of an individual, financial details of real estate transactions, security measures, trade secrets, or any other non-public record will be stamped on the front page with a mark that clearly advises of the document's private, confidential, or protected classification and shall only be distributed to Council members by the City Recorder in a closed meeting. Any such document distributed shall be returned to the City Recorder prior to adjournment of the closed meeting.

Rule 22: Council Staff

1. Any member of the City Council may, individually or jointly with another member, contact staff employed by the Council to initiate legislation, ask questions, seek opinions, request the drafting of documents reports and audits, prepare items for discussion at Council meetings, make assignments, and to do all other things necessary for the business of the Council.