

SOUTH JORDAN CITY  
CITY COUNCIL STUDY SESSION

October 7, 2014

**Present:** Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, CM Gary Whatcott, Assistant City Attorney Ryan Loose, Strategic Services Director Don Tingey, CFO Sunil Naidu, IS Director Jon Day, City Council Secretary MaryAnn Dean

**Others:** See Attachment A.

Mayor Alvord welcomed everyone present. He excused City Attorney Wall and Councilman Shelton who will not be present.

A. Invocation: *By Councilman Mark Seethaler*

Councilman Seethaler offered the invocation.

B. Training: Open Meetings Law (*By Ryan Loose*)

Assistant City Attorney Loose reviewed a presentation outlining changes to the open meetings law (Attachment B). The issue is what kind of communication the City Council can have with each other outside City Council meeting. It specifically deals with electronic communications. There is nothing that stops the City Council from emailing each other as long as it is not done during a public meeting.

Mr. Loose explained that the purpose of the open meetings act is to ensure that they are conducting their deliberations openly. If they are not deliberating on an issue, they can have conversations via email. There is no definition on deliberation, but if they are getting to the point that they are discussing how they will be voting on an issue, that is crossing a line. It is okay to share their thoughts on issues. There are no electronic communications allowed between members of the City Council during the City Council meeting. Mr. Loose said they can have discussions between Councilmembers individually.

Councilman Rogers said they cross the line when the discussion heads towards deliberation rather than a discussion. He said with any communication, they should treat it like it will be published in a newspaper because the records are public.

Councilman Rogers asked if there is any case law for GRAMA requests when the requestor feels they were given insufficient information. Mr. Loose said if someone requests “all communications”, the city can request for it to be more specific, such as a date range and the people involved. He said there is a records appeal committee. He said there is case law on the discovery side, not the GRAMA side, where personal hard drives have been taken and forensics recovered information.

Mayor Alvord asked about GRAMA requests for social media content. Mr. Loose said if it is out there, it is already public. If it has been removed from the social media site, it becomes a retention issue. The records retention issue for social media is not defined.

Mr. Loose said if they are a public person speaking as themselves, it is considered their opinion. If they are saying something as a public figure, it can be GRAMA requested. If it is in a public forum, the records can be requested.

Councilman Rogers said if they are stating a personal opinion, they should add a disclaimer that it is their personal opinion.

C. Staff Item: Preparation to Strategic Priority Session (*By Gary Whatcott, Don Tingey, and Sunil Naidu*)

CM Whatcott reviewed a presentation about priority based budgeting (Attachment C). Staff feels this is the right approach.

Strategic Services Director Tingey reviewed how each department comes up with their score, including a department score and a peer review score. CM Whatcott said in the end, the City Council score is what matters. This is a priority tool for the City Council to use.

Strategic Services Director Tingey explained that mandated programs will have a high ranking (Quartile 1) and be the highest priority for funding. After the Quartile 1 items are funded, they can fund the rest of the programs respectively.

When a new program is proposed, they will go through a similar ranking exercise. Councilman Newton asked if they are holding money out of the budget for new programs? CM Whatcott said if a new program is introduced and there is no money for it, then that is a debate for the City Council of what they have to drop. If there is new money introduced, the City Council will decide what to fund. It was noted that the CIP projects have gone through a similar scoring exercise.

Mr. Tingey said the cities that they have talked to that use this process said it works. CM Whatcott said the city will need to work through the issues and find the right way to make this work for them.

Councilman Seethaler asked how to they align their chart of accounts with the software programs so they can get reporting easily? CFO Naidu said in the new software (Munis), they will be able to do a performance based module to utilize this program in the budgeting process. They have the ability to look at each program within a department and roll it into the budget.

CM Whatcott said they will be able to measure their results to see if this was effective and their goals were met.

Staff passed out a worksheet for the City Council to assign scores to each result map. The City Council will return their worksheets by next Monday.

Staff will rank the programs knowing what is important to the City Council. Mr. Tingey said the combined tallies will be discussed at the visioning meeting on the 24<sup>th</sup>. The budget will be built based on the City Council priorities. Councilman Newton said the priorities will rotate from time to time. Mr. Tingey said city services should stay consistent over time.

Councilman Barnes asked what if something comes up that was unexpected, like the city is obligated to buy some land. Mr. Tingey said if it is legally mandated, it would be ranked high. Mr. Naidu said at that point, the City Council would determine where that item fits into the results. CM Whatcott reiterated that this is meant to be a tool for the City Council.

They discussed ways that the City tracks legal obligations, including CIP projects.

Councilman Barnes said often, decisions are arrived at emotionally rather than politically. CM Whatcott said the City Council's duty is to work through that. Staff will help them by providing evidence and facts. Councilman Rogers said the City Council can adapt and change priorities if it isn't working.

Mayor Alvord expressed support for the process.

The City Council took a brief break.

D. Discussion: City Council Packet Process (*By Councilman Rogers*)

E. Discussion: Process for Drafting Resolutions (*By Councilman Rogers*)

Councilman Rogers passed out a chart outlining a process to get a proposal on a City Council agenda (Attachment D). He said there is usually an amendment to the agenda after it is published and that is causing some issues. He said they may need to do an agenda/packet preparation timeline review.

CM Whatcott noted that moving forward the first 30 minutes of the work session will be reserved for City Council issues.

It was noted that both the Mayor and City Manager can put items on the agenda. The person that put an item on the agenda can take it off. That is in the city code.

Councilman Rogers said there is no packet deadline in the city code. The drop dead time legally is Monday at 6. The legal requirement is regarding the agenda, not the supporting documentation. He recommended that they move up the agenda/packet deadline to Tuesday, and then they would have more time to review any proposed amendments. Councilman Newton expressed concern that losing that extra day may preclude some items from getting on the agenda. Councilman Rogers said it would be helpful to at least have the agenda done earlier.

Councilman Barnes said the last two amendments to the agenda were done because the items weren't ready until the Friday before the City Council meeting. It had nothing to do with when the City Council got the agenda.

CM Whatcott said he would send a draft agenda to the City Council earlier so they can review it before they get their packet.

#### ADJOURNMENT

The City Council adjourned the meeting at 5:59 p.m.

**This is a true and correct copy of the October 7, 2014 Council Study Session minutes, which were approved on October 21, 2014.**

  
**South Jordan City Recorder**



10-07-2014 City Council Study Session  
Attachment B

# OPEN MEETINGS LAW

## Electronic Communications



*Utah State Senate*

5240

# authorizing language

ang. public

## 52-4-103. Definitions.

(3) "Convening" means the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.

(5) "Electronic message" means a communication transmitted electronically, including:

- (a) electronic mail;
- (b) instant messaging;
- (c) electronic chat;
- (d) text messaging as defined in Section [76-4-401](#); or
- (e) any other method that conveys a message or facilitates communication electronically.

## 52-4-103. Definitions. *(cont.)*

(6) (a) "Meeting" means the convening of a public body or a specified body, with a quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body or specific body has jurisdiction or advisory power.

## 76-4-401. Enticing a minor -- Elements -- Penalties.

(1) As used in this section:

(b) "Text messaging" means a communication in the form of electronic text or one or more electronic images sent by the actor from a telephone, computer, or other electronic communication device to another person's telephone, computer, or other electronic communication device by addressing the communication to the person's telephone number or other electronic communication access code or number.

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(b) ... openly.

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**GRAMA**

***LEGAL JUSTIFICATION***

may not stop the

***MEDIA***

or alter

**PUBLIC PERCEPTION**



# Priority Based Budgeting



Council Work Session  
October 7, 2014

## Priority Based Budgeting



- ☞ *Why Priority Based Budgeting*
  - ☞ Gary
- ☞ *What is Priority Based Budget & How are we implementing Priority Based Budgeting*
  - ☞ Don & Sunil
- ☞ *Assignment for Visioning Meeting*
- ☞ *Overview for Visioning Meeting*

## Why Priority Based Budgeting



- ☞ Best Practice
  - ☞ GFOA
  - ☞ ICMA
  - ☞ Center for Priority Based Budgeting
    - ☞ CPBB - Consulting Firm (Colorado)
  - ☞ Nationwide: Cities / Counties
    - ☞ San Jose, Ca | Plano, TX | Chandler, AZ
    - ☞ Goodyear, AZ | Boulder, CO | Shawnee, KS
    - ☞ South Jordan will be the first in Utah



**PBB** CENTER FOR  
PRIORITY BASED BUDGETING



## Why Priority Based Budgeting



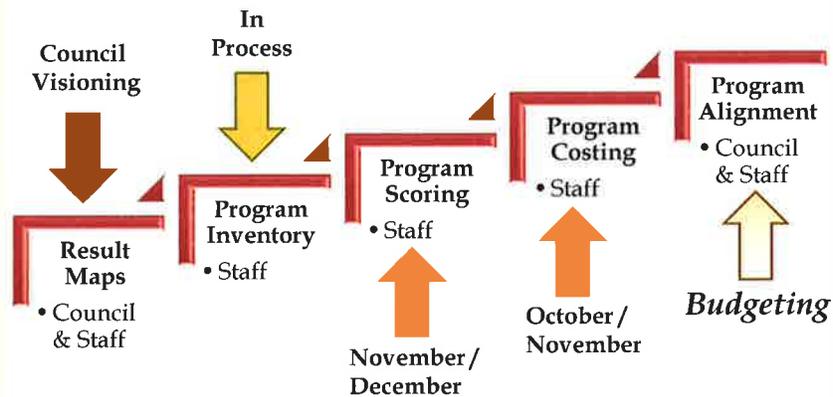
- ☞ *"... identify its most important strategic priorities, and then, through a collaborative, evidence based process, rank programs or services according to how well they align with the priorities. Then allocate funding in accordance with the ranking."*
- ☞ *"This process puts elected officials in an influential policy-making role – perhaps more powerful than under traditional budgeting system. It allows them to achieve what inspired them to run for office – identifying the results and implementing the policies that are most important to their community."*

# Philosophy

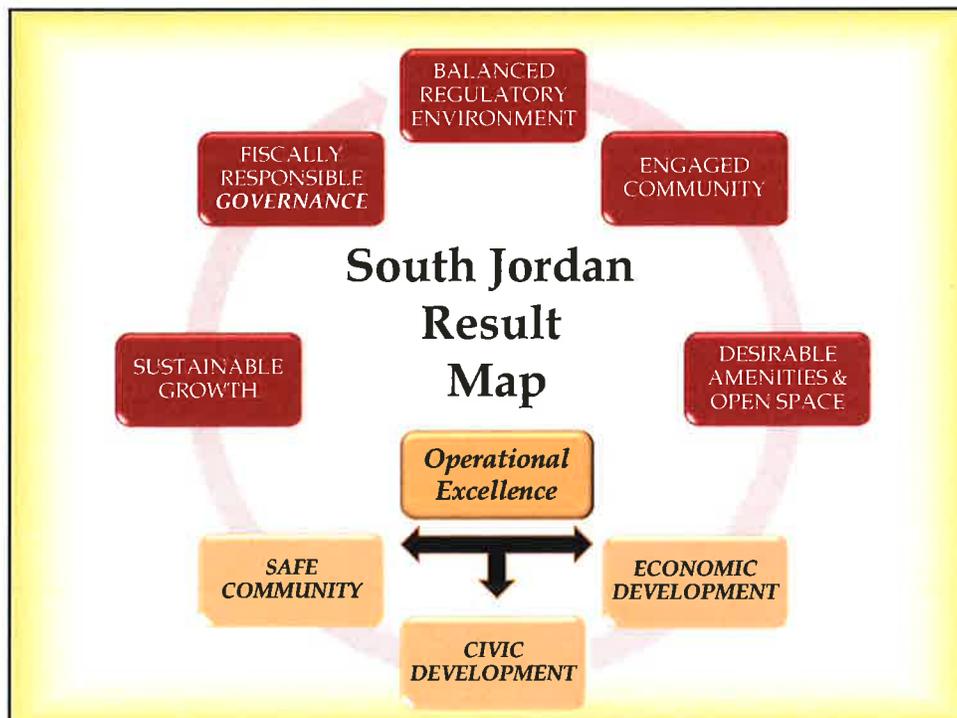
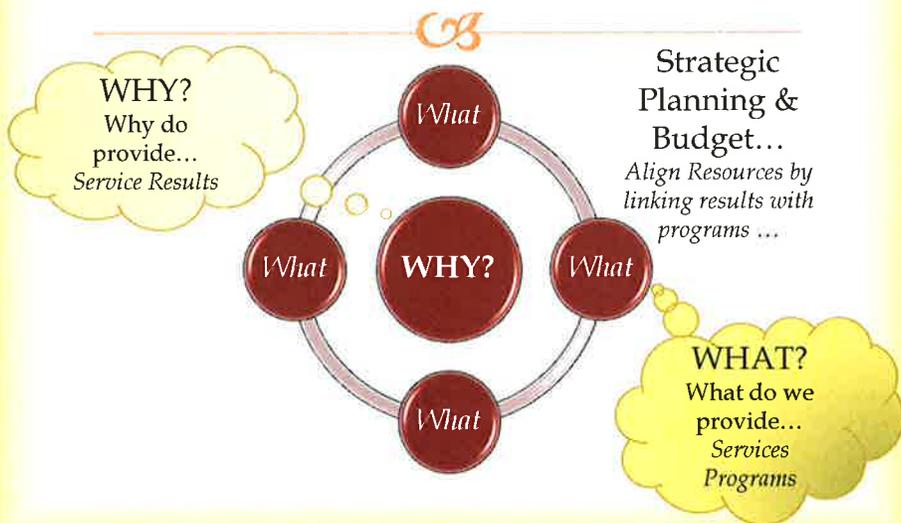


- ☞ Prioritize Services
- ☞ Do the Important Things Well
- ☞ Question Past Patterns of Spending
- ☞ Spend Within the Organization's Means
- ☞ Know the True Cost of Doing Business
- ☞ Provide Transparency of Community Priorities
- ☞ Provide Transparency of Service Impact
- ☞ Demand Accountability for Results

# Priority Based Budgeting Process



# Priority Based Budgeting





# Program Scoring (based on Result Map)



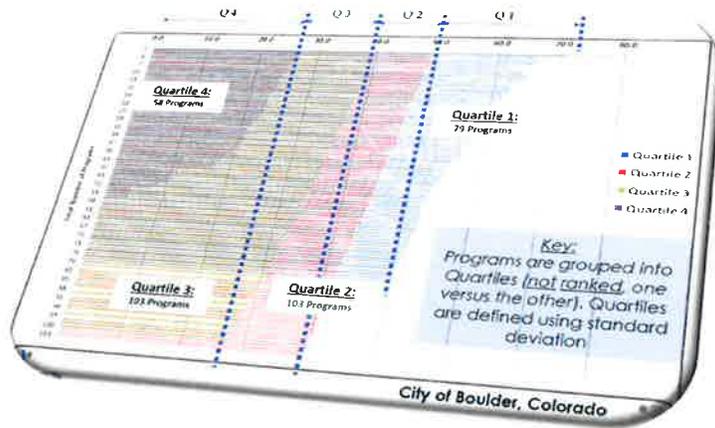
# Scoring Matrix



Department	Program	Basic Program Attributes				Evaluation Criteria					Result Score
		Managed to Provide Program	Used Resources of Program	Change or Improved for Service	Response on City to Provide Service	Safe City	Prosperous Economy	Green, Sustainable City	Attractive, Vibrant Community	Reliable, Well-Maintained Infrastructure	
Office of Economic Development	Business Development	4	2	4	4	2	4	3	2	0	
Office of Economic Development	International Business	0	1	2	2	0	2	1	1	0	
Office of Economic Development	Business Growth, Policy and Analysis	1	2	4	2	0	3	3	2	0	
Office of Economic Development	Developer Management	1	2	4	4	3	2	0	3	4	
Office of Economic Development	Art, Cultural Grants and Assistance	1	1	3	0	3	3	1	4	1	
Office of Economic Development	W. 42nd Street Art	0	0	2	0	1	3	1	4	1	
Office of Economic Development	Cultural Planning Policy and Outreach - Arts	3	0	2	4	1	2	0	4	0	
Office of Economic Development	Public Art Program Management	1	1	2	0	1	3	1	4	1	
Office of Economic Development	Public Art Master Plan Implementation and	1	1	3	0	1	2	2	4	3	

# Program Ranking

(Staff)

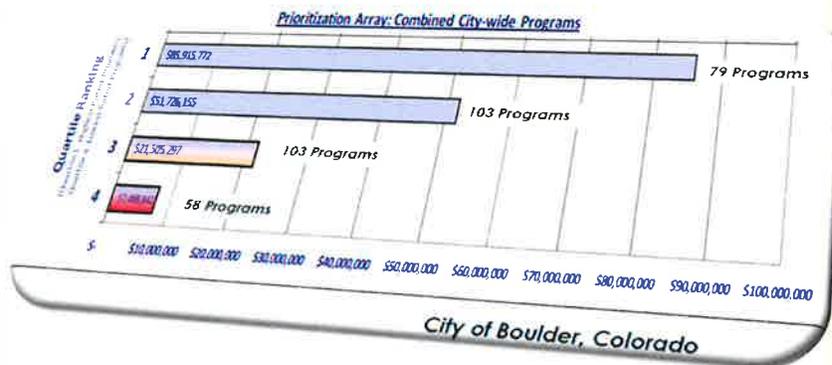


# Program Costing

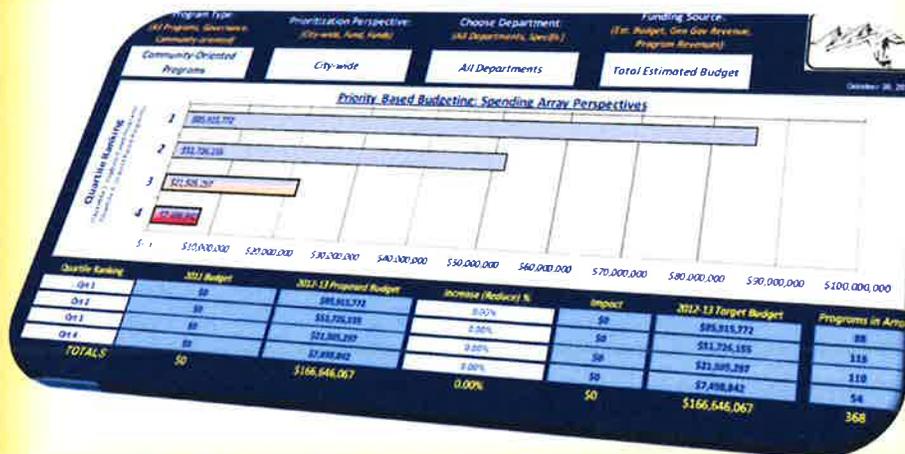
(Staff)



# Program Costing (Staff)



# Resource Alignment Tool



# Assignment

## Review Preliminary Result Maps

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Assignment for Visioning

## Score each Result Map(s) -

Allocate 800 Points to Maps/Definitions

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*Email Spreadsheet (see handout)*

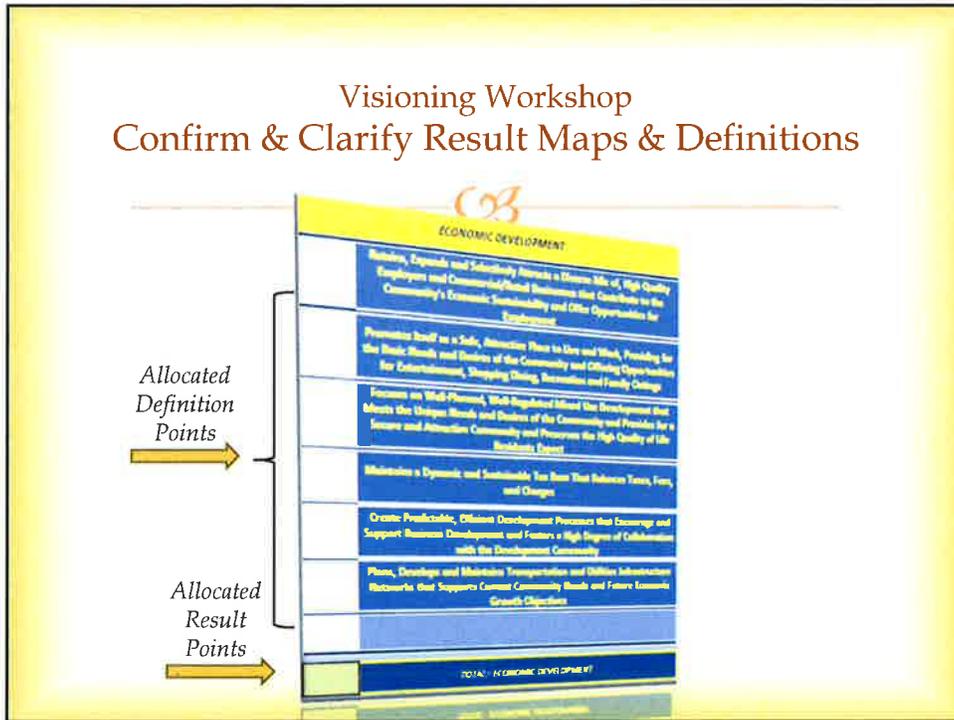
# Score Result Maps

Allocate **800 Points** to all 8 Results  
Allocate Points to Result Definitions

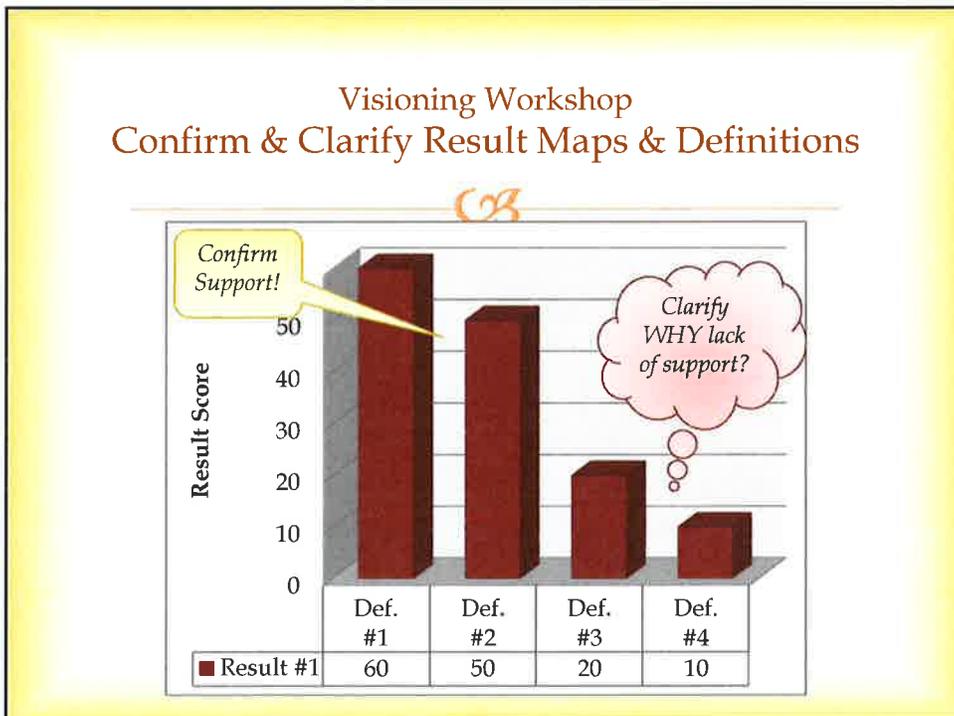
# Assignment

- ☞ #1 Review the Result Map(s) & Definitions
- ☞ #2 Allocate 800 Points to the 8-Result Areas
- ☞ #3 Allocate each Result Area's points to respective Result Area Definition
  - ☞ Add Result Area(s) and/or Definitions if deemed necessary
- ☞ *Email:* Excel Spreadsheet to Council Wednesday, October 8<sup>th</sup>.
- ☞ *Email Return:* Completed Assignment Monday, October 13<sup>th</sup>.

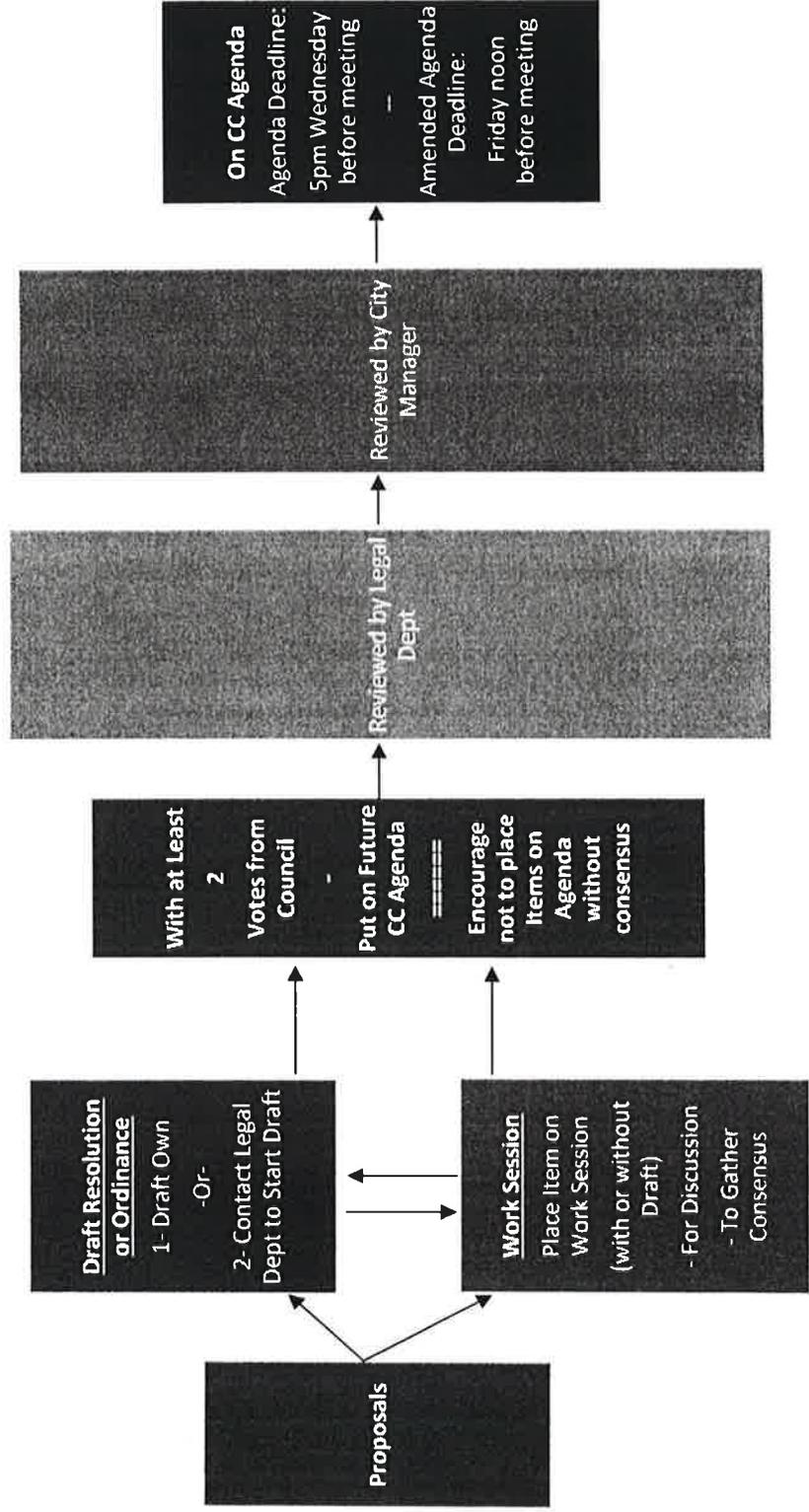
## Visioning Workshop Confirm & Clarify Result Maps & Definitions



## Visioning Workshop Confirm & Clarify Result Maps & Definitions



Attachment D  
 10-7-14 C.C.  
 Study Session



Draft Resolution or Ordinance  
 1- Draft Own  
 -Or-  
 2- Contact Legal Dept to Start Draft

Work Session  
 Place Item on Work Session  
 (with or without Draft)  
 - For Discussion  
 - To Gather Consensus

With at Least 2 Votes from Council  
 Put on Future CC Agenda  
 ===== Encourage not to place items on Agenda without consensus

Reviewed by Legal Dept.

Reviewed by City Manager

**On CC Agenda**  
 Agenda Deadline: 5pm Wednesday before meeting  
 -  
 Amended Agenda Deadline: Friday noon before meeting