

RESOLUTION #25- C

A JOINT RESOLUTION OF THE CITY COUNCIL AND MAYOR OF SANDY CITY APPROVING THE “PUBLIC UTILITIES ADVISORY BOARD BY-LAWS”; ALSO REPEALING AND REPLACING PRIOR RESOLUTIONS

BE IT KNOWN AND REMEMBERED that the Mayor and City Council of Sandy City, State of Utah, find and determine as follows:

WHEREAS the Public Utilities Advisory Board was created by Resolution #98-22C, “A Joint Resolution Establishing a Public Utilities Advisory Board (A Special Committee),” passed and approved by the Mayor and City Council of Sandy City on March 31, 1998; and

WHEREAS Sandy City Council on September 11, 2018, adopted “A Policy and Procedural Guide for the Appointment of Citizens, Staff, and Elected Officials to serve on Special Committees” (“Policy Manual”), which may be amended from time to time by resolution of the City Council; and

WHEREAS the Public Utilities Advisory Board on October 17, 2024, adopted Public Utilities Advisory Board By-Laws (“By-Laws”) as anticipated by the Policy Manual; and

WHEREAS the Public Utilities Advisory Board is governed by the Policy Manual and By-Laws, which supersede and replace formerly adopted resolutions; and

WHEREAS Sandy City Council and Mayor have reviewed the By-Laws and desire to approve the By-Laws consistent with the Policy Manual.

NOW, THEREFORE, BE IT RESOLVED by the City Council and Mayor of Sandy City that:

1. The Public Utilities Advisory Board is a special committee identified in and governed by the Policy Manual;
2. The Public Utilities Advisory Board By-Laws (attached as **Exhibit “A”**) are hereby approved, and the Public Utilities Advisory Board shall henceforth be governed by the By-Laws consistent with the Policy Manual;
3. All prior resolutions or portions thereof purporting to govern the Public Utilities Advisory Board are hereby repealed;
4. This resolution shall take effect upon passage by the Sandy City Council and Mayor and recording as required by law.

PASSED AND APPROVED by the Sandy City Council and Mayor on this ____ day
of _____, 2025.

Aaron Dekeyzer, Chair
Sandy City Council

Monica Zoltanski
Sandy City Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2025

EXHIBIT A

Public Utilities Advisory Board
By-Laws
(last updated October, 2024)

Article 1. Purpose:

The Public Utilities Advisory Board is a special committee to advise the Sandy City Council on legislative matters and the Sandy City Mayor on administrative matters related to utility services provided by Sandy City to customers in its service area. The Board is not a decision-making body. The Board reviews, discusses and advises staff on topics such as the annual budget, utility rates, billing, utility operations, capital facilities, master plans and similar topics. Official actions of the Board may include written recommendations to the Mayor and/or Council that are voted on in a Board meeting and signed by the Chair.

Article 2. Applicability:

These By-Laws shall govern the operation of the Public Utilities Advisory Board, consistent with the Policy Manual.

Article 3. Definitions:

The following words shall have the meaning as given herein:

- (a) “Board” shall mean the Public Utilities Advisory Board.
- (b) “Board Member” shall mean a person or persons appointed by the Mayor or Council who is qualified and acting as a voting member of the Board.
- (c) “Chair” shall mean the Board Member currently serving as its chairperson.
- (d) “City” shall mean Sandy City, a municipal corporation of the State of Utah.
- (e) “Council” shall mean the Sandy City Council, which is the legislative branch of the City.
- (f) “Mayor” shall mean the Chief Executive Officer, which is the administrative branch of the City.
- (g) “Policy Manual” shall mean the most recent version of “A Policy and Procedural Guide for the Appointments of Citizens, Staff, and Elected Officials to Serve on a Special Committee,” as adopted by resolution of the City Council.

- (h) “Vice-Chair” shall mean the Board Member currently serving as the vice-chairperson, who fulfills the duties of the Chair in the Chair’s absence.

Article 4. Creation of the Board:

(a) Regular Board Members. The Public Utilities Advisory Board shall consist of seven (7) appointed voting members. The City Council shall appoint five (5) members, and the Mayor shall appoint two (2) members. Two Board Members elected by the Board shall serve as the Chair and vice-chair.

(b) Ex-Officio Members. There will be three (3) non-voting ex-officio members consisting of the Public Utilities Director and two Council members.

(c) Alternate Members. There will be no alternate members.

Article 5. Appointment; Term of Office:

Board Members serve on a volunteer basis without compensation. All appointments and removals of Board Members shall be made by resolution of the Council and/or Mayor. Appointments of Board Members will be as set forth in the Policy Manual. Specifically, appointments of Board Members will be for a term of two years and will be staggered to four (3 Council, 1 Mayor) on odd numbered years and three (2 Council, 1 Mayor) on even numbered years. Appointments will begin on January 1 and end on December 31. Appointments to vacant positions will serve to complete the unfulfilled term of service left by the vacancy.

Article 6. Removal From Office:

Members who are appointed by the Mayor may be removed by the Mayor at any time without cause. Members appointed by the City Council may be removed at any time by the City Council without cause. Further, if any member fails to attend more than one-third of scheduled Board meetings with any 12-month period, such member shall be deemed to have resigned from the Board.

Article 7. Members’ Ethics:

Members of the Board shall be subject to and bound by the provisions of the Municipal Officers’ and Employees’ Ethics Act, Utah Code Ann. §10-3-1301 et seq.

Article 8. Meetings:

(a) Regular meetings. The Board shall convene for regular meetings to be held not less than six (6) times each calendar year. The Board shall keep its meetings open to the public. Meetings shall be held in such public place as may be made available by Sandy City. Board Members may attend, participate and vote through electronic means, provided they can be heard by other Board Members. Members who attend through electronic means will be counted in the quorum.

(b) Special meetings. Special meetings may be ordered by the Chair or a majority of the Board. The order for a special meeting must be signed by at least four Board Members or the Chair. Each Board Member not joining the order for the special meeting must be given not less than 3 hours' notice thereof. Said notice shall be served personally or left at the member's residence or business office.

(c) Closed meetings. The Board may hold closed meetings, as permitted by law; however, no resolution, rule or regulation shall be finally approved at closed meetings.

Article 9. Meeting Minutes; Approval of Minutes:

The Board shall cause a recording to be kept, which shall be available for public inspection in the office of the Director of Public Utilities. The Board shall record each Board Member's vote on any action taken by the Board. The minutes may be approved in a scheduled meeting by majority vote of the Board Members in attendance, or draft minutes may be distributed to the Board Members for comment and approval via email. To approve minutes by email: (i) the draft minutes will be sent to all Board Members who attended the meeting for which minutes are being approved; (ii) the Board Members shall have one week to propose corrections; (iii) the draft minutes will be re-distributed with changes noted; and (iv) a majority of the Board Members who attended the meeting for which minutes are being approved must indicate a vote of approval by email.

Article 10. Meeting Procedures:

(a) Quorum. Four (4) members of the Board shall constitute a quorum for the transaction of business. The Board may act officially by a majority vote of a quorum.

(b) Conducting the Meeting. The Chair shall conduct each meeting. If the Chair is absent, the Vice-Chair shall conduct. If the Chair and Vice-Chair are absent, the Director or Director's designee will invite a Board Member who is present to conduct the meeting. The person conducting the meeting will start the meeting, determine the order in which agenda items will be discussed, introduce each agenda item and recognize each speaker. Persons wishing to speak may make their desire known and wait to be recognized before speaking.

(c) Rules of Procedure. Formal rules of procedure do not apply. Any Board Member in attendance may: (a) make a motion; (b) second a motion; (c) participate in discussion of any matter; (d) offer an amendment to a motion; (e) offer a substitute motion; (f) call the question; (g) make any other procedural requests. The Chair or other Board Member conducting the meeting will make final decisions regarding procedure and procedural questions. The Board may suspend the rules of procedure by unanimous vote of the members who are present at any meeting. The Board shall not suspend the rules of procedure beyond the duration of the meeting at which the suspension of the rules occurred.

(d) Voting. A vote may be taken on an item specified in the published agenda following a motion and second. A motion to adjourn does not require a second. All votes are cast verbally; any raise of hands is in addition to the Board Members' verbal vote. All Board Members who are present in person, or by telephone, computer or other telecommunication device shall vote, except those who abstain. No proxy voting is allowed. The vote of each member is recorded individually.

The Chair may determine whether the vote is by roll call or as a group, allowing time sufficient for each Board Member's vote to be recorded.

Article 11. Election and Duties of Board Officers:

Each year the Board, at its first regular meeting after the third Monday in January, shall select by majority vote one of its members as Chair and another of its members as Vice-Chair. The Vice-Chair shall perform the duties of the Chair during the absence or disability of the Chair. The Director of Public Utilities shall make available an assistant from his or her staff to serve as staff to the Board when required. The Chair presides at all meetings of the Board, assures proper order of the meeting, signs all documents of the Board and reviews agendas. The Vice-Chair performs the duties of the Chair in the absence of or at the request of the Chair, as well as other duties which may be assigned by the Chair.