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SECTION A. COUNCIL ASPIRATIONAL VALUES AND GOALS

A.1 COUNCIL VALUES GOVERNING ITS DECISION-MAKING PROCESS

a. Leadership Values. The City Council declares that it is committed to employing core values in the City's decision-making process and operational activities. It is intended that these values will be reflected in actions among Council Members and City staff and include the following:

1. City Team Leadership. Each Council Member and the City Manager will be committed to the success of the City and to providing responsible, efficient, and cost-effective governance and services to the public. They will do so by cooperatively making informed choices and in setting public policy.

2. Mutual Respect. Individuals in the City's Legislative and Administrative branches of government will care about and have respect for each other, as persons. Notwithstanding differences of opinion, each City official is expected to be cognizant of and have respect for staff and citizens. All shall be treated with courtesy. Thus, each Council Member and the City Manager are expected to:

a) refrain from making threats or uttering disparaging personal remarks in public meetings, to the news media or at other times, even when provoked;

b) show courtesy by addressing problems directly with the Council Member involved, before taking the matter to the Council as-a-whole or uttering public statements;

c) seriously consider each comment or concern that comes before the Council and follow the Council Rules, Policy and Procedures, in good faith, so they can be addressed in a fair, open and timely fashion;

d) retain and use a sense of humor appropriately, but not over use it;

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- e) focus attention on what can be accomplished and constructively work to build the community and individuals;
- f) respect the City's Administrative procedures and chains-of-command, including addressing problems related to Administrative Department heads and staff directly with the City Manager or (alternatively) to the Council as-a-whole, when appropriate; and
- g) work to resolve differences between individual Council Members and others with tact and sensitivity, recognizing the value of individuals and treating each person with respect.

Thereby, Council Members aspire not to attempt to resolve differences in the press or the court of public opinion.

3. Responsive Governance. The Council believes that the best government is one that is close to the people, is responsive to their needs, and acknowledges that it is accountable to the electorate.

4. Innovation, Ethics and Efficiency. The City's ambition is to take courageous and pro-active action to: a) stay on the leading edge of technology and management theory; and b) be a well-run, efficiently managed and an innovative City, where policies and decisions are undertaken in a fiscally sound and ethically responsible manner.

A.2 CITY COUNCIL GOALS

a. Goals. City government aspires to be efficient and accessible to the public it serves. It seeks to do so , among other means, by employing the following principles:

1. Accessible Government. The City's goal is to promote government accessibility to all citizens, in all its proceedings, by openness and transparent public processing, including: a) encouraging interaction with elected officials and Administrative staff in a logical and effective manner; b) promoting conversion of the City's paper-based record's system to an electronic one as soon as is practically, economically, and technically feasible; c) promoting electronic communications to enhance the public's ability to participate in and observe government processes; and d) encouraging citizens and interested parties to exercise their right to petition their government for redress or change, and providing appropriate avenues for them to be heard and have their views considered, impartially.

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2. Effective Government. The City's goal is to be innovative in achieving effectiveness and efficiency in all its operations by: a) making it a City standard to be pro-active in identifying and resolving problems; b) rendering reason-based decisions and employing professional advice, citizen input, and using verifiable information; and c) funding and encouraging active participation in training for staff, elected and appointed officials.

3. Cooperative Government. The City's goal is to be a State leader and advance good government and public service through cooperative interactions with others, including: a) providing leadership and service in regional, state, and national programs, councils, organizations and meetings; b) fostering positive relationships between the City, business, government and other service oriented entities, whose function is to improve economic conditions and the quality of life in the City; and c) receiving and soliciting citizen participation in the City's decision-making and advisory committee process.

4. Responsible Government. The City's goal is to provide necessary public services, but be frugal with public resources. The City will seek to be supportive and pro-active with City boards and committees and to function with the highest ethical standards by: a) being fiscally conservative in the expenditure of taxpayer resources; b) acting and requiring the highest standards of ethical conduct, at all levels of City government; c) establishing high standards of accountability and employee performance, which includes exposing and correcting unproductive or inappropriate activities at all levels of City government; and d) meeting, at least annually, with the Planning Commission, General Plan Committee, Board of Adjustment and other City committees to discuss the Council's vision and purpose, together with receiving reports regarding the needs, accomplishments and goals of that reporting body.

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(Reserved)

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SECTION B. COUNCIL INTERNAL POLICIES

B.1 MEALS/REFRESHMENTS AT CITY COUNCIL MEETINGS

a. Meals and Refreshments. The Council may provide meals and/or refreshments for the City Council Members and staff on nights of Council meetings, City Council Retreats, annual City Council/Manager Strategic Planning sessions or similar events. To do so, the Mayor shall request the City Manager to make appropriate arrangements, provided that appropriated funds are available for that purpose.

b. Funding. Refreshments will be purchased only for the functions listed above, and will be purchased within appropriated funding levels, in the most cost effective manner possible.

c. Staff. As a courtesy, food at Council meetings may also be provided for Department Heads, the City Attorney and the Police Department security. If additional food is available, others may be invited by the Council to eat.

d. Use of Surplus. If the City Manager wishes to have the Council authorize extra food for others in an emergency or for special occasions, he/she may make said request of the City Council provided that the expenditure has a bona fide public purpose and appropriated funds are available.

B.2 CATERING FOR DIGNITARIES AND BUSINESS EVENTS

a. Entertaining Dignitaries. When there exists a demonstrable public purpose for entertaining dignitaries, for economic development or other public purposes, such events shall first be approved by the majority of the Council.

b. Frugality Goal. All such entertainment, meal or refreshment expenses for these events shall be incurred with the object of limiting the expenditure of public resources and still achieve the public purpose of the event. To the extent practicable, efforts shall be made to minimize the use of public money for such purposes.

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B.3 ASSIGNMENT OF OFFICE SPACE

- a. Mayor. The Mayor shall be provided an individual office.
- b. Council Members. The Council office space is assigned to Members on the basis of seniority, but, currently, Council Members will be assigned an office by the City Manager for collective use.

B.4 COUNCIL OFFICE TRAVEL

- a. Conferences/Conventions. Any or all Council Members may travel to conferences and conventions related to City business.
- b. Budgeting. The Council currently budgets for travel by asking each Council Member, at the beginning of the budget formulation process, which conferences/activities he/she desires to attend, including:

- 1. National League of Cities; Washington D.C.
- 2. Utah League of Cities and Towns; Annual Meeting or
- 3. Utah League of Cities and Towns, Mid-Year Meeting.

Based on this information, the City Manager will prepare cost estimates for inclusion in the Council Office travel budget. (Res. No. 13-37)

- c. Council Approval Required; City Manager Duties. When a Council Member expresses interest in traveling to a conference, convention or seminar, the City Manager will prepare a notice on a Council agenda. If the Council is opposed to the proposed travel or if appropriated funds are not available, the trip will not be scheduled. If approved, the City Manager will arrange for the travel.

B.5 COUNCIL MEMBER COMPENSATION

- a. Salary. The Mayor and Council Members will receive their compensation in the form of salary and benefits, in a manner similar to a full-time City employee.

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b. Benefits. The Mayor and Council Members may participate in the City's group health insurance plan and basic term-life insurance program, as provided in the City's benefit plan for its employees. Council Members participating in the City's benefit program will receive an insurance allowance with each paycheck, which may be applied toward the purchase of health, dental coverage or other allowed health benefits under the City's health plan. Until modified, the Mayor and City Council Members are eligible to receive: (1) medical and dental insurance at the same bi-weekly premiums as regular City employees, with \$200 per month Medical Cash Out benefit, if not selecting City paid medical insurance; (2) life insurance at 3 times the annual salary, plus \$10,000, \$5,000 life insurance for a spouse and \$5,000 life insurance per child paid by the City; (3) Accidental Death and Dismemberment paid by the City; (4) Long Term Disability paid by the City; (5) same retirement, 457 and 401 benefit contributions paid to regular City employees; and (6) maternal/paternal leave benefits. In addition, each Council Member shall receive the amount budgeted per annum for miscellaneous expenses and the Mayor shall received ½ of the automobile allowance provided to Department Head's of the City.

B.6 FILLING A VACANCY ON THE CITY COUNCIL

a. Duty to Fill Vacancy Within 30 Days. Whenever a vacancy occurs on the Council, either through death, resignation or removal (either during a term or as a Council Member or Mayor-elect), the vacancy will be filled by the Council within thirty (30) days, to hold the position until the next municipal election as provided in State law. It is also the policy of the City Council to make known the procedures outlined below to all those interested in applying for appointment to the Council.

b. Minimum Requirements for Appointment. All applicants must meet the requirements for qualification for public office, as specified in State law and City ordinance. All applications will be screened by the City Manager, prior to submittal of their name to the City Council to assure each applicant meets the minimum legal qualifications, employing the following criteria:

1. Each applicant must have resided in the City for at least twelve (12) consecutive months and be a current resident of the voting District in which the vacancy occurred;

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2. Each must have no other compensated employment with West Jordan City. If they do have other compensated employment with the City, the applicant must sign a commitment to resign the employment upon appointment to the City Council; and

3. Each must be a registered voter and an elector in West Jordan City.

c. Public Notice. Within one week of the vacancy, the City Manager shall give public notice of the vacancy by causing such notice to be published at least one time in The Salt Lake Tribune and the Deseret News. Such notice shall: (i) identify the date, time and place of the meeting where the vacancy will be filled; (ii) request resumes and/or letters of interest and qualification (hereafter referred to as “application”) from residents of the affected voting District, who are interested in being appointed to fill the vacancy; (iii) state the date of the vacancy and identify the last day the applications must be submitted; and (iv) state that applications must be submitted to the City Manager. Such notice shall be given at least 14 calendar days before the Council meets to make its final selection of the person to fill the vacant Council seat. The deadline for receipt of applications will be no less than 14 calendar days following the vacancy.

d. Applicants. The City Council requests the following be submitted to the City Manager, as the minimum information necessary in an application:

- Name
- Street address
- Phone number(s)
- Occupation (optional - for press information)
- Declaration of meeting the minimum qualifications for appointment

e. Distribution to Council. On the first working day following the application deadline, copies of the qualifying applications, along with all related letters of recommendation received to that date, will be distributed to the Council Members.

f. Meetings. During the week following distribution of applicant information, Council Members will hold one or more informal meetings to become better acquainted with the applicants and to allow applicants to ask questions pertaining to the role of Council Member. As these meetings are for informal exposure only, no formal interviewing will take place at these meetings. However, all such meetings will be noticed and held in compliance with the Utah Open and Public Meetings Act.

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g. Executive Session. Immediately following the informational meetings, the Council will meet in Executive Session to consider the field of applicants. During this meeting, Council Members may candidly discuss the candidates, sharing their personal reactions and feelings about any aspect, positive or negative, of the candidates' qualifications and ability to perform. The discussion shall continue until Council Members have had an opportunity to voice anything they wish to say about any candidate.

h. Open Meeting Interview. The City Manager, on behalf of the City Council, shall notify the applicants of the date, time and place of their interview, where they will be interviewed in an open meeting. However, if the Council desires to question any applicant regarding his or her character, professional competence, or physical or mental health, the Council may, in its discretion, ask such questions of the applicant in an Executive Session, held consistent with the Utah Open and Public Meetings Act.

i. Formal Vote on Selection. The City Manager, on behalf of the City Council, shall inform the applicants of the date, time, and place the vote will take place for final selection of the person to fill the vacant Council seat. This selection date may be the same day as the open interview date, above provided. This election date shall be during a regular Council meeting or in a special Council meeting called in order to meet the thirty-day deadline imposed by State law. The Council decision shall be by a majority vote and the selected person shall be sworn in by the City Recorder. If no applicant receives a majority vote of the Council at this meeting, the vacancy shall be filled by lot between the two (2) applicants receiving the highest number of votes, which action shall be taken in an open meeting and in the presence of the Council.

j. Public Information. All written information and letters of recommendations concerning applicants for appointment will be made available to the press and the general public, in an attempt to facilitate public input prior to the final selection. In addition, the City Manager will prepare a list of applicant names, phone numbers, and occupations following the deadline for filing applications and a list of the finalists will be made available, as soon as possible after their selection.

k. Interim Appointments. A vacancy on the Council shall be filled by an interim appointment, followed by an election to fill a two-year term, if:

1. the vacancy occurs or a letter of resignation is received by the Mayor at least 14 calendar days before the deadline for filing for election in an odd-numbered year; and

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2. two years of the vacated term will remain after the first Monday of January, following the next municipal election.

In appointing an interim replacement, the Council shall comply with the notice requirements set forth above.

1. Council Member Conflict and Voting Disqualification. A sitting Member of the Council may not participate in any part of the process established by this section to fill a vacancy, if that Member is being considered for appointment to fill the vacancy.

B.7 MAYOR AS PRESIDING OFFICER; ELECTION OF MAYOR PRO-TEM

- a. Presiding Officers. The Mayor shall be the presiding officer and chairperson of the West Jordan City Council and of all meetings thereof. In the Mayor's absence, the Mayor Pro-Tem shall preside. In the absence of the Mayor and the Mayor Pro-Tem, the City Council Member with the longest tenure on the Council shall preside; however, if more than one Council Member has identical amount of tenure, those Council Members will flip a coin to determine who will be the temporary presiding official.

- b. Election of Mayor Pro-Tem. At its first regular meeting in January of each calendar year, City Council Members shall nominate and, by majority vote, select one of its members to serve as Mayor Pro-Tem. The Mayor Pro-Tem shall serve from the election until a successor is duly elected. In the event of a vacancy in the position of Mayor Pro-Tem, the vacancy will be filled by an election as above prescribed.

- c. Eligibility. All Council Members who will be in office during the subject year shall be eligible to serve as the Mayor Pro-Tem, with the exception of the Member who is serving as Mayor Pro-Tem at the time of election.

B.8 LEGISLATIVE ACTION ITEMS

- a. Council Initiatives. Council Members may initiate legislation, rather than simply reacting to proposals from the Administration. This policy includes land-use and zoning issues; however, these matters usually require review or a factual development and recommendation by the Administration and the Planning Commission.

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b. Process of Development and Full Council Vote Required. An individual Council Member who wishes to initiate legislation is encouraged to talk to the City Manager about the goal of the contemplated legislation and how the Council Member would like to achieve that objective. The City Manager will see that a Legislative Action Item is prepared and put on the Council's agenda, as expeditiously as possible. A Legislative Action Item requires a majority vote of the Council, in a regularly scheduled meeting, in order to formally direct the City Manager to develop proposed legislation or other appropriate action. for development and review.

B.9 PARTICIPATION ON CITY BOARDS AND COMMISSIONS

a. Service Limited to Ex-Officio Capacity. Council Members shall not serve on any City appointed boards or commissions, except in an ex-officio capacity.

b. Non-City Committee Service. Council Members are free to participate on non-City appointed boards; however, where those organizations interact with City government on a policy, procedural, or financial basis, the following conditions apply:

1. Every January each Council Member shall submit, in writing, to the City Council a list of all non-City appointed boards on which that Council Member sits, where the organization interacts on any policy, procedural, or financial basis with West Jordan City. Council Members appointed to such boards or commissions, following such January disclosure, shall report their appointment in writing to the Council, within 30 days of such appointment.

2. When issues arise before the Council that directly or indirectly affect an organization on whose board a Council Member sits, that Council Member will declare a conflict-of-interest and abstain from both the debate and the vote.

B.10 REPRESENTATION ON COMMUNITY TASK FORCES

a. Vote on Each Appointment. Requests for Council representation on community task forces, boards or committees shall be brought before the Council for consensus selection. These bodies include the Council of Governments, Utah League of Cities and Towns, and County task forces.

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b. Requests Referred to Council. When the Council or the City Manager receives a request for Council representation on such community bodies, a copy of this request will be forwarded to each Council Member. The Council will determine whether a single Council Member or more than one Council Member should serve. After determining the number of available slots, Council Members will be informed of the opening(s). When possible, all Council Members will be informed of the available position(s) prior to its formal discussion, in order to allow Council Members time to consider their interest and availability.

c. Selection Process. If the number of interested Council Members exceeds that number of available slots, Council representation will be determined by majority vote.

d. Interim Selection. Should the timing of a request for representation and the next meeting of a group be such that the Council cannot make a designation, the Mayor will request a Council Member to attend on an interim basis. At the next available opportunity, the above process will be followed to fill the slot(s).

e. Council Briefing. Members representing the Council on task forces, commissions or boards are encouraged to provide periodic written updates to the Council and to inform the Council of significant developments.

f. Date to Advise Outside Bodies of Need for Official City Action. Council Members serving on outside task forces, commissions or boards are directed to inform such bodies that the entire Council must consider issues before official City or Council positions can be expressed or action taken.

B.11 CITY OR COUNCIL PHOTOGRAPHY FOR OFFICIAL PURPOSES AND NEWSLETTERS

a. Official Photograph. An official photograph shall be taken when a Council Member is elected to office. The photographs are for official use and are to be used throughout the Council Member's term of office.

b. Private Use. If a Council Member wishes to use his/her photograph(s) for personal purposes, he/she must purchase any such photo(s) directly from the photographer. The City Council may not order or purchase any photographs on behalf of a Council Member for that Council Members' personal use.

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B.12 NEWS MEDIA

a. Mayor as Spokesperson. The Mayor is the official spokesperson for the City Council on items the Council has voted upon. As such, the Mayor is responsible for representing the Council to the news media. The Mayor and individual Council Members may meet with media representatives or media editorial boards. When doing so, they shall make it clear that the opinions presented are their own; indicate they are speaking on their own behalf, rather than on behalf of the full Council; and be careful to say “I” versus “we” when stating opinions. Press releases are a common form of communication with the media.

b. City Manager Prepare Press Releases. It is appropriate for City Manager, on behalf of Council, to prepare press releases:

1. Quoting the Mayor on issues relating to the City Council, as a group, or providing general information regarding public hearings or other public meetings that the City Council will hold.
2. Announcing, for a Council Member, a public event/meeting occurring in a Council Member’s district. It is also appropriate for the Council Member to either announce such a district event or request the City Manger to do so.
3. Announcing for a Council Member who serves on a special committee (such as the National League of Cities and Towns), the committee’s findings or activities. However, the press release cannot be contrary to the official position held by the City Council, as a group, and cannot represent the entire City Council.

c. Inappropriate Political Releases. It is not appropriate for individual Council Members to prepare official Council press releases regarding a Council Member’s campaign, events relating to a campaign, or for any reelection purposes.

d. Press Contacts. When a representative of the media contacts the Council to request an interview with the Mayor or a Council Member on an issue that relates to the entire Council, the following will apply:

1. The interview request shall be directed to the Mayor.
2. If the Mayor is not available for the interview, the request shall be referred to the Mayor Pro-Tem.

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3. If the Mayor or the Mayor Pro-Tem is not available, the request is then referred to the next senior Council Member, as designated in B.7, above.
4. If a Council Member, other than the Mayor or Mayor Pro-Tem, agrees to the media's interview request, that Council Member must clarify that he/she is not speaking on behalf of the entire Council; rather, the opinions/views stated are only that of the individual Council Member.

B.13 WORKING ON ISSUES OUTSIDE OWN COUNCIL DISTRICT

Due to Council Members' roles as elected officials, constituents commonly contact Council Members to request their assistance in resolving issues and problems. There are instances when constituents contact a Council Member for assistance on an issue outside the Council Member's council district or because the Council Member is elected "at large." When a Council Member (either elected from a district or those elected "at large") is asked to assist a constituent on an issue outside that Council Member's district, the Council Member may: refer the constituent to the Council Member who represents the constituent or choose to assist the constituent and give a courtesy notification to the Council Member in whose district the issue relates, as soon as is reasonably possible.

B.14 CAPITAL AND DEBT MANAGEMENT

a. Capital and Debt Management Policies. The City Council determines that the following capital and debt management policies shall guide the Council, as they address the deferred and long-term infrastructure needs within West Jordan City:

1. Capital Policies; Definition. The Council defines a "capital project" as follows:

"Capital improvements involve the construction, purchase or renovation of buildings, parks, streets or other physical structures. A capital improvement must have a useful life of five or more years. A capital project must also have a cost of \$50,000 or more, unless the item has significant functionality that warrants its inclusion as a capital project. A capital improvement is not a recurring capital outlay item (such as a motor vehicle or a fire engine) or a maintenance expense (such as fixing a leaking roof or painting park benches). Acquisition of equipment is not a capital project unless it is an integral part of the cost of a capital project."

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2. Recommended Budget Submittal. The Council requests that the City Manager's Recommended Annual Capital Budget be developed based upon the Five-Year Capital Plan and be submitted to the City Council for tentative approval early enough of each fiscal year to allow for timely discussion and adoption. (Res. No. 13-37)

3. Revenue and Expense Forecast. The Council requests that the City Manager prepare multi-year revenue and expenditure forecasts, which correspond to the capital program period as well as an analysis of the City's financial condition and capacity to finance future capital projects. The City Manager shall present this information to the Council with the presentation of each annual budget.

4. Five Year Plan Submittal. The Council requests that the City Manager submit an updated proposed five-year capital improvement plan to the Council each year for adoption prior to or in connection with the Annual Budget adoption process. (Res. No. 13-37)

5. Council Goals and Aspiration. The Council intends that the City will maintain its physical assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. It also intends to give priority consideration to projects which: (a) preserve and protect the health and safety of the community; (b) are mandated by the state and/or federal government; (c) provide for the renovation of existing facilities and result in a preservation of the community's prior investment, decrease operating costs, or result in other significant cost savings; or (d) improve the environmental quality of the City and its neighborhoods.

6. Coordinating with Outside Agencies/Parties. The Council intends to give fair consideration to projects where there is an opportunity to coordinate with other agencies, establish a public/private partnership, or secure grant funding, provided that all other considerations are equal.

7. Goal to Fund Immediately Following Design. Whenever possible, the Council intends to approve construction funding for a capital project in the fiscal year, immediately following the project's design.

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8. Use of Five-Year Plan. The Council does not intend to fund any project that has not been included in the Five-Year Capital Plan for at least one year prior to proposed funding, unless extenuating circumstances are adequately identified.
 9. Large Change Orders. The Council requests that any change order to any capital improvement project, which equals or exceeds ten percent (10%) of the approved project budget, be brought to the Council for review in a formal budget amendment.
 10. Program Surplus. The Council requests that the City Manager submit a budget amendment request to the Council no later than September 1 each year, identifying those Capital Improvement Program Fund accounts where the project has been completed and a project balance remains. It is the Council's intent that all account balances from closed projects be recaptured and placed in the CIP Contingency Account for the remainder of the fiscal year, at which point any remaining amounts will be transferred to augment the following fiscal year's General Fund ongoing allocation.
- b. Debt Management Policies.
1. General Policy of Incurring Debt. The Council intends to utilize long-term borrowing only for capital improvement projects that are included in the City's Five-Year Capital Program or in order to take advantage of opportunities to restructure or refund current debt.
 2. Proposed Debt Analysis. The Council request that the City Manger provide an analysis of the City's debt capacity and how each proposal meets the Council's debt policies, prior to proposing any projects for debt financing. This analysis should include: (a) the effect of the bond issue on the City's debt ratios; (b) the source of funds to cover the debt service; (c) the effect of any proposed bond issue on the City's ability to finance future projects of equal or higher priority; (d) an analysis of the impact of debt-financed capital projects on the City's operating budget; and (e) a statement from the City's financial advisor affirming each proposed bond issue appears to be feasible, as proposed, and identifying any requirements or circumstances that the Council should consider when evaluating the proposed bond issue.

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3. Policy of Avoiding Unwise Debt. The Council does not intend to issue debt that would: (a) cause the City's debt ratio benchmarks to exceed moderate ranges, as indicated by the municipal bond rating industry; (b) damage the City's current general obligation bond rating; or (c) cause the City's lease revenue bond ratings to fall below current ratings.
4. Disclosure of Any Negative Impact on Operating Budget. The Council requests the City Manager to fully disclose and the Council intends to consider the impact of all debt that has a net negative fiscal impact on the City's operating budget.
5. Repayment Schedules. The Council requests that the City Manager structure debt service payments in level amounts over the useful life of the issue, unless anticipated revenues dictate otherwise or if the useful life of the financed project(s) suggests a different maturity schedule.

B.15 TRANSITION FOR COUNCIL OFFICE FOLLOWING MUNICIPAL ELECTIONS

- a. Transition Period. There is a period of approximately eight weeks from the November elections until the first of January, when Council Members begin serving their term of office. This period is considered a transition phase for the Council and the City Manager. In order to avoid confusion regarding the roles of Council Members, the following policy shall apply:
 1. Attendance of Official Council Functions. The City Manager will contact Council Member(s)-Elect on the Wednesday following a municipal election. Council Member(s)-Elect shall be invited to attend the annual Legislative Reception, all regular Council meetings, Work Sessions, Executive Sessions and any other official Council functions, with the exception that they may be excluded from closed door meetings.
 2. Meeting Executive Staff. Council Member(s)-Elect are encouraged to meet with officials in the Administration prior to taking the oath of office, if they so desire. Upon request, the City Manager will make arrangements for convenient meeting times.

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3. Travel Funding Limits. City-related travel opportunities may become available to Council Members following the Induction Ceremony. However, in order to ensure that West Jordan residents receive maximum value for funds invested in conference travel, Council Members who did not seek/win re-election are not eligible to travel between the time of the primary election and the Induction Ceremony. Nonetheless, exceptions can be made by the Council to allow a Council Member to attend final sessions of committee meetings on which the Council Member was the sole Council Member who actively participated while in office or for other good cause shown. A Council Member who is leaving office and requesting travel following a primary or general election must secure the consent by a majority vote of the City Council, prior to requesting such travel arrangements.
4. Agenda Packets. When preparing agenda packets for regular Council meetings and Work Sessions, the City Manager will prepare an agenda packet for Council Members and Council Member(s)-Elect. Agenda packets for regular Council meetings will be placed in the Council Members office and delivered to the homes of the Council Member(s)-Elect not later than Friday afternoon.
5. Mail and Miscellaneous Notices. The City Manager will provide Council Member(s)-Elect with copies of routine mail and other material that is sent to all Council Members.
6. Surrendering City Property. Council Member(s) leaving office will deliver any City-owned equipment to the City Manager no later than noon on the day of the Induction Ceremony. City-owned property will include, but is not be limited to, laptop computers, printers, software, cell phones, office keys, desk keys, and official City identification.
7. Computer Connection. Following the Induction Ceremony and upon receipt of the outgoing Council Member(s)' City-owned property, the City Manager will arrange for the set-up of computers and other technology for use by the new Council Member(s) and make every effort to do so by the first week of January. The City Manager will also arrange for computer related assistance and training for new Council Member(s). (Res. No. 13-37)

Council Rules, Policies and Procedures

B.16 COUNCIL RETREAT

a. Retreat to Consider Policy/Planning. At the discretion of the Council, the City Manager may schedule a Strategic Planning retreat each year. This annual retreat of the City Council may occur in January with Council Members, Administrative staff and other personnel, as needed, to discuss policy, annual planning, City's budget and other issues of mutual interest and concern. (Res. No. 13-37)

B.17 FILING FEES

Council Members will not sponsor legislative action items or petitions directing the Administration to allow citizens to avoid paying a required filing, building or permit fees. City ordinances govern such matters and cannot be waived, unless the ordinance provides a lawful process for exempting payment.

B.18 SERVICE OF LEGAL DOCUMENTS

The Mayor and each Council Member will refer service of all legal documents to the City Attorney's Office.

B.19 TECHNOLOGY ALLOWANCE

a. Each member of the City Council is provided a monthly technology allowance at an amount set from time to time by the City Council. This allowance may be used to pay the expense of a cell phone, smart phone, or to provide ongoing internet connectivity to a City provided pad device. (Res. No. 13-37)

Council Rules, Policies and Procedures

(Reserved)

Council Rules, Policies and Procedures

SECTION C. COUNCIL MEETINGS

C.1 EARLY NOTIFICATION TO COUNCIL MEMBERS

a. Future Issue Identification/Notice. The City Manager shall make Council Members aware of issues which will be discussed on future Council agendas, as early and as thoroughly as reasonably possible. It is important that Council Members have adequate time and notice on issues coming before the Council.

b. Three Month Tentative Calendar. The City Manager will provide a tentative calendar, which lists all available agenda information and includes public hearings and regular Council Meetings. Calendars will be prepared at least monthly and will list meetings dates for the upcoming next three months.

C.2 ATTENDANCE OF MEMBERS

a. The attendance of Council Members at regularly scheduled Council meetings is encouraged, acknowledging that absences will occasionally occur as a result of unavoidable circumstances. Anticipated absences shall be communicated to the Mayor or Mayor Pro-tem as soon as it is known when Council Members will be unable to attend. If a Council Member anticipates being absent for two or more consecutive regular Council meetings, the Council Member shall so advise the City Manager, who shall place the information on the calendar. (Res. No. 13-37)

C.3 CITY COUNCIL MEETING SCHEDULE

a. Regular Meetings. The City Council holds two regular Council meetings per month. Such regular meetings will typically be held on the second and fourth Wednesdays of the month.

b. Special/Emergency Meetings. Special or emergency meetings may be called by the Mayor or other member of the City Council, as provided by Utah law.

c. Notice. The City Recorder shall be responsible for posting agendas and providing notice of all Council meetings, as provided by Utah law. (Res. No. 09-124)

Council Rules, Policies and Procedures

C.4 COUNCIL MEETING AGENDAS AND PAPERWORK

a. Regular Council Meeting Agendas. Items may be placed on Council agendas by the City Manager, the Mayor or individual Council Members. Requests will be made by:

1. Submittal to Recorder. Requests to be placed on a agenda and supporting documents should be delivered to the City Recorder for a regular Council meeting, no later than 5:00 p.m. on the same day of the preceding week.

2. Supporting Materials for Agenda Item. All items submitted for Council action, on a regular Council meeting agenda, should include the following:

a) Request for Council Action Report. A written report that outlines the subject matter, fiscal impact and recommendation in a form substantially similar to attached Appendix “A,” and Appendix “B,” for matters involving a public hearing.

b) City Attorney Approvals. Many documents require the City Attorney’s approval “as to form” before they can be executed. Such documents include Interlocal Cooperation Agreements and contracts. It is, also, the preference of the Council to have attorney approval on all other documents before formal Council approval, including Ordinances, Resolutions, budget documents and the like. Except for good cause shown, all such documents will be approved “as to legal form” by the City Attorney, prior to being placed on a Council agenda

c) Supporting Documents. All background material appropriate to an agenda item should be included with the request to have a matter placed on the Council agenda.

3. Consent Items on Council Agenda. If the agenda item is routine and likely non-controversial, it will be placed on the formal Council meeting “consent” line, for action at the soonest possible date. These items are only of a routine or ongoing nature. Consent agenda items shall include, but are not limited to: appointments and reappointments to City boards; appointment of administrative executive-level employees; authorizing signature of non-controversial agreements. If a Council Member has a question concerning a counsel calendar item, they should talk to the City Manager prior to the meeting. (Res. No. 13-37)

Council Rules, Policies and Procedures

4. Business Items on Council Agenda. If agenda items are not routine, the item will be placed on the formal Council meeting “business” category in the agenda. The City Manager shall determine which items are to appear as business items. When non-routine agenda items appear to be of a controversial or politically sensitive nature, the City Manager will discuss the items with the Mayor before the item is scheduled for a Council agenda.

5. Citizen Comments. Each regularly scheduled Council meeting will contain an agenda schedule for citizen comments. Any person desiring to address the Council will be permitted to speak, subject to legal constraints and the other applicable provisions of these rules, including but not limited to C.9. (Res. No. 09-124)

6. Matters Involving Significant Presentation Time. Matters that are of a complex nature and/or involve significant time to present the matter by staff should be separately calendared and noticed for a workshop meeting on another night. For this purpose, “significant time to present” means a contemplated presentation to the City Council requiring in excess of 10-minutes. (Res. No. 13-37)

C.5 RESOLUTIONS OF SUPPORT, APPRECIATION, OR RECOGNITION

a. Resolutions. Resolutions of support, appreciation or recognition are placed on the Council agenda at the request of the City Manager, the Mayor or one or more Council Member.

b. Council Members Requests. If a Council Member wishes to have a resolution placed on the Council agenda, the procedure will be as follows:

1. The City Recorder will coordinate preparation of the resolution;
2. If the City Manager views the subject of the resolution to be controversial, the City Recorder will make the other Council Members aware, in advance, that the item is going to be placed on the agenda;
3. If the resolution is routine or facially non-controversial, it will be prepared and placed on the agenda, without advance notification to other Council Members. As with all other agenda items, a copy of the resolution and background information will be included in the agenda packet that is delivered to Council Members, in advance of regular Council meetings.
4. The City Manager will make the arrangements for appropriate City staff to be in attendance at the meeting to address the resolution that will be presented, if requested by the sponsoring Council Member.

Council Rules, Policies and Procedures

c. Non-City Requests. If a non-City organization contacts the City Manager/City Recorder and requests that a resolution be placed on the Council agenda, the City Manager will consider the matter. If the City Manager deems the matter controversial or not appropriate for his/her sole action, the requestor will be advised to get the Mayor or a Council Member sponsor.

d. Employee/Department Recognition. When a proposed resolution is intended to recognize a City employee, department or division for achievement, the City Manager will draft a letter to be signed by the Mayor and Council Members congratulating the employee, department or division, or (as appropriate) cause time on the Council's agenda to permit the Mayor, on behalf of the Council Members, to present or announce the award during a Council meeting.

C.6 PUBLIC HEARINGS AND NOTIFICATION

a. Policy Statement. The West Jordan City Council encourages input from the public on major issues, particularly those involving funding, budgeting and major policy initiatives. To facilitate that citizen participation, the Council favors holding public hearing, after appropriate published notification, of City residents, particularly those impacted by the pending Council action.

b. Mandatory Hearings. Statutory law requires public hearings on some matters, even when some may view this process as unnecessary, expensive or merely imposing an unreasonable delay. These mandatory hearings include:

1. Annexations.

(a) Adoption of Policy of Declaration. Unless State law is changed, the City Council must hold a public hearing concerning a proposed annexation. The Council will officially set the date in a regular Council meeting at least 35 days in advance and adopt a resolution of annexation at that time. Notice of time and place of the hearing of the draft policy declaration or amendment to the policy must be published 30 days prior to the hearing. When there are fewer than 25 owners/residents within the affected territory, a mailed notice may be given to each affected resident or owner. Twenty days prior to the hearing, mailed notice and a full copy of the proposal shall be given to each governing body impacted and the local boundary commission.

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- (b) Adoption of Annexation Ordinance. Following the public hearing, the Council may adopt a motion, conceptually approving the annexation. After conceptual approval, state statute requires a five-day waiting period for the filing of any protests. The Council may adopt the official annexation ordinance after the five-day waiting period. Normally this ordinance is scheduled on the Consent agenda of the Council's next formal meeting. The territory is annexed when the ordinance is adopted.
2. Disconnections. Before citizens can disconnect their property from a municipality, the City Council must hold a public hearing and receive public comment. Notice of this hearing must be published in the newspaper at least seven days prior to the scheduled hearing and within 30 days after the last published notice of the proposed disconnection. Three notices of the disconnections must be published, once a week, for three consecutive weeks. in the newspaper.
3. Special Improvement Districts.
- (a) Protest Hearing. The Council must adopt a resolution declaring its intent to create a Special Improvement District which identifies the boundaries of the district and the work to be performed. Following adoption of the resolution, advertisement of the Council's intent to create the district and the time and date of the protest hearing must be published once a week for four successive weeks. The last publication shall be no more than twenty and not less than five days prior to the date of the protest hearing.
- (b) Notice of Intention. Additionally, a copy of the Notice of Intention and a notification of the protest hearing must be mailed to each property owner to be assessed within the Special Improvement District, prior to the protest hearing. Following the protest hearing, the Council may adopt a resolution creating the District, after which construction will occur.
4. Street/Alley Narrowing/Vacating/Closure/Name Change. Prior to taking action on a proposal affecting the public right-of-way, the Council must hold a public hearing. Advertisement of the hearing concerning the proposed action must occur once a week for four consecutive weeks, prior to the hearing. A notice of the proposed action must be mailed to the owners of record for all land abutting the affected street or alley.

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5. Zoning Changes. Following receipt of the recommendation of the Planning Commission concerning the proposed zoning change or change to the requirements in the City's zoning ordinance, a public hearing will be set by the City Recorder. Advertisement of the hearing must be provided in the Utah Code and/or the City Code. The City Recorder will mail notices to affected property owners, all as provided in the Utah Code and/or the City Code. (Res. No. 13-37)

6. General Plan Creation and Amendment. The Municipal Land Use and Development Act requires that City Councils adopt a General Plan. From time to time, the City Council may amend the General Plan. For both the adoption and amendment of the General Plan, the Act requires that the City Council hold a public hearing and provide notice of that hearing, all as provided in the Utah Code and/or the City Code. (Res. No. 13-37)

7. Subdivision Ordinance Amendment. The City's Subdivision Ordinance, which governs the requirements for how subdivisions are platted and constructed, will be amended as the City develops. Before the City Council can amend the Subdivision Ordinance, they shall hold a public hearing and publish notice of that hearing all as provided in the Utah Code and/or the City Code. (Res. No. 13-37)

8. Plat Amendments. While there are some exceptions, generally, amendments to recorded plats require a public hearing before the City Council. Notice requirements for plat amendments include mailing a notice of the public hearing to affected property owners will be as provided in the Utah Code and/or City Code. However, a plat amendment will first be referred to the Planning Commission for a recommendation. (Res. No. 13-37)

Council Rules, Policies and Procedures

9. Budgets. In accordance with the State Uniform Fiscal Procedures Act for Utah Cities, the City Council shall adopt a budget. Prior to adopting the budget, the Council must adopt a “Tentative Budget” following a public hearing. Notice of this public hearing must be published as provided in the Utah Code. In addition, at any time during the budget year the City Council may vote to increase one or more of the funds listed in the Fiscal Procedure Act, including capital improvement, general, special revenue and debt service funds. Before the City Council may increase any of these funds, they must first hold a public hearing with notice provided as described above. (Res. No. 13-37)

10. Bonds. Prior to voting on a Resolution to authorize the issuance of revenue bonds the City Council shall first hold a public hearing. Notice of that hearing will be as required by the Utah Code. (Res. No. 13-37)

11. Redevelopment Projects. When the Redevelopment Agency creates a Redevelopment Project Area, its Board shall hold a series of public hearings, with after published notices as required by law. (Res. No. 13-37)

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- c. Responsibilities.
1. City Recorder. City Recorder is responsible for ensuring that the required advertising is prepared and submitted to the newspaper in a timely manner to ensure that legal deadlines are met. The City Recorder is also responsible for mandatory mailings as required by State statute.

 2. Department requesting the public hearing or sponsoring the legislation. The City Department that requests a public hearing or sponsors City legislation is responsible for providing the necessary information for the advertisement and the mailings to be made by the City Recorder. It is, also, obligated to provide the necessary information and any required verbiage required for the advertisement, together with the necessary mailing list to the City Recorder. In addition, it will assign a staff member to attend the public hearing and give a staff report, at the Council's request.

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C.7 CLOSED MEETINGS

a. Open and Closed Meeting Standards. Utah Law requires that every meeting of a legislative body remain open to the public unless it is lawfully closed. However, §52-4-4, of the Utah Code provides that a closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body, provided that a quorum is present. No ordinance, resolution, rule, regulation, contract, or appointment can be approved at a closed meeting. The reason(s) for holding a closed meeting and the vote, either for or against the proposition to hold such a meeting, must be cast by each Council Member, by name, and the vote shall be entered in the minutes of the meeting. Utah law allows a closed meeting to be held for any of the following purposes:

1. Discussion of the character, professional competence, or physical or mental health of an individual; however, the Council may not interview a person to fill an elected position in a closed meeting;
2. Strategy sessions to discuss collective bargaining;
3. Strategy sessions to discuss pending or reasonably imminent litigation;
4. Strategy sessions to discuss the purchase, exchange, or lease of real property when 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;
5. Strategy sessions to discuss the sale of real property when:
 - (a) 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;
 - (b) the public body had previously given public notice that the property would be offered for sale; and
 - (c) the terms of the sale are publicly disclosed before the public body approves the sale;

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6. Discussion regarding deployment of security personnel, devices, or systems; and
7. Investigative proceedings regarding allegations of criminal misconduct.

b. Records or Minutes Required. Section §52-4-7.5 of the Utah Code, defines the record of closed meetings and how they must be kept. This section states that if a public body closes a meeting 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 must sign a sworn statement affirming that the meeting was closed for one of these sole purposes. If a public body closes a meeting for any other purpose, the public body shall either tape record the closed portion of the meeting or keep detailed written minutes that disclose the content of the closed portion of the meeting.

c. Confidentiality Required. It is imperative that all closed meeting discussions remain completely confidential. No Council Member shall disclose confidential information acquired by reason of the officer's official position or use such information for the officer's or another's private gain or benefit. **Any person violating this duty of non-disclosure may be subject to criminal sanctions.**

d. Notice. Notice of a closed meeting must be in an Council agenda, dully posted and publicized. This notice must, usually, be given 24 hours before a scheduled meeting. However, emergency meetings, including closed meetings, may be held as provided and controlled by §52-4-6 of the Utah Code.

C.8 ELECTRONIC COUNCIL MEETINGS

a. Conditions; Elements. Utah law authorizes the City Council to hold meetings electronically. The law defines an electronic meeting as a public meeting convened or conducted by means of a telephonic, telecommunications or computer conference. In order to participate, members of the Council must have the ability to communicate with all other members, either verbally or electronically, so that each Council Member can hear or see the communication. Public hearings are also allowed, as part of the electronic meeting. However, as with any public meeting, electronic meetings must be properly noticed in compliance with the Open Meetings Act.

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b. Limitations. For those instances, when the Council elects to hold an electronic meeting:

1. the meeting will be held with a quorum (4 members) physically present at the same physical location;
2. the meeting will be called only for a declared City emergency, to accommodate Council Members who are traveling outside the City on official City business, or other unique circumstances that make such a meeting in the public interest;
3. the meeting will be held within Salt Lake County and at a facility that allows the public to attend, monitor and participate in open portions of the meeting;
4. audio equipment will be used so that comments of each Council Member participating electronically will be audible to those attending the meeting; and
5. reasonable but diligent efforts shall be made to notify and accommodate Council Members who are traveling outside the City on official City business so that they can participate in such a meeting, if they desire to do so.

C.9 CITIZEN COMMENTS AT COUNCIL MEETINGS

a. Citizen Comment. Near the start of each Council meeting, interested persons will be permitted to address the Council concerning any matter over which the Council has jurisdiction, including comments concerning an item on the meeting's agenda, provided that if the matter to be discussed is the subject of a public hearing, the commenter will be required to speak when that hearing is conducted. If appropriate, the presiding officer may refer a commenting citizen to the City Manager to assist the citizen on the issue, which could include a future presentation at a future Council meeting. (Res. No. 09-83, 05-12-09; Res. No. 10-146, 10-27-10)

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b. Procedures for Public Comment.

1. Requests to Speak. Interested persons desiring to address comments to the Council are invited to complete a “request to speak” card, a supply of which cards will be available on a table or display at the main door to the Council chambers. The “request to speak” card allows the presiding officer to announce the name of the citizen to the meeting, and also provides the address and phone number of the citizen so that City staff can provide further information to the citizen if needed. However if an interested person determines during the citizen comment period that he/she wants to address a comment to the Council that person may seek recognition from the presiding officer through the raise of hand even in the absence of a “request to speak” card. (Res. No. 10-146, 10-27-10)

2. Process. Interested persons who desire to address comments to the Council, will be recognized by the presiding officer, either through a pre-submitted “request to speak” card or through the raise of hand, and called forward at the appropriate time to the podium. Each speaker is required to speak into the microphone at the podium, clearly state their name, the subject of their comment, and if he/she is a resident of West Jordan City. A comment on any matter outside of the Council’s jurisdiction will be ruled out of order by the presiding officer. (Res. No. 10-146, 10-27-10)

3. Time. The Council will allow up to three (3) minutes each citizen who desires to address the Council. If a citizen presents himself or herself as a representative of a group who will refrain from speaking separately in favor of the single speaker, the Council will allow up to five (5) minutes. The presiding officer may, allocate more time to a speaker in a content-neutral and uniform manner. The presiding officer may set time limits for public comment, and may stop further comment on the same issue if the comments become redundant and repetitive (Res. No. 09-83, 05-12-09; Res. No. 10-146, 10-27-10)

4. Meetings with Large Group Participation. If the presiding officer can ascertain that a large number of persons wish to speak on a single issue, and likely on both sides of that issue, the presiding officer may take a poll of those wishing to speak for or against an issue, in determining how many individuals or spokespersons to accommodate. The presiding officer may alternate a pro speaker with a con speaker. The presiding officer may also request a spokesperson(s) to represent groups of interested citizens, as an aid and to facilitate the efficient and effective use of the limited time available at the meeting. (Res. No. 09-83, 05-12-09; Res. No. 10-146, 10-27-10)

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c. Written Comments and Supplementary Information. Due to the practical need to limit the time available for citizen comment, any person wishing to provide information or comment to the Council is encouraged to submit written materials or comments through the City Clerk/Recorder, either before or at the time of the meeting at which the subject matter will be addressed. Citizens may submit written comments or other materials in place of or to supplement their oral comments. If written comments or supplementary materials are submitted during a meeting at the time of a public hearing, the Council may choose to postpone consideration of the agenda item pending an opportunity to review the written submissions. (Res. No. 09-83, 05-12-09; Res. No. 10-146-10-27-10)

C.10 COMMUNICATION DEVICES

a. Duty to Disengage Electronic Equipment. Persons attending Council meeting are to refrain from using and shall turn off audible features of cellular telephones, audible pagers or other communication devices, while meetings are in session.

b. Texting or other Non-Public Communications with Staff or Council. It is improper for a person attending a public meeting to use personal electronic means to send or receive communications to or from Council members or to or from staff during that meeting. (Res. No. 13-37)

c. Removal for Violation. A person who violates these provisions is disorderly and may be evicted from the meeting upon a two-thirds majority vote of the Council, pursuant to §10-3-608 of the Utah Code.

C.11 COUNCIL SUBCOMMITTEES

The Council may choose to create Council Subcommittees for certain issues. Council Subcommittees are comprised of up to three Council Members, with the City Manager providing support services. Subcommittees are created to facilitate discussion, draft proposed policies and make recommendations to the full Council for its consideration.

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C.12 REMOVAL OF DISORDERLY PERSONS

Persons who exceed the time or are otherwise disorderly may be expelled by the Council upon a two-thirds majority vote, as provided in §10-3-608 of the Utah Code. However, nothing herein shall limit or preclude a person from being arrested, cited or otherwise subject to police action for a violation of other applicable law.

C.13 GENERAL PROCEDURES

a. Modified Roberts Rules. Roberts Rules were developed for large-scale legislative bodies. A scaled-down and modified version is more appropriate for a City Council comprised of seven members. Thus, the Council adopts a simplified parliamentary procedures, as follows:

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| <u>Type of Motion</u> | <u>Second Required</u> | <u>Debatable</u> | <u>Amendable</u> | <u>Priority Over Pending Motion</u> | <u>Reconsidered</u> | <u>Interrupt Speaker</u> |
|--------------------------------------|------------------------|------------------|------------------|-------------------------------------|---------------------|--------------------------|
| Adjourn (<i>sine die</i>) | Y | <i>n/a</i> | <i>n/a</i> | Y | <i>n/a</i> | <i>n/a</i> |
| Amend or Substitute ¹ | Y | Y | Y | Y | Y | <i>n/a</i> |
| Appeal Ruling of the Chair | Y | Y | <i>n/a</i> | <i>n/a</i> | Y | Y |
| Limit Debate (time, order, manner) | Y | <i>n/a</i> | Y | Y Except “table” | Y | <i>n/a</i> |
| Main Motion | Y | Y | Y | <i>n/a</i> | Y | <i>n/a</i> |
| Nominations | <i>n/a</i> | Y | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> |
| Personal Privilege or Point of Order | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | Y | Y | Y |
| Postpone to Time Certain | Y | Y | Y | Y | Y | <i>n/a</i> |
| Previous Question | Y | <i>n/a</i> | <i>n/a</i> | Y | Y | <i>n/a</i> |
| Recess or Adjourn to Time Certain | Y | Y | Y | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> |
| Reconsider | Y ² | Y ³ | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | Y ⁴ |
| Table or Take From Table | Y | <i>n/a</i> | <i>n/a</i> | Y ⁵ | <i>n/a</i> | <i>n/a</i> |
| Take Agenda Item Out of Order | Y | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> |
| Withdraw a Motion ⁶ | <i>n/a</i> | <i>n/a</i> | <i>n/a</i> | Y | Y | Y |

¹ Limit of three substitute motions.

² May only be made by a person who voted on prevailing side; not applicable to “table” motions. Must be made within two meetings of original action.

³ If prior motion was debatable.

⁴ Except for request for later action.

⁵ Highest subsidiary motion -- takes precedence over all motions except adjourn and privilege.

⁶ Must be voted unless there is no objection.

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b. Presiding Officer. The Mayor is the Presiding Officer and acts as Chair at Council meetings. In the absence or incapacity of the Mayor, the Mayor Pro-Tempore serves as presiding officer.

c. Seating. The Mayor Pro-Tempore is seated immediately next to the Mayor. The Mayor, with the approval of individual Council Members, shall establish other seating arrangements for regular Council meetings.

d. Signing Documents. The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts and other documents which have been adopted by the City Council and require an official signature. However, the Council may delegate to the City Manager or specific Department Heads the authority to sign documents and contracts, by separate resolution or motion. In the event that the Mayor is unavailable, the Mayor Pro-Tempore's signature may be used.

e. Discussion Rules. To assist the City Council in conducting meetings in an orderly manner, the following structure and rules for the orderly discussion of items are adopted:

1. Obtaining the floor. A member of the City Council shall first address the Mayor and gain recognition. Council members are encouraged to use the colored buttons to notify the Mayor of a desire to speak. Comments and questions should be limited to the issue before the Council. Cross-exchange between Council Members and public should be avoided. (Res. No. 13-37)

2. Questions to Staff. A Council Member shall, after recognition by the Mayor, address questions to the designated person.

3. Interruptions. Once recognized, a Council Member should not be interrupted while speaking, except to make a point of order or personal privilege. If a Council Member is called to order while speaking, the individual shall cease speaking until the question order is determined. Upon being recognized by the Mayor, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.

4. Discussion Limit. A Council Member should not speak more than once on a particular subject, until every other Council Member has had the opportunity to speak; however, it is the prerogative of the Chair to recognize a Council Member, who has already spoken, before all other members have had the chance to speak. Council Members are encouraged to discuss items during the decision-making process.

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5. Tabling Procedure. A motion to table a matter immediately stops discussion and causes a vote to postpone the matter indefinitely or to a time and date certain.
 6. Right of Protest. A Council Member is never required to state reasons for a dissenting vote.
 7. Obligation to Maintain Order and Decorum. Each Council Member shall work to preserve appropriate order and decorum during all meetings. This objective will be advanced by: discouraging side conversations, disruptions, interruptions or delaying efforts. Also, each Council Member shall inform the Mayor when departing from a meeting.
- f. Limit Disruptive Behavior. Persons demonstrating rude, boisterous, or profane behavior will be called to order by the Mayor or another Council Member may call a recess, request a vote on removing such disorderly person(s) from the Council Chambers, adjourn the meeting, or take such other appropriate action as permitted by law.
- g. Public Demonstrations Inappropriate. Applause, booing or other similar behavior from the public during meetings is discouraged and, if persistent, may constitute disruptive behavior or render an individual a disorderly person, subject to removal and other lawful sanctions.
- h. Values of Respect. The City Council recognizes the importance of approaching the public's business in an environment of personal respect. The public's business should be conducted on a basis of considering policy and advancing the best interests of the community, while protecting individual rights and property. As such, Council Members should focus discussions on policy matter and avoid personal criticism. Polite and reasoned discourse should be observed, while following and observing proper rules of procedure.
- i. Enforcement of Order. The Police Chief or his/her designee is the Sergeant-at-Arms. Any Council Member may request the Mayor to enforce the rules of protocol and move to limit or end disruptive behavior or remove disorderly persons, consistent with law.

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C.14 VOTING PROCEDURES

- a. Obligation to Vote. When present, each Council Member is to vote.
- b. How Vote Taken. Each ordinance, resolution, and any action which would create a liability against the City, and other cases at the request of any Member of the Council, shall be acted upon by a roll call vote of each Council Member, by a “yes” or “no” vote. Every resolution or ordinance shall be in writing before the vote is taken and no ordinance, resolution or motion shall be passed or become effective, without an affirmative majority vote of the quorum, including: (1) not less than the minimum votes required by §10-3-507 Utah Code Ann., 1953 as amended or its successor provision; or (2) a super majority vote, if mandated by applicable State law.
- c. Abstention. If a seated Council Member abstains and refuses to vote, the abstention will be counted as a “no” vote.
- d. Tie Vote. A tie vote is equivalent to a vote that has failed
- e. General Consensus. Matters not requiring a “roll call” vote may be acted upon by the presiding officer declaring a general consensus, in his/her discretion, provided there is no negative vote or objection by a Council Member. Alternatively, the presiding officer may call for a collective vote of the Council, as a yea or nay vote.
- f. Recording. All action and votes of the Council shall be recorded by the City Recorder.
- g. Courtesy Votes. At times a Council Member will be absent from a meeting. At the next meeting, the absent Council Member may state on the record how he/she would have voted and briefly explain that intended vote, if that Council Member had been in attendance.
- h. Reconsideration. Reconsideration of decided matters or issues is discouraged; however, requests will be considered by majority vote, if orally made. A motion for reconsideration must be made: (1) by a member of the prevailing majority, when the previous vote was taken; and (2) within two regular meetings following the previous council vote, unless a majority of the Council determines that significant new information has arisen which warrants such reevaluation. If a member is absent from the meeting, a motion for reconsideration may be entertained on the first regular meeting of his/her return.
- i. Conflicts of Interest. If a Council Member has a conflict of interest under State or City law, that Council Member shall declare that conflict and excuse him/herself from the dais. The conflicted Council Member shall not lobby, vote or address the matter with Council Members or staff.

Council Rules, Policies and Procedures

C.15 APPEAL OF LAND-USE DECISIONS TO THE CITY COUNCIL.

a. The West Jordan Municipal Code provides for appeals to be made to the City Council. This Rule sets forth the manner and procedure for these appeals, and is subject to the provisions of the West Jordan Municipal Code §§87-7-102 and 89-2-305 for appeals of decisions relating to Land Use and Development. For appeals to the City Council of Land Use and Development decisions, all requirements of West Jordan Municipal §§87-7-102 and 89-2-305 must be satisfied in addition to the requirements set forth in this Rule.

1. Agenda. All appeals to the City Council shall be placed on the City Council agenda pursuant to Rule 4 of these Rules.

2. Record. Appeals to the City Council shall be based upon the record of the decision from which the appeal is being taken. The record shall consist of (1) only those documents and exhibits submitted to the decision making body, or individual, whose decision is being appealed, at or before the meeting giving rise to the appeal, and (2) any written decision, findings of fact, conclusions of law, and all other documents relating to the decision being appealed. The record shall also include the minutes and transcripts of that same meeting.

(a) Supplemental Documentation. Upon petition of the Appellant, and for good cause shown, the City Council may allow the Appellant to supplement the record within the time set forth in Section 10.3.2 below. City Staff shall also be allowed to respond to any supplemental documentation submitted by the Appellant within the time limits set forth below.

3. Time Limits. Appeals to the City Council shall be made within 15 calendar days after the date of the decision which is being appealed. The end of the 15th day is at 5:00 p.m. If the 15th day falls on a weekend or holiday, the Notice of Appeal must be filed before 5 p.m. on the next regular business day.

Council Rules, Policies and Procedures

(a) Manner of Appeal. An appeal of a decision may be made by submitting to the City Recorder a Notice of Appeal. The Notice of Appeal shall be in writing, and must include a concise summary of the decision being appealed, the legal basis for the appeal, and the remedy being sought by the Appellant. The Notice of Appeal shall also include a copy of the record which can be obtained from the Department from which the appeal originates. Failure to comply with the above requirements will render an appeal defective and be grounds for rejection by the City Recorder of the Appeal. No extensions of time will be granted to correct a defective appeal except for good cause shown.

(b) Time limits for Supplemental Documentation. A request to submit supplemental documentation must be included within the Notice of Appeal. The reasons for submitting supplemental documentation must be clear and cogent. The City Council will rule on the Appellant's request to submit supplemental documentation at the earliest available City Council meeting. All supplemental documentation the appellant wishes to submit shall be forwarded to the City Recorder within 5 days after the decision of the City Council granting the Appellant's request to submit the same. Following the submittal by the Appellant of supplemental documentation, the City Staff will then be allowed to respond to the supplemental documentation within 10 calendar days after the Appellant's documentation is received by the City Recorder.

4. Hearing. Appeals to the City Council shall be heard by the City Council at a regularly scheduled open City Council meeting. The date and time of the hearing shall be scheduled pursuant to Rule 4 of these rules and on a date and at a time convenient to the City Council, and the Appellant shall be notified of the City Council hearing date at least seven (7) days prior to the scheduled City Council hearing.

Council Rules, Policies and Procedures

(a) Hearing Procedure. The hearing for the appeal shall reasonably proceed as follows: the Mayor or Mayor Pro-Tem will call for the appeal to be heard and invite the Appellant to come forward and address the City Council. The Appellant will then be allowed 15 minutes to address the City Council, summarize the information contained in the record and in the supplemental documentation, if any, and make any arguments. The Appellant will not be allowed to raise new issues, or refer to new information not previously submitted to the City Council. Following the Appellants presentation, the City Staff will be allowed fifteen minutes to make a presentation. City Staff will also not be allowed to raise new issues, or refer to new information not previously submitted to the City Council. Following presentations to the City Council by the City Staff, the Appellant will have five minutes for a rebuttal presentation. This presentation shall be limited to responding to the presentations of the City Staff. The Appellant will not be allowed to raise new issues or refer to new information not previously submitted to the City Council

(b) Voting by the Council. Following the presentations, the City Council may then discuss the appeal and ask questions of the Appellant, City Staff, and Planning Commission representative. Following any questions and answers, the Mayor will declare the hearing closed. The Mayor will then call for a motion, and the City Council may, in any lawful way: (1) move and vote to deny the appeal; (2) move and vote grant the appeal with appropriate remedies; or (3) Move and vote to take the appeal under advisement, pending a final decision. The City Council may also, with appropriate instructions regarding a final decision, direct the City Attorney to draft a written decision for consideration and approval at a later meeting of the City Council. Any decision of the City Council for an appeal taken pursuant to West Jordan Municipal Code §§87-7-102 and 89-2-305 must also be consistent with those provisions.

5. Decision to be Final. All appeals decided by the City Council shall be final.

Council Rules, Policies and Procedures

[Reserved]

Council Rules, Policies and Procedures

SECTION D. INTERACTION WITH CITY STAFF/OFFICIALS

D.1 INTERACTION WITH CITY STAFF/OFFICIALS

a. Overview. City Council policy is implemented through professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties in order that City policies and programs may be implemented successfully. The City has a long tradition of positive relationships between members of the City Council and staff. To maintain these effective relationships, it is important that roles are clearly recognized.

b. Council-Manager Form of Government. West Jordan City has adopted a City Council-City Manager form of government. Basically, this structure reflects that it is the City Council's role to establish City policy and priorities. The Council appoints a City Manager to implement this policy and undertake the administration of the organization. The City Council is to work through the City Manager in dealing with City staff. Indeed, the municipal code requires Council Members to work through the City Manager, unless simply requesting information from other staff members.

The Council-Manager form of government became popular nationally at the turn of the century as part of a government reform movement and in response to the impact of big city "bosses" and corresponding corruption. The model has matured and the "city management" form is now considered a profession with many managers having graduate degrees in public administration and devoting careers to work with cities.

c. City Manager Duties. The City Manager is appointed by the City Council to enforce its laws; to direct the daily operations of City government; to prepare and monitor the municipal budget; and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, rather than to individual Council Members. The Manager has the sole responsibility to direct and coordinate the various departments and City staff.

Council Rules, Policies and Procedures

d. Council/Manager Relationship. The employment relationship between the City Council and City Manger honors the fact that the City Manager is the chief executive officer of the City. The City Council should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the City Council. Regular communication between the City Council and the City Manager is important in maintaining open communications. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.

The City Council is to evaluate the City Manager on a regular basis (at least annually) to ensure that both the City Council and City Manager are in agreement about performance and goals based on mutual trust and common objections. West Jordan City Councils have utilized the following areas of performance: communications; interpersonal/community relations; and ability to accomplish goals and objectives.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects and is sensitive to the political responsibility of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is the City Council. The City Manager communicates with City Council in various ways. There is a formalized approach by holding briefing meetings with individual Council Members and through “For Your Information” memorandums, and by bi-weekly City Activity Reports. Communication must be undertaken in such a way that all Council Members are treated similarly and kept equally informed.

e. City Manager Code of Ethics. The City Manager is subject to a professional code of ethics from his/her professional association. It should be noted that this code binds the City Manager to certain practices which are designed to ensure actions are in support of the City’s best interests. Violations of such standards can result in censure by the professional association.

Council Rules, Policies and Procedures

f. City Council/City Attorney Relationship. The City Attorney is the legal advisor for the City as a corporate entity. The Council is the policy setting body of this municipal corporation. The City Attorney is a Department Head and is subject to termination in the sole discretion of the City Manager. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest, as determined by the City Manager, in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and 4) to keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City. It is important to note that the City Attorney does not represent individual members of Council, but the City Council as a whole.

g. Roles and Information Flow. It is the responsibility of the City Manager to provide Council Members free and reasonable access to information from the City and to insure that such information is communicated completely and with candor to those making the request. To carry out this responsibility, however, Council Members must avoid intrusion into those areas which are the responsibility of the City Manager and the Administration. Individual Council Members may not intervene in Administrative decision-making, the development of recommendations, scheduling of work, and executing department priorities, without the prior knowledge and approval of the City Council as a whole. This limitation is necessary to protect Administrative staff from undue influence and pressure from individual Council Members and to allow Administrative personnel to execute priorities given by management and the Council, as a whole, without fear of reprisal.

h. Council Roles. Individual members of the City Council shall not attempt to pressure or influence Administrative staff decisions, recommendations, workloads, schedules, or department priorities, without the prior knowledge and formal approval of the City Council, as a whole. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of Administrative staff, that Council Member must prevail upon the Council and to do so as a matter of Council policy.

i. Legislative/Executive Communications. When the information or action of interest to a Council Member is minor and will require minimal staff time, or information sought is available to the general public, the Council Member may make the request to the affected department head. However, when the information or action requested is significant, requiring considerable staff-time or deals with a sensitive issue, the Council, as a whole, will submit the request to the City Manager, in writing. In no event will requests be made by the Council or an individual Council Member to City staff, other than the City Manager, the Assistant City Manager and the City Attorney. Nevertheless, Council Members are welcome to contact the City Manager, the Assistant City Manager, the City Attorney or Department Heads or their designees to obtain information. In some cases, Department heads will have specified Division Managers, who are available to address Council Member concerns.

Council Rules, Policies and Procedures

Council Members may periodically choose to contact Department heads to discuss ideas, express concerns on behalf of constituents, request information, etc. It is acknowledged that the Department head is naturally in a somewhat difficult position in communicating with Council Members. Department heads formally report to the City Manager, yet are charged with managing their departments within resources provided by the Council. There may be circumstances where the Department head would like to say yes to the request made by a Council Member, but is unable to do so because of differing management directives from the City Manager; inadequate budget resources; applicable law; ordinance restrictions; concerns about setting a precedence (saying yes to this request would mean that the service must be provided Citywide and that is not possible within existing resources); or other reasons. In those instances, the Council agrees and understands that the Department head may request that the Council Member's request be processed through the City Manager.

j. Access to Information. Individual Council Members, as well as the Council as a whole, are permitted complete freedom of access to any public information and shall receive the full cooperation and candor of Administrative staff in being provided with any such information, without fee or other charge. Privileged, confidential or other non-public information will be requested and subject to the provisions of subparagraph "h" above.

k. Restrictions on Political Involvement by Administrative Staff. No City property or funds will be used for Council Members political campaigns or elections. For Administrative staff, the City Manager strongly discourages any involvement in a local campaign, even while on personal time, because such involvement erodes the tenet that staff are to provide an equal level of service to all members of the City Council and the public. However, the City Manager specifically prohibits any political involvement in local campaigns by department heads and Council Members will not make requests of them to participate in campaigns for election.

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