

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Advice and Consent for Mayoral Appointments

BACKGROUND: Utah Code Annotated 10-3b-202 and Sandy City Administrative Code 6-2-3 requires the Mayor to appoint, with the City Council's advice and consent, a qualified person for each of the following positions: chief administrative officer, recorder, treasurer, engineer, and city attorney. The Sandy City Administrative Code also requires the Mayor to appoint with the City Council's advice and consent, each department head of the City, each statutory officer of the City, and each member of a statutory commission, board or committee of the City. Other areas of the Administrative Code require the City Council's consent on positions including members of the Planning Commission, Board of Adjustment, Human Resources Director, the hearing officer for reasonable accommodation requests, and Arts Guild Board of Trustees.

POLICY:

1. Each qualified candidate for a City position requiring the Council's advice and consent must pass a criminal background check.
2. Qualified candidates for paid staff positions or contract employees must provide a current and complete resume to the City Council Office. Candidates for volunteer (non-paid) positions may provide a statement detailing their interest and qualifications for the position in lieu of complete resume.
3. Generally, the City Council will schedule time on a public meeting agenda to conduct a formal interview with the candidate.
4. The Council may also schedule a closed session to discuss the character, competency, physical or mental health of an individual before voting whether or not to provide its advice and consent.
5. Wages and benefits for appointed positions must be disclosed to the City Council by the Administration prior to the City Council interview and vote.

History:

Approved: April 3, 2018

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Sandy City Council Agenda Policy

BACKGROUND:

This policy establishes the process and procedures for preparing and submitting issues or items for consideration by the City Council. The City Council usually meets weekly on Tuesday evenings. An informal planning/work meeting begins at 5:15 pm, and is followed by a formal action meeting which begins at 7:00 pm. The schedule of City Council meetings is posted on the Utah Public Notice website at: <http://www.utah.gov/pmn/index.html>.

The process and procedures put forth in this policy apply to agendas for both meetings. This policy is divided into two sections. The first section provides a brief overview of the agenda building process. The second section outlines the requirements and procedures for preparing and submitting issues or items for consideration by the City Council.

Departments and other parties will prepare items for submission using these guidelines. Submissions are to be made electronically in a set of pdf documents. Handing out materials at the meeting is discouraged.

POLICY:

Agenda Building Process

Agendas are generally built 2 weeks, or 1 meeting, in advance.

- Twelve (12) days prior (Thursday 5:00 pm) to the desired consideration meeting date complete agenda items must be entered into Legistar including the staff report and relevant attachments. The contents of the item will vary depending on the nature of the item and the action being requested.
- Eleven (11) days prior (Friday) to the desired consideration meeting date the Chair receives the Legistar pending items report.
- Seven (7) days prior (Tuesday) to the desired consideration meeting date the agenda items will be reviewed by the Council office staff and the Chair. If additions or revisions to an agenda item are requested, the Council office will notify the department or party submitting the item.
- Six (6) days prior (Wednesday) to the desired consideration meeting date the preliminary agenda for the meeting will be established.
- Five (5) days prior (Thursday 5:00 pm) to the desired consideration meeting date the revised agenda items are due with all changes included in Legistar.
- Four (4) days prior (Friday noon) the final agenda is established and published. Agenda packets are distributed to individual members of the City Council and made available to the public.

Sandy City Council Legislative Policies and Procedures

- The item will be considered on the desired meeting date unless a formal request is made for the item to be withdrawn from the agenda. This request must be made in writing. However, if circumstances require the presenter may make the request for withdrawal verbally at the scheduled hearing but is required to submit a formal request for the withdrawal by noon the following day. Items noticed for a public hearing may still be accorded a public hearing prior to the item being tabled or continued.

Preparing and Submitting Agenda Packets

These general requirements should guide the preparation of agenda packets:

- Complete agenda items must be entered in Legistar twelve (12) days prior (Thursday 5:00 pm) to the desired consideration meeting date. The agenda item must be complete, including the staff report and relevant attachments, before it will be accepted for review.
- If any attachments are not to be posted for public access, submit the document to the Council Office separately and indicate it is only for distribution to members of the City Council, or ensure that the “Show This Attachment On Internet Reports” box is **UNCHECKED** in the Legistar Attachments tab:

The screenshot shows the Legistar Legislative Files (Edit Record Mode) interface. The interface includes a navigation sidebar on the left with options like Home, Files, Agendas, Minutes, Search, and Exit. The main content area is divided into several sections. At the top, there is a search bar and a menu with options like Save, Search, New, Clear, Lock, Edit, Tools, and Browse. Below this, there are fields for File ID (16-180), ID, Type (Resolution), Status (Draft), In Control (City Council), File Created (4/6/2016), Title, Agendas Date (4/19/2016), and Final Action. The Attachments tab is selected, showing a table with columns for Name, Internal Notes, Attached On, Time, File Type, and File Size. Below the table, there are two checkboxes: "Print This Attachment Work Item" and "Show This Attachment On Internet Reports". The "Show This Attachment On Internet Reports" checkbox is circled in red, indicating it should be unchecked.

- Departments are responsible for complying with public notice requirements. A copy of the notice must be attached to the agenda item in Legistar.

Sandy City Council
Legislative Policies and Procedures

- All agreements, ordinances, resolutions and other legal documents must be reviewed and approved by the city attorney, or specific written notice given by the city attorney to the Council that such a review is unnecessary.

History:

Original Approval: August 18, 2015

Revision: April 26, 2016

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: April 27, 2010

Revision:

Chapter:

Section:

Date Council Approved: April 27, 2010

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

1. Utah Code Annotated 52-4-203-(4)(d) requires that the Sandy City Council formally adopt procedures for the approval of written minutes of meetings.

POLICY:

1. It will be the policy of the Council that written minutes of Council meetings will normally be presented to and approved by the Council within three (3) calendar weeks at a regular Council meeting; but in no case longer than thirty (30) days. In some cases, exigent circumstances i.e.; staff illness, length and complexity of meeting records, interruptions of the Council's regular weekly meeting schedule, may preclude the normal approval time frame.

RESOLUTION #00 – 84 C

A RESOLUTION AMENDING GUIDELINES FOR ATTENDANCE OF CITY COUNCIL MEMBERS

BE IT RESOLVED by the City Council of Sandy City, Utah that the guidelines for attendance of City Council members previously adopted by the City Council under Resolution #00-22 C be and hereby are amended so that such policy shall have the following provisions:

1. When a Council member is absent from a regular Council meeting, but is attending a function authorized by the Council, or is dealing with a death in the immediate family (as defined by the Sandy City Employee Handbook), that absence shall be excused and shall not be counted as an "absence" for the purposes of this policy.
2. A Council member may miss as many as six (6) Council meetings during a calendar year and still received compensation for the meetings missed. If a Council member shall miss more than six (6) meetings in a calendar year, the Council member shall not receive compensation for those meetings missed.
3. Any member of the Council having more than six (6) absences during the calendar year may present to the remainder of the Council, justification as to why the particular Council member should be compensated for meetings missed in excess of six (6) per year and the Council may make such determinations as it deems appropriate with each individual situation.
4. A Council member who is not present for half of the Council meeting or more shall be deemed to have been absent from the meeting. (Council Meeting consists of the Executive Session and formal meeting session).

PASSED AND APPROVED this 26th day of September, 2000.



Dennis B. Tenney
Dennis B. Tenney, Chairman
Sandy City Council

ATTEST:

Deanne H. Aubrey
City Recorder

RECORDED this 27th day of September, 2000.

Sandy City Council Policies and Procedures

Original Approval Date: March 17, 2015

Revision: N/A

Chapter:

Section:

Date Council Approved: March 17, 2015

SUBJECT: Initiation of Citizen Recognition

BACKGROUND: The City Council recognizes citizens for community service. On July 21, 2009 the Council discussed a Citizen of Merit award program to recognize good neighbors, and encourage neighborhood awareness and involvement. The Council agreed that the Citizen of Merit award should occur monthly. From time to time, the Council has bestowed the Citizen of Merit award and other forms of recognition including resolutions of appreciation, proclamations, and commemorative plaques.

POLICY: City Council Members are encouraged to seek out and nominate individuals for recognition by the City Council. In order to manage costs and ensure equitable and objective decision making, Council Members should submit the name of the individual, the reason for award, and the recommended type of award to the Council during Other Council Business before ordering awards or placing the item on the Council agenda. With the assistance of the Council Office staff, nominations should be submitted in writing so the Council can discuss the potential award without prematurely disclosing the name of the honoree.

Citizen Recognition Nomination

DATE: [Click here to enter a date.](#)

COUNCIL MEMBER:

- Christensen
- Barker
- Coleman-Nicholl
- McCandless
- Fairbanks
- Martinez Saville
- Robinson

NAME OF HONOREE:

REASON FOR RECOGNITION:

TYPE OF RECOGNITION:

- Citizen of Merit
- Other

LEVEL OF RECOGNITION:

- Resolution of Appreciation
- Proclamation
- Small Plaque
- Large Plaque
- Other

SANDY CITY COUNCIL

LEGISLATIVE POLICIES Orig. Issue Date: 1-12-87 Page 1 of 2
AND PROCEDURES Revision# Date:

Revision# Date:

Title: 11-City Council Chairman Approved: -Date: 10 Feb 87
Chapter: Council Office Dir: -- Date: ;

SUBJECT: COMMITTEE APPOINTMENTS PROCEDURE

BACKGROUND:

Sandy City Corporation has a number of Citizen Advisory Committees whose purposes and responsibilities are to advise elected officials on a variety of issues important to Sandy City Government. Vacancies often occur in these committees, and it has been confusing in the past as how to most efficiently effect the naming of replacements. It is the wish of the City Council that committee support staff with the various City Departments and individuals interested in serving on citizen committees be aware of the following procedures which will be used in naming replacements when vacancies occur.

POLICY:

The City Council would appreciate adherence to the following procedures when vacancies occur on Citizen Committees:

1. Individuals who wish to terminate their committee participation should advise staff in writing.
2. Staff assigned to the Citizen Committee will then advise the City Council by written memorandum.
3. City Council will advise the affected departmental staff, through the Council office, of persons who the Council wishes to be considered for the vacancy; with an invitation to committee members to name their recommended individuals.
4. Departmental Staff will then notify interested persons of vacancies and to apply for membership on the committee.
 - a. Staff should then screen the applicants and write a memorandum of recommendation to the Council outlining, at minimum, the following:
 1. Individual's name, address, quadrant in which they reside, telephone number, their profession or occupation, the committee or committees which they are interested in participating with, an indication as to whether they would accept appointment on other committees within the City. Lastly, comments or justification from the individual as to why they wish to participate on that committee or committees, and the talents, strengths, abilities, or insights that they would bring to that particular committee. The memorandum should then be directed to the City Council via the Council Office.

5. The Council Chairperson will then schedule time at a City Council Planning Meeting for the applicant(s) to interview with the City Council. The assigned staff support person for the committee involved, or any other interested persons would be welcome to attend that interview session with the City Council.
6. After the City Council has had an opportunity to interview the applicant or applicants, an immediate decision will be made as to naming the successor(s) for any vacancy available.
7. A formal City Council resolution will then be passed to effect the naming of the individual to the committee or committees involved.
- ***** 8. The assigned staff support person will be given formal notification of the appointment and will be responsible for notification of the new committee member or reappointment of an existing individual.

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Sandy City Council Policy on Compensation

BACKGROUND:

Sandy City recognizes the vital role its employees play in carrying out the mission and goals of the City to deliver high quality services to its residents in a cost-effective manner.

It is the policy of the Sandy City Council to establish a compensation plan to attract and retain highly skilled and talented employees in all positions, to motivate these employees to perform well, and to create inducements both through basic compensation and fringe benefits for these employees to remain with Sandy City for productive periods of service.

The City Council considers these factors as key to the success of the compensation plan:

- Competitiveness in the job market (comparison cities)
- Reward for individual performance and growth
- Recognition of the quality of life needs of employees
- Fairness and equity in practice and in perception
- Administrative policies and procedures based on principles of transparency, consistency and objectivity
- Recognition of fiscal constraints and taxpayer burden
- Use of quantifiable, objective measures to evaluate the success of the plan

POLICY:

To provide a sound framework for addressing these key factors, it is the policy of the City Council that the Sandy City employee compensation plan be established within this framework:

- ✓ Salary ranges, which are internally equitable and competitive in the job market and are structured utilizing a system of continuing job evaluation and periodic surveys of the entities on the comparison group. When compared to the comparison group average, Sandy City city-wide and individual pay band minimum pay and maximum pay should be at or near 100 percent.
- ✓ Merit pay programs, structured utilizing performance evaluations, which reward superior employee performance, employee growth and development, and uniquely valuable service. Merit pay programs should not be based solely on longevity or time in position.
- ✓ Fringe benefit programs that are of value to employees, enhance job satisfaction, are consistent with the best interest of the public and the city, and are comparable to those provided by the comparison group entities. Encourage employee contributions toward benefit programs to reduce the cost.
- ✓ Work-life programs and policies, such as training and skill development opportunities, paid leave, health and wellness programs, and access to alternative work arrangements.
- ✓ Judicious use of allowances for expenditures such as cell phone plans, uniforms, tools and automobile operating expenses.

Sandy City Council
Legislative Policies and Procedures

- ✓ Utilization of measures, such as internal and external turnover statistics, exit interviews, and employee surveys. Post separation surveys performed by third parties may also be conducted.
- ✓ Compliance with applicable federal, state and local employment laws.
- ✓ Approval annually by the City Council, and adoption by resolution.

Sandy City Council
Policies and Procedures

SUBJECT: Concept Approval Guideline

BACKGROUND:

The City Council desires an orderly process for introducing proposals from individual Council Members. A clear process assists the Council and also assists the Administration in understanding and evaluating Council priorities.

POLICY:

The City Council adopts the Concept Approval Guideline as illustrated in the attached flowchart. The flowchart symbols have the following definitions:



- An individual Council Member has an idea to adopt, amend, or repeal a Sandy City policy, ordinance or other legislative rule.



- The Council Member may request assistance from the Council Office staff with initial research, analysis, and drafting of a Legislative Proposal.



- The Council Member puts the Legislative Proposal in writing.



- The Council Member may:
 - 1) Request the Chair to schedule the Legislative Proposal for hearing on the Consent Calendar. Consent Calendar items are ceremonial, non-controversial, and generally do not have a significant fiscal impact.
 - 2) Request the Chair to schedule the Legislative Proposal as a regular Council item.
 - 3) Request the Chair to schedule the proposal for discussion in a work session.

Sandy City Council Policies and Procedures



- The Council will initially consider the Legislative Proposal as a
- Committee of the Whole to determine whether the Legislative Proposal warrants further consideration and use of City resources.
- By vote, the Legislative Proposal may be adopted, amended, or referred for further analysis.



- If the Council determines that the Legislative Proposal warrants further consideration, it may request additional analysis from the Administration.
- The Council may also request analysis from a third party should a majority of the Council by vote determine that a conflict of intention exists between the Council and Administration regarding the Legislative Proposal.
- The analysis may include but is not limited to a fiscal note, affected department evaluation, and/or legal review.



- The Council considers the Legislative Proposal in light of the Administrative or third-party analysis.
- By vote, the Legislative Proposal may be adopted, amended, rejected, or referred for further analysis.
- (If required, the Council schedules a public hearing, complies with notification requirements, and directs final drafting of the ordinance or resolution. The Legislative Proposal may be adopted, amended, rejected, or referred for further analysis as determined by the Council during the formal hearing process)



- The Legislative Proposal fails. The Council has rejected the Legislative Proposal by vote.



- The Legislative Proposal passes. The Council has approved the Legislative Proposal by vote.

- Nothing in this policy shall be construed to prohibit a council member's right to bring previously considered proposals back before the City Council.

History:

Original approval: March 10, 2015

Revised: February 28, 2017

CONCEPT

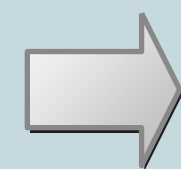
Council Member Concept



Council Office Staff Assistance

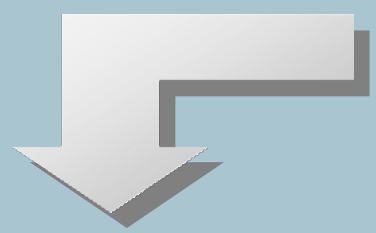


WRITTEN LEGISLATIVE PROPOSAL



REFERRAL

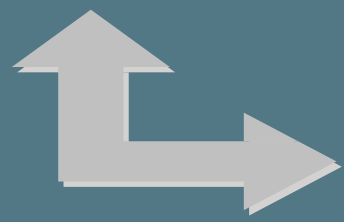
Administration or 3rd Party analysis



City Council (Committee of the Whole)



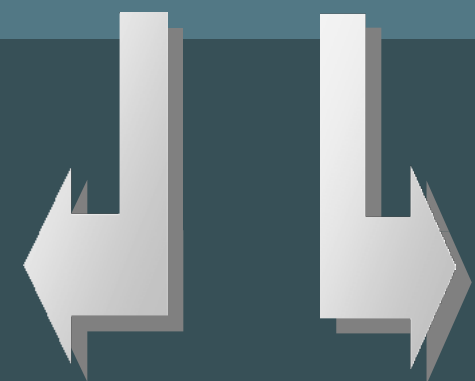
ANALYSIS & ACTION



City Council

FINAL ACTION

Legislative Proposal Fails



Legislative Proposal Passes

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Council Member Compensation

BACKGROUND:

Per §22-1-3 of the Sandy City Municipal Code, the Council is a part-time legislative body. Council meetings generally occur once per week for an average of 3-5 hours each. However, additional work occurs outside of Council meetings in the form of research, meetings, committee assignments, constituent services, and agenda packet review. For these reasons, actual hours worked varies across the membership of the Council depending on the issues under consideration at the time.

As of January 1, 2016 Council Members are deemed to have worked 5.8 hours per week. The Chair is allotted an extra 2.9 hours per week. The Planning Commission and Board of Adjustment liaisons also receive 2.9 hours of compensation for attending the respective meetings. The hourly rate varies as some Members have not accepted previous city-wide compensation plan increases. The maximum hourly rate is currently \$66.10. Little documentation exists to substantiate this practice.

POLICY:

1. Council Members not serving as the Chair or as a liaison to either the Planning Commission or Board of Adjustment shall receive a weekly stipend of \$400.00. For Payroll Department purposes, the hourly rate shall be calculated assuming six hours of work per week.
2. The Council Chair shall receive an additional \$200 per week while serving in that capacity. For Payroll Department purposes, the hourly rate shall be calculated assuming nine hours of work per week.
3. The Planning Commission and Board of Adjustment liaisons shall receive an additional \$200 for actual attendance at those meetings. For Payroll Department purposes, the hourly rate shall be calculated assuming nine hours of work per week.
4. Stipend rates shall be adjusted according to the city-wide increases or decreases in the annual compensation plan.
5. Council Members have the option of participating in City provided medical insurance, dental insurance, retirement plans, and deferred compensation as described in the Sandy City Employee Handbook. Not all City Council Members exercise the option to elect some or all of the offered benefits.

History:

Adopted: March 8, 2016

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Election of Council Chair

BACKGROUND:

State law requires the City Council to elect one of its members as Council Chair. Specifically, Utah Code Annotated Section 10-3b-203(1)(a)(iv) says:

“The council in a municipality operating under a council-mayor form of government shall elect one of its members to be chair of the council.”

POLICY:

1. The Election of Council Officers policy adopted on January 13, 2009, as amended on March 31, 2015 and August 18, 2015 is hereby repealed.
2. The City Council will elect a Chair by ballot vote no later than the last regularly scheduled meeting in June to commence a six-month term beginning July 1 and ending December 31 the same year. The City Council will also elect a Chair by ballot vote no later than the last regularly scheduled meeting in December to commence a six-month term beginning January 1 and ending June 30 the same year.
3. A majority vote of the entire membership of the Council (four affirmative votes) is required for election of the Chair regardless of absences or abstentions.
4. If, after three ballots at the regularly scheduled semi-annual election for the Chair, no Council Member receives a majority vote, the incumbent will continue to serve as Chair until a subsequent, regularly scheduled meeting of the City Council. No more than three ballots for Chair will be taken at any one Council meeting. A Council Member who receives a majority vote for the office of Chair after July 1 or January 1 shall assume the role and responsibility of Chair immediately at the meeting in which the election occurred and shall serve the term described in Section 2.
5. The Chair may be reelected for one consecutive term upon a majority vote of the Council. A council member may not serve more than two consecutive terms.
6. The Council shall elect a Vice-Chair by ballot vote. The Vice-Chair will chair the Council meetings in the absence of the Chair. There is no presumption that the Vice-Chair will serve as the next Chair. The same voting procedures and requirements outlined in sections 2 through 5 also apply to the office of Vice-Chair.

History:

Original Adoption: November 15, 2017

Revision: June 13, 2017

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Electronic Meetings

BACKGROUND:

Utah Code Annotated 52-4-207 authorizes the Sandy City Council to conduct electronic meetings if the Council adopts a legislative rule or policy governing the use of electronic meetings.

The purpose of this policy is to: 1) guide the establishment of electronic meetings of the City Council, and 2) establish the parameters for remote, electronic participation of a Council Member in a Council Meeting.

POLICY:

A. Electronic Meetings of the City Council

1. The City Council may hold an electronic meeting when a majority of Council Members cannot be physically present at City Hall or other designated meeting location.
2. In accordance with Utah Code Section 52-4-207, when the City Council conducts an electronic meeting, it shall
 - a. Give public notice of the meeting:
 - i. in accordance with Section 52-4-202; and
 - ii. post written notice at the anchor location.
 - b. The City Council Office or responsible staff shall also provide:
 - i. Notice of the electronic meeting to the City Council Members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
 - ii. A description of how the Members will be connected to the electronic meeting
 - c. At least one anchor location including City Hall must be established where interested persons and the public may attend and monitor the open portions of the meeting, and if applicable, participate in a public hearing.

B. Remote participation of a Council Member in a City Council meeting

1. Council Members should notify the Chair and the Council Office staff of their need to participate remotely in a meeting with as much advanced notice possible

Sandy City Council
Legislative Policies and Procedures

in order for technical arrangements to be made allowing their participation.

- i. Video conferencing from a mobile platform such as Skype, Facetime, or Google Hangouts is the preferred method of remote participation.
 - a. When video conferencing is not feasible, a telephone connection may be established.
2. The Council Chair may restrict the number of remote connections for away members of the Council that are allowed for an electronic meeting based on available equipment capability. Connections will be provided on a first notified, first served basis.
3. The Council may establish other procedures, limitations, or conditions governing electronic meetings not in conflict with State statute.

History:

Revision: June 7, 2016

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: New Policy

Revision:

Chapter:

Section:

Date Council Approved: September 29, 2015

SUBJECT: Investment of reserve fund balance monies

BACKGROUND:

Sandy City operates a General Fund and other funds which carry reserve balances. Under the State Money Management Act (Title 51, Chapter 7), the City has some latitude in the investment activities associated with these fund balance monies, and desires to earn and appropriate rate of return on the invested fund balance monies.

POLICY:

1. City Administration shall adopt an investment policy to guide its investment activities.
 - a. The policy should at a minimum address the process for selecting or removing a Certified Investment Advisor; the criteria for the selection of investment funds or other investment vehicles; the criteria for determining whether a particular investment is appropriate for a particular City fund; the criteria for determining the allocation of fund balance monies to various investments, and the criteria for determining when monies may be moved into or out of various investments.
2. City Administration shall, on at least an annual basis, report to the City Council on investment activities undertaken, earned rates of return and such other information as may be useful for the City Council.

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Long Term Financial Plan

BACKGROUND:

Sandy City adopts a number of master plans dealing with land use issues. These master plans anticipate the City's growth, land use and infrastructure for a number of years into the future, generally 5 years or more. Annually, the City adopts operating and capital improvement budgets. These budgets look into the future just 1 year and 3 years, respectively. The City operates in a fluid economic environment and can experience fluctuating revenues. These fluctuating revenues make budgeting for and funding of city operations more challenging and less certain.

POLICY:

1. City Administration shall adopt Long Term Financial Plan, which shall in essence become budget and financial master plan.
 - a. The Plan should be similar in structure and content to the current budget book, and provide additional information on assumptions, policy considerations, potential alternative scenarios, and funding opportunities.
2. City Administration shall review the Plan with the City Council at least annually, preferably during the time between the closing of the prior year's books and the commencement of the next year's budget.

History:

Adopted: September 29, 2015

Sandy City Council
Policies and Procedures

Original Approval Date: March 17, 2015

Revision: N/A

Chapter:

Section:

Date Council Approved: March 17, 2015

SUBJECT: Council Media Policy

BACKGROUND:

Council Members are independently elected officials, and the City Council as a whole is an independently elected branch of City government. The City Council strives to maintain and cultivate a collaborative relationship with the Mayor and Administration. Occasionally, items before the City Council become subject to media interest. This policy is intended as a guide to Council Members and Council Office staff in handling requests from media representatives. In the areas of mass communication and media relations, it is important for Sandy City to “speak” with a unified voice to the greatest extent feasible.

POLICY:

1. The City Council encourages open, responsive, and productive media relations.
2. The City Council respects the right and responsibility of independently elected officials to respond independently to media requests.
3. Requests from media representatives to speak with a specific Council Member shall be referred to the Council Member requested. City Council Members retain the discretion to personally respond to media requests, or delegate the response to the appropriate staff representative. When engaging the media as an individual, Council Members should make clear that their views and opinions do not represent the views and opinions of the entire Council.
4. Requests from media representatives for general information about the City Council, its actions or policies shall be referred to the Council Chair. The Council Chair retains the discretion to personally respond on behalf of the City Council, or delegate the response to the appropriate staff representative.
5. In order to ensure timely, complete and accurate responses to media requests and maintain unanimity where feasible, Council Members and/or the Council Chair on behalf of the Council are strongly encouraged to consult with Communications staff, and/or Council Office staff before offering a response to a media request.
6. Elected officials retain their First Amendment rights. As independently elected officials,

Sandy City Council

Policies and Procedures

City Council Members have the discretion to proactively contact media organizations or utilize social media. When engaging the public via traditional or social media, Council Members are strongly encouraged to first consult with the Communications and Council Office staff, and offer content which facilitates constructive, meaningful public awareness and debate.

7. This policy is internal to the City Council and is not intended to infringe or restrict the Mayor's communication policies. Citizens often contact the City Council about Sandy City issues they learn about through various media outlets. In order to be as responsive to residents and up-to-date as possible the City Council appreciates appropriate opportunities for advanced consultation in Sandy City sponsored media events or other information releases.

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: September 29, 2015

Revision:

Chapter:

Section:

Date Council Approved: September 29, 2015

SUBJECT: Non-employee travel on City Council site-visits and tours

BACKGROUND:

Occasionally the City Council schedules a project site visit traveling tour in place of or in addition to the regular Tuesday evening City Council meetings. The Open and Public Meetings Act, specifically Section 52-4-201(2)(b)(ii), describes the public noticing procedure for a site visit or a traveling tour. The purpose of project site visits or traveling tours is to provide information to the Council on pending projects, update the Council on previously approved projects, or educate the Council on the functions and challenges of City departments. In most instances the City Council, Administration, and staff will ride together in a City owned bus.

Traditionally, non-employees have not been allowed to ride on the City bus during a City Council project site visit or travelling tour. In the event of an accident while traveling, the exposure to the City for personal injury differs with non-employees than with Members of the City Council and staff. Non-employees are not covered under the worker's compensation laws as are Members of the City Council and staff, which limit the remedies a City employee would have against the City. Waivers of liability can be utilized, but the exposure to the City is still greater with non-employees. Notwithstanding the differing exposure, the decision to allow a non-employee in City vehicles is left to each department if doing so serves the business interests of the department.

The inclusion of non-employees on the City Council bus tours raises an issue about the limited seating capacity. It is conceivable that the number of non-employee requests to ride with the City Council may exceed the number of available seats on the bus.

POLICY:

1. Unless closed pursuant to Utah Code Section 52-4-205 meetings of the City Council that include a site visit or travelling tour are open to the public. As such, to the greatest practicable extent a list of addresses or a description of tour stops, and the estimated times the City Council will be at each stop, will be made available as part of the published agenda so that interested persons may attend by arranging for their own transportation.
2. Generally, non-employees are not allowed to ride on the bus or other City owned

Sandy City Council
Legislative Policies and Procedures

vehicle during a City Council project site visit or travelling tour.

3. The City Council Chair may grant an exception to this policy if:
 - a. A request from a non-employee to ride along with the City Council serves the business interest of the City (i.e. the non-employee can provide specific information about a project, or is involved directly in an issue to be highlighted on the tour) and;
 - b. The request to ride along is made at least 24 hours in advance of the scheduled tour.
4. Should the Chair choose to grant an exception as previously outlined, he or she will do so on a “first come, first served” basis according to the number of available seats on the bus or other vehicles utilized for the site visit or travelling tour.
5. Non-employees allowed to ride along during a City Council site visit or travelling tour must sign a waiver a liability approved by the Sandy City Risk Management Department.
6. City Council Members shall not engage in council-wide deliberation, or in any behavior that would violate the Open and Public Meetings Act while participating in the site-visit or tour.

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Outside Legal Services

BACKGROUND:

The City Council has contracted for legal services which requires a Council designee to administer the terms of the contract and give direction regarding legal services. This policy informs the roles and responsibilities of the Council's designee.

POLICY:

Chair

Outside legal counsel (Council Attorney) contract shall be signed by the Council Chair. The Chair may act as the designee in the absence of the Vice Chair.

Vice Chair:

The Vice Chair will be the designee to the Council Attorney.

Individual Council members:

Any Member of the City Council may request the physical presence of our Council Attorney at any publicly Noticed City Council Meeting. The Vice Chair will be notified of any such request.

Any council member may contact our Council Attorney for legal advice on Council related business or Sandy City business.

Any work product or legal advice produced from our Council Attorney, for any Council Member, shall be shared and produced to all Council Members and the Executive Director.

All Council Members will be considerate of budget constraints.

Executive Director:

Council Office staff may request the assistance of the Council Attorney.

The Council office will distribute all invoices from our Council Attorney when they are received.

History:

Adopted: June 11, 2019

Sandy City Council

Legislative Policies and Procedures

SUBJECT: Public Hearings

BACKGROUND:

State law requires that certain decisions before the City Council must be made after a public hearing on the matter is conducted. This policy is intended as a guide to the Council, staff and the public for how those hearings are conducted. The Council may, by a vote of a majority of Members present, adjust, amend or overturn any policy.

The City of Sandy is a local government entity which operates under the council-mayor form of government. The powers of the council-mayor form of government are vested in two separate, independent, and equal branches of municipal government consisting of a mayor (commonly referred to as the “executive” branch) and the city council (commonly referred to as the “legislative” branch).

Generally, the role of the City Council is to formulate and decide the policy direction and governing philosophy of the city. The legislative decisions of a City Council are given great deference by the courts and will generally be upheld as long as those decisions are based upon a rational reason. Public sentiment, preferences and opinion of individual City Council Members, scientific data, facts and circumstances surrounding a decision, professional opinions and advice, and any number of factors may, at the option of or in the sole discretion of the City Council, be considered by the City Council in its legislative decision- making process. In legislative decision-making, the adage “reasonable minds may differ” has meaning and is respected by the courts when reviewing a City Council decision. In legal terminology, unless a decision of the City Council is found by a court to be arbitrary, capricious or illegal, a court will uphold the decision of the City Council even if there are good reasons for making a contrary or alternative decision. Arbitrary and capricious means a decision without reasonable grounds. Illegal refers to decisions which are inconsistent with or contrary to a statute, ordinance, or court ruling.

POLICY:

A. General Public Hearing Procedure

1. City staff provides an overview and/or recommendation on the subject item.
2. If the public hearing pertains to a land use, budgetary or other decision for a specific project, the project representative will have the opportunity to provide information about the project.
3. Council Members may offer comments or ask questions of the staff and/or the project representative.
4. Public comment is taken on the subject item.
 - a. Each member of the public desiring to address the City Council is allowed to speak for no more than 3 minutes on any issue, unless the time to speak is extended by a majority vote of the Council.

- b. It is not beneficial to repeat same points already make by previous speakers.
 - c. Any person desiring to address the Council a second time must wait until all others have spoken before being allowed to speak a second time on the same issue, and shall speak only to provide the Council new information.
 - d. The City Council Chair may not limit the total time allowed for public comment.
 - e. The City Council Chair may ask each member of the public who desires to speak to form a line behind the first speaker. If no one is in line the chair may close public comment. In order to ensure an orderly and thorough discussion, and to maintain a complete record of proceedings, the City Council Chair may require each person desiring to address the Council to complete a speaker card.
 - f. Public comments are directed to the Council, and persons will refrain from talking to or approaching staff and/or the project representative while they are presenting information to the Council.
 - g. Those interested in submitting a petition, handout, or other form of written comment on a particular agenda item should contact the Council Office for information on submission dates and deadlines. Written comments intended for the Council during a meeting should be provided to the Council Office staff for distribution to the Council Members.
 - h. Council Members may ask clarifying questions during public comment. However, the intent of a public hearing is to receive comment from the public. It is not a forum in which the public should expect an interactive question and answer exercise between the public and the Council or a project representative. A member of the public may pose a question which the Council, in its sole discretion, may choose to answer, or ask staff or a project representative to answer, at the close of the public hearing.
5. Public comment is closed. Council Members may ask questions of or offer comments to staff and/or the project representative. This initial response period is meant for clarification, not deliberation. Unless a Council Member requests further information from a member of the public who has previously addressed the Council, there is no further public comment.
6. The City Council deliberates and takes appropriate action. The Council may act on an item at the meeting in which the public hearing was held, may defer the vote to a later meeting, or may choose to take no action.
- B. Comments on items scheduled for public hearing will not be accepted during the Citizen Comments portion of the meeting, but only when that item is opened for public comment by the Chair. Comments on Council items not scheduled for public hearing may be offered during the Citizen Comments portion of the meeting.

C. Civil Discourse

1. All persons should avoid undermining the integrity or dignity of others in the meeting. Clapping, booing, cheering or other vocal signs of support or opposition to the proposal is not permitted.
2. Persons should refrain from leaving their seats, making any noise or disturbance, or interfering or interruption the Council or staff while the Council is in session.
3. Persons not following these guidelines may be asked, after a majority vote of the Council, to leave the meeting or building for the remainder of the meeting. Any person not honoring the request of the Chair to leave the meeting may be escorted from the meeting by law enforcement and may be deemed guilty of disturbing an official meeting in violation of the Revised Ordinances of Sandy City or the Utah State Code and would be guilty of a Class B Misdemeanor. Disruptive behavior by a person may also result in prosecution for disorderly conduct and/or obstruction government operations under any number of provisions of the Utah Code, depending upon the specific behavior of an individual.

D. Petitions

1. A petition is a request of the City Council to take or refrain from some action signed by multiple individuals. Unless otherwise provided by law, a petition does not obligate or bind the City Council. The City Council does not prescribe the form that a petition must take.

History:

Adopted March 14, 2017

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Roles and Responsibilities of the Chair

BACKGROUND:

As of July 28, 2015 the roles and responsibilities of the City Council Chair were enumerated in the Council's policy on the Election of Council Officers. The responsibilities were listed as follows:

- Chair meetings
- Sign official documents and critical correspondence
- Represent official positions taken by the Council
- Formally supervise the Director of the Council Office

The Council discussed the roles and responsibilities on April 14, 2015 and again on July 14, 2015 and desired to clarify the roles of the Chair for the public, staff and future Council Members.

POLICY:

The primary role of the Chair is to serve the City Council as a facilitator, helping the Council understand common objectives and assisting the Council in planning how to achieve these objectives. Specific responsibilities include:

AGENDA

- The Chair is responsible for setting and scheduling the weekly City Council agenda with due deference to the opinions and requests of fellow Council Members. Requests from Council Members should follow adopted legislative procedures.
- The Council encourages the Chair to schedule adjournment of the 5:15 Work Session by 6:45 PM to allow for a break before the 7:00 PM City Council meeting.

CHAIRING MEETINGS

- Once an agenda is published, the Chair should not delete items from the agenda. Should an item on a posted agenda no longer require Council action, the Chair should request that the Council amend the agenda by tabling the item through majority vote.
- The Chair retains the discretion to add items to the agenda after publication, consistent with the provisions of the Open and Public Meetings Act.
- The Chair's role is primarily organizational and does not bestow any special privileges of debate such as the time allowed for comments, interjections or closing remarks.
- The Chair should help balance debate by granting the floor to Council Members in a manner that alternates between arguments in favor and arguments against a proposition.
- The Chair may reserve one Tuesday per month for a Council work session.

SUPERVISION

- The Chair is the immediate supervisor of the Council Office Director. The Chair's supervision of the Council Office Director includes scheduling time off, office operations and expenditures. Performance review shall be done by the entire Council in closed

Sandy City Council
Legislative Policies and Procedures

session. The Council does not conduct performance reviews for Council Office staff other than the Council Office Director.

- The Chair does not supervise any other Council Office staff.

REPRESENTATION

- The Council Chair should adhere to the Council Media Policy, and should be the “public face” of the Council when available. Media requests for comments from the City Council should be directed to the Chair unless a specific Council Member is requested.

History:

Adopted: August 18, 2015

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Rules of Procedure

BACKGROUND:

State law § 10-3-606 requires the City Council to adopt rules of order and procedure governing and prescribing

- a) parliamentary order and procedure;
- b) ethical behavior; and
- c) civil discourse.

The City Council is further required to:

- a) conduct public meetings in accordance with the adopted rules of order and procedure;
- b) make the rules of order and procedure available to the public; at each meeting of the municipal legislative body; and on the City website.

POLICY:

1. The “Sandy City Guidelines, Conduct of Official Council Meetings” adopted via Resolution #07-66C are hereby repealed.
2. The Sandy City Council Rules of Order and Procedure are described as follows:

Sandy City Council

Rules of Order and Procedure

Parliamentary Order and Procedure, Ethical Behavior, and Civil Discourse

1. Standard Order of Business

- a) The standard order of business for regularly scheduled meetings of the City Council is as follows. The City Council may vote to amend the standard order of business from time to time based on the actual content of each meeting. The Council will not entertain new items after 11 PM unless agreed to by a majority of the Members.

5:15 Council Meeting

A. Non-voting items

1. Opening Remarks/Prayer/Pledge of Allegiance
2. Agenda Planning Calendar Review & Council Director Report
3. Council Member Business
4. Mayor's Report
5. Chief Administrative Officer Report
6. Other Standing Reports as needed
7. Citizen Comments
8. Informational briefings, training opportunities, discussion items, etc.

B. Voting Items

1. Consent Calendar
2. Council Items

6:00 PM

C. Public Hearings and Other Time Certain Items

1. Special Recognition
2. Public Hearings
3. Other Time Certain Items

- b) Council Member Business, the Mayor's report, and the Chief Administrative Officer's report are informational in nature. These reports may include such items as updates from committee meetings, summaries of significant City events, recognition proposals, and recommendations for future discussion items. No action except discussion can occur on such an item at the meeting in which it is introduced; it must be added to a future agenda as a voting item before formal Council action can occur.
- c) Unless an item has been noticed on the agenda for a time certain, the Council may deviate from the standard order of business.
- d) Items not completed during the Council Meeting portion of the agenda should be rescheduled at the next available Council Meeting as appropriate.
- e) Each speaker is allowed three minutes per voting item. The Citizen Comment sections of the meeting are for issues not listed on the agenda. Each speaker is

Sandy City Council Rules of Order and Procedure

allowed three minutes to address the Council during Citizen Comments. If a citizen is unable to attend a meeting in person, he or she may provide written comments to the City Council Executive Director by 3:00 PM the day of the Council Meeting to have those comments distributed to the City Council and have them read into the record at the appropriate time.

2. Motions

Main Motion

- a) A motion is a formal proposal by a Member of the City Council, in a meeting, that the Council take certain action.

- b) After a motion has been seconded, another Member of the Council may offer a friendly amendment to the original motion maker which he or she, together with the seconder of the motion, may accept or reject. Friendly amendments are informal and are not counted toward motions to amend.

Motion to Amend

- c) A motion to amend which has been seconded and receives a majority vote of the Members present amends the main motion.
 - i. A Motion to Amend must be germane. Any amendment proposed must in some way involve the same question raised by the motion it amends. As such, motions to amend should insert and/or strikeout wording of the original motion. Motions to amend may not be the negation of the main motion.
 - ii. The Chair will rule whether or not a Motion to Amend is germane to the main motion.

- d) To retain clarity of debate, the main motion should only be amended no more than two times.

- e) A motion which has been seconded (amended or otherwise) and is the subject of debate must be dispensed with before a new motion can be considered. There are no "substitute motions" which unilaterally shift debate away from the main motion.

Motion to Reconsider

- f) After a main motion has been dispensed with, a Motion to Reconsider may be offered at the same meeting in which the motion suggested to be reconsidered occurred. However, the Motion to Reconsider may only be offered by a Member who voted on the winning side, whether in the affirmative or negative. A second to

Sandy City Council Rules of Order and Procedure

the Motion to Reconsider may be offered by any Member. In the event of a tie vote, any member may offer a Motion to Reconsider. The Motion to Reconsider brings up the item at the same meeting in which the vote to be reconsidered occurred.

Renewal of Motions

- g) If properly placed on the Council Meeting agenda, any Member may Motion to Rescind or Amend an action of the Council.

3. Debate

- a. It is recommended that formal titles such as “Mr./Madam Chair” be utilized to encourage a professional, courteous and orderly atmosphere.
- b. No motion shall be debated until it has been seconded by another Member of the City Council. A motion dies for lack of a second from another Member of the Council.
- c. For clarity, after a motion has been seconded, the Chair should restate the motion or cause it to be displayed in writing for the Members of the Council and the public.
- d. The Chair should ensure that each Council Member who desires to speak has opportunity to do so.
- e. Members should refrain from speaking until being recognized by the Chair.

Call the Previous Question or “Calling the Question”

- f. Any Member may make a Motion for the Previous Question during debate (commonly called “calling the question”). A Motion for the Previous Question is a proposal to end debate on the main motion. It requires a second and must be adopted by a majority of Members present. The Motion for the Previous Question is not debatable. A vote on the Previous Question does not decide the main motion. It decides whether or not debate on the main motion should cease.

Appeal

- g. Any Member may raise a Point of Order without having first been recognized by the Chair in order to seek clarification on a parliamentary question. The Chair will rule on the Point of Order.
 - i. Rulings of the Chair may be appealed to the City Council as a whole. A majority vote of the City Council may override a ruling of the Chair.

Pause in Council Proceedings

Sandy City Council Rules of Order and Procedure

- h. The Chair may allow the Council to stand at ease for a brief pause if necessary during debate.

4. Quorum

- a) A quorum of the City Council is required to conduct business. A quorum is four Members.

5. Voting

- a. Voting shall be in the form of “yes” or “aye,” “no” or “nay,” and “abstain.” The names of those voting for, against, or abstaining shall be entered in the Council minutes.
- b. No Council Members shall vote unless physically present or participating through electronic means pursuant to Utah Code Annotated § 52-4-207. Proxy votes are not allowed.

Types of Voting

- c. A roll call vote is required for all ordinances and may occur for other votes. “Roll call” means that each Council Member participating verbally gives his or her vote when called upon to vote. Any Member has the discretion to call for a roll call vote.
- d. If a roll call vote is not required, a voice vote may occur. A voice vote is the request of the Chair such as, “All in favor,” and/or “All opposed” where the Council Members simultaneously state their vote on an item.

Number of Votes Required to Pass an Item

- e. The minimum number of votes required to pass an ordinance or resolution, or to take any action by the Council, unless otherwise prescribed by law, is a majority of the entire membership of the Council, without regard to vacancy or absences, namely four votes.
 - i. Notwithstanding this provision, a Council meeting may be adjourned to a specific time if the majority vote is less than four votes.
- f. An expression of “abstain” during voting shall not be considered as an affirmative or negative vote. For purposes of a Motion to Reconsider, an “abstain” vote does not grant standing. In other words, a Council Member who abstains on a question or is absent when the vote on a question is taken may not move to reconsider the question.
- g. In the case of a tie vote, the motion shall fail.

Sandy City Council Rules of Order and Procedure

Explanation of Vote or Conflict

- h. A Council Member desiring to explain his or her vote should do so prior to the call of the roll or voice vote.
- i. Any Council Member who has an immediate or direct financial interest in any item pending before the Council shall disclose this fact to the Council at the time the item is called. Members declaring such an interest should leave the room during the discussion and abstain from voting on that item.
- j. Custom should not conflict with adopted Rules of Order and Procedure. To the extent that custom conflicts with adopted Rules, the Rules shall supersede until amended to reflect customary practice.

Amending the Rules

- a. If previous notice is given, namely a specific amendment or set of amendments to the Rules of Order and Procedure is placed on the regular Council Meeting agenda in advance, a majority vote of Members of the City Council is required to modify the Rules of Order and Procedure.
 - i. If the Rules of Order and Procedure have not been explicitly placed on the Council Meeting agenda for discussion, a two-thirds majority of the Council Members present may suspend or modify the Rules in order to accomplish a specific action.
- b. In the event that any provision herein conflicts with state law, state law supersedes.

History:

Original Approval: March 29, 2016

Last Revision: February 19, 2019