

## **GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT CODE OF ETHICS**

**PURPOSE:** This Code of Ethics provides a framework so all Trustees, employees, and others engaged to provide services to the Greater Salt Lake Municipal Services District (the “MSD”), such as legal counsel, and Salt Lake County (the “County”) staff members who provide services pursuant to one or more Agreements between the MSD and the County, will act solely in the public interest and within the law, and thus uphold public confidence in local government. Trustees and employees, and other individuals working on behalf of the MSD, are expected to uphold the MSD’s Code of Ethics. References in the Code of Ethics to officials of the MSD are intended to include members of the Board of Trustees (“Trustees”), consultants to the MSD, and County staff performing services for the MSD.

### 1. Standard of Conduct:

- 1.1 The highest standards of integrity, truthfulness, honesty, and fortitude are to be maintained by avoiding conflicts of interest and never seeking to use improper influence; always acting in a way that enhances public trust and confidence; not using one’s official position or resources of the MSD for personal gain; and ensuring that one’s conduct does not bring the integrity of the person’s position or of the MSD into disrepute.
- 1.2 Appropriate behavior is to be observed while at work for the MSD by treating one’s colleagues with courtesy and respect; dealing with the public courteously, fairly, honestly and promptly; and promoting equality and avoiding bias in one’s dealings with the public.
- 1.3 Any “excess” in the use, expenditure, purchase, or assignment of MSD assets is to be avoided, including avoiding inappropriate incentive payments; not giving excessive assets to individuals working for or on behalf of the MSD, considering their job duties; and always following applicable procurement laws and policies.
- 1.4 No employee or official of the MSD shall use his or her position with the MSD to pressure, coerce, or otherwise improperly induce any vendor or other person to provide a special gift to the employee or official that would not generally be available to others. By way of illustration, no employee or Trustee may threaten or imply that a vendor’s failure to provide a favorable price or other concession on a personal purchase will or may jeopardize the vendor’s relationship with the MSD.
- 1.5 No MSD employee or official shall purchase goods or services for personal use and ownership using the MSD’s name, any MSD account, or MSD funds without prior approval by the Board of Trustees. The MSD shall be reimbursed, either directly or through payroll withholding, for the full cost of all such goods and services that are purchased for personal use and ownership by an MSD employee or official.
  - 1.5.1 Notwithstanding the foregoing prohibition, with the approval of the General Manager, goods and services may be purchased in the name of the MSD, through an MSD account, and/or utilizing MSD funds, even though those

goods and services will become the personal property of employees or officials of the MSD, *provided* that any such goods or services are to be utilized by the employee or official in performing his or her duties for the MSD. For example, a monetary allowance may be provided by the MSD for work boots for members of an MSD work crew. Goods and services that are owned and/or paid for by the MSD may be used for the personal benefit of an employee or official provided that such use is in conformance with the MSD's Personal Use of Public Property Policy and the MSD's Personnel Policy, particularly "Personal Use of District Resources" on page 86.

1.5.2 Nothing contained in this Policy shall prohibit or prevent either MSD employees or officials from purchasing from vendors that provide goods or services to the MSD *provided* that such private purchases are clearly denoted as such and are made in the name of the employee or official and a sales tax or use tax is collected by the vendor as in any other normal transaction and the purchases are made in harmony with "Purchases and Reimbursements" on page 87 of the MSD Personnel Policy. Furthermore, nothing contained in this Policy shall prohibit employees or officials from receiving discounts or membership cards from current MSD vendors or vendors that are under consideration for future purchases by the MSD *provided* that such discounts or memberships are in the name of the individual employee or official, all purchases are billed to and paid for directly by the employee or official, and such discounts and memberships are made available to members of the public as a whole, or to a legitimate subgroup of the public which includes the MSD employee or official, and are not based upon the employee's or official's position with the MSD.

1.6 As a governmental entity, the MSD is not required to pay a sales tax or use tax on certain of its purchases. No employee or official shall use the MSD's immunity from paying a sales or use tax to avoid the payment of a sales tax or a use tax on personal purchases, except as otherwise specifically allowed under Subsection 1.5.1 above.

1.7 All MSD employees and officials are required to follow and comply at all times with applicable requirements of the Utah Public Officers' and Employees' Ethics Act, (Utah Code Ann. §§ 67-16-1 *et seq.*), and with any other laws applicable to the MSD and employees and/or officials. These laws include, but are not limited to, record retention laws found in the Government Records Access and Management Act (Utah Code Ann. §§ 63G-2-101, *et seq.*), the Utah Procurement Code (Utah Code Ann. §§ 63G-6a-101, *et seq.*), and laws prohibiting nepotism (Utah Code Ann. §§ 52-3-1, *et seq.* and 17B-1-110).

## 2. Reporting:

2.1 If a Trustee, a member of the public, an employee, or another individual engaged by the MSD becomes aware of activities that he or she believes to be illegal,

improper, unethical, or otherwise inconsistent with this Code of Ethics, the person should report the matter. The MSD has an open-door policy and suggests that Trustees, employees and any other individuals engaged by the MSD share their questions, concerns, and complaints with the person's immediate supervisor, the District General Manager, Board Chair, or other appropriate individual. Additionally, comments may be reported anonymously by mailing an anonymous written comment to the District General Manager, the Board Chair, or other appropriate individual. Comments may also be made using the State Auditor Hotline Program, detailed at [auditor.utah.gov/hotline](http://auditor.utah.gov/hotline). The MSD desires that issues and concerns be resolved as quickly as possible and at the lowest possible level. Consequently, an employee is encouraged to report the issue or concern to the employee's immediate supervisor, unless conduct of the immediate supervisor is involved in the issue or concern, in which event the issue or concern should be taken to the supervisor's immediate supervisor. A question or concern regarding the General Manager should be taken to the Board Chair. If the issue or concern is not resolved in a timely manner, it may be taken to and addressed by the next highest supervisor or official. If the issue or concern involves the Board Chair, it may be taken to the General Manager or to another member of the Board of Trustees utilizing the e-mail address provided for the Trustee on the MSD's website or by any other available means.

3. No Retaliation/Breach:

3.1 It is contrary to the values of the MSD for anyone to retaliate against any Trustee, employee, or other person who in good faith reports an ethics violation or a violation of law. An employee who retaliates against someone who has reported a violation in good faith is subject to corrective action up to and including termination of employment. A County employee who is guilty of retaliation may be removed from work assignments for the MSD; and the contract of a consultant who is guilty of retaliation may be terminated by the MSD. Any breach of this Code of Ethics by an employee or official may render that employee or official liable to corrective action.

4. Agreement of Understanding:

4.1 Each MSD employee may be required to sign a form approved by the General Manager which indicates the employee's understanding of and agreement to follow the policies, procedures and requirements contained in the Code of Ethics.

Approved by the Board of Trustees this 14<sup>th</sup> day of July, 2021.

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Joe Smolka, Chair

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Marla Howard, Clerk

**GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT  
CODE OF ETHICS RECEIPT**

I hereby acknowledge that I have read the Code of Ethics of the Greater Salt Lake Municipal Services District (the “MSD”) and understand the rules, policies, and practices explained in the Code of Ethics. I understand that the MSD may modify or delete the provisions in the Code of Ethics or other workplace policies at any time, with or without notice, and that the Code of Ethics does not constitute a contract. I further understand and agree that I will be responsible for abiding by changes to the Code of Ethics and/or any other workplace policy regardless of whether I have signed an acknowledgement of such changes.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee Name (Please Print)