

Order for Special Meeting

Pursuant to the Sandy City Municipal Code § 3-1-3(b) and Utah Code Annotated § 10-3-502(2) the undersigned join the Order for Special Meeting of the City Council to be held at 5:30 PM on November 30, 2020. The agenda for the November 30, 2020 Special Meeting is attached to this Order. The purpose of the special meeting is to consider the advice and consent for the appointment of the Sandy City Attorney. A copy of this Order shall be filed with the City Recorder and entered in the minutes of the City Council.



Zach Robinson, Chair



Marci Houseman, Vice-Chair



Sandy City Council Office

ZACH ROBINSON | AT-LARGE

ZROBINSON@SANDY.UTAH.GOV

O | 801.568.7141

November 13, 2020

In accordance with, Utah Code 52-4-207(4) Open and Public Meeting Act, I have determined that to protect the health and welfare of Sandy citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Sandy City Council Chambers.

The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic.

It is my intent to safeguard the lives of Sandy residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

Council Office staff are hereby authorized and directed to include a copy of the above notice with each City Council agenda.

Zach Robinson, Chair

Sandy City Council



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Agenda

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Monday, November 30, 2020

5:30 PM

Online Meeting

Special Meeting

Web address to view complete packet: <http://sandyutah.legistar.com>

The November 30, 2020 Sandy City Council Special Meeting will be conducted via Zoom Webinar.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_UI4nzI3sRx-ggqrMw_PNXQ

After registering, you will receive a confirmation email containing information about joining the webinar.

Or listen by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866

Webinar ID: 856 2084 7596

Passcode: 663873

Public comment will occur for each voting item. Each speaker is allowed three minutes. Citizens wishing to comment must access the meeting via the Zoom Webinar link above. The call-in number is for listening only. If a citizen is unable to attend a meeting via Zoom, he or she may e-mail the Council Office Executive Director, at mapplegarth@sandy.utah.gov by 3:00 PM the day of the Special Council Meeting to have those comments distributed to the City Council and have them read into the record at the appropriate time.

Citizen's may also use eComment to send their comment directly to the City Council Members. EComment will close one hour prior to the beginning of the meeting.

Submit an eComment:

https://sandyutah.granicusideas.com/meetings/329-city-council-on-2020-11-30-5-30-pm-star-special-meeting-star/a_genda_items

5:30 Council Meeting

Prayer / Pledge of Allegiance

Voting Items

Council Items

1. [20-420](#) Mayor Bradburn requesting the Council's advice and consent for the appointment of Lynn Pace as the Sandy City Attorney.

 Attachments: [Resolution 20-47C](#)
 [City Attorney Job Description](#)
 Pace, Lynn - Resume_Redacted

2. [20-421](#) Possible Closed Session: character, professional competence, or physical or mental health of an individual.

Adjournment



Staff Report

File #: 20-420, **Version:** 1

Date: 11/30/2020

Agenda Item Title:

Mayor Bradburn requesting the Council's advice and consent for the appointment of Lynn Pace as the Sandy City Attorney.

Presenter: Mayor Bradburn

Description/Background:

Utah Code Annotated 10-3b-202 requires the mayor in a municipality operating under the council-mayor form of government to appoint, with the City Council's advice and consent, a qualified person for the position of City Attorney.

Resolution #20-47C

A RESOLUTION OF THE SANDY CITY COUNCIL CONSENTING TO THE
APPOINTMENT OF LYNN PACE AS CITY ATTORNEY OF SANDY CITY
EFFECTIVE NOVEMBER 30, 2020

BE IT RESOVED, by the City Council of Sandy City, Utah, that the Council hereby consents to the appointment of Lynn Pace as City Attorney of Sandy City effective November 30, 2020.

PASSED AND APPROVED this 30th day of November 2020.

Zach Robinson, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2020.

SANDY CITY
APPROVED CLASS SPECIFICATIONS

- I. Position Title: City Attorney
- | | |
|-----------------------|-----------------------|
| <u>Revision Date:</u> | 10/2020 |
| <u>EEO Category:</u> | Exempt |
| <u>Status:</u> | Exempt (Professional) |
| <u>Control No:</u> | 20300 |

II. Summary Statement of Overall Purpose/Goal of Position:

An Appointed Category 1 position under the strategic direction of the City Manager, Mayor and City Council, acts a chief legal officer of the City. Responsible for the proper administration of the legal affairs of the City and for assuring professional representation in all civil actions and criminal prosecutions in which the City is a party.

The duties of the City Attorney are established by ordinance to include the following:

III. Essential Duties:

- Prosecute all charges of violation and municipal ordinances and regulations in the courts or administrative tribunals and prosecute and defend, or supervise the prosecution and defense of all actions and appeals involving the City in all courts and before all boards, commissions, and administrative agencies.
- Perform legal research including extensive analysis of legal positions.
- Determine and apply legal principles and precedents to problems and issues.
- Attend all City council meetings.
- Furnish legal advice, counsel, and assistance to the Mayor, Council, and all other City officers, boards, commissions, and agencies in relation to their duties and the business of the City.
- Select and direct outside special counsel as appropriate and necessary.
- Hire, train, motivate, evaluate, discipline and direct department employees.
- Identify, evaluate and manage risk within the department, including oversight of the risk and safety programs.
- Prepare annual department budget and conduct monthly analysis of budget expenditures against plan.
- Initiate and prosecute actions to protect the City's interests including preparation of pleadings and briefs, oral argument, trial, and settlement negotiations.

IV. Marginal Duties:

- Performs other duties as assigned.

V. Qualifications:

Education: Requires Juris Doctorate Degree, membership in the Utah State Bar, and admission to practice before all state courts and U.S. District Court.

Experience: Requires ten years of professional experience as a practicing attorney, two of which must have been in a supervisory or managerial capacity. Experience requirement may be waived with Mayor's consent.

Certificates/Licenses: Requires a valid Utah Driver's License.

Probationary Period: Not Applicable. This is an appointed position exempt from the protections described in Utah Code Ann. Section 10-3-1105 (1)(a).

Knowledge of: Laws affecting municipalities and their employees, and rules of proper verbal and written communication; ethical principles; principles of budget planning and preparation, management, supervision, personnel, and planning.

Responsibility for: The use of discretion and independent judgment; acquiring and retaining familiarity with a large number of complex court cases and sophisticated and rapidly changing principles of law and applying these principles to complex factual situations; drafting contract provisions for City departments; taking requests by departments and translating into legal terminology with sufficient clarity to clearly describe the duties of each party to withstand court challenges; must clearly assign risks for negligence and failure to perform contract duties, damage risk ranges from a few hundred dollars to hundreds of thousands and more where serious injury results from a party's negligence; great responsibility for making decisions in matters of serious financial or practical consequence or involving the welfare of lives and property; great responsibility for the supervision of staff members.

Communication Skills: Ability to effectively counsel, persuade, and inform others regarding city operations, policies and needs, under close scrutiny of the public, press, political interests, courts and other agencies of government; respond impromptu, examine witnesses effectively, and argue persuasively, often under hostile and stressful circumstances; relate positively and professionally with legal counsel, judicial, administrative, and legislative officials, press representatives, co-workers, and members of the general public; exhibit patience and empathy with persons holding hostile or opposing views; maintain professional confidences; constructively and creatively solve problems and resolve disputes; represent the City with decorum in a manner which promotes public confidence in the City, its officials and employees; frequent contacts with executives on matters requiring explanations and discussions and daily contact with other City departments requiring tact and judgment to avoid friction.

Tool, Machine, Equipment Operation: Regular use of a vehicle; regular computer use is required with ability to operate mainframe system and word processing software; occasional use of copier machine to copy legal documents; regular use of a fax machine, telephone and copier.

Analytical Ability: Great initiative and ingenuity is necessary; collect and rapidly assimilate facts; organize, analyze, and retain familiarity with large numbers of complex court cases; research effectively and require and retain familiarity with sophisticated and rapidly changing principles of law and apply principles to complex factual situations; concentrate and function effectively and independently under heavy workload demands in matters of serious financial or practical consequence or involving the welfare of lives and property.

VI. **Working Conditions:**

Physical Demands: While performing duties of job, employee typically handles office equipment, objects, or controls; may periodically bend, stoop or crouch; and frequently communicates with others. Employee will sit or stand for long periods of time and may occasionally move up to 20 pounds.

Work Environment: Employee will work in a generally comfortable office setting. The noise level in the work environment is usually minimal. Great pressure and fatigue are present in this position due to moderate exposure to stressful situations, overtime, and deadlines; constant attendance is required; work assignments are broad and performed with little or no supervision or checking; work is referred to supervisor only when policy questions arise.

The above statements are intended to describe the general nature and level of work being performed by the person(s) assigned to this job. They are not intended to be an exhaustive list of all duties, responsibilities, and skills required of personnel so classified. The approved class specifications are not intended to and do not infer or create any employment, compensation, or contract rights to any person or persons. This updated job description supersedes prior descriptions for the same position. Management reserves the right to add or change duties at any time.

DEPT/DIVISION APPROVED BY: _____ DATE: _____

PERSONNEL DEPT. APPROVED BY: _____ DATE: _____

LYNN H. PACE

[REDACTED]
Holladay, Utah 84124
[REDACTED]

Professional Experience

Salt Lake City Mayor's Office

Senior Advisor for Government Relations

August 2013 - May 2019, January 2020 Present

- Responsible for all legislative advocacy for the City with the Utah State Legislature.
- Hire and supervise all City lobbyists.
- Coordinate with City's Federal lobbyists and the Utah Congressional delegation.
- Handle inter-governmental issues with Salt Lake County, cities and other government entities.
- Coordinate with the Utah League of Cities and Towns and the Utah Association of Counties.

Salt Lake City Attorney's Office

Acting City Attorney

May 2019 – January 2020

Deputy City Attorney

February 1999 – August 2013

Assistant City Attorney

June 1996 – February 1999

- Legal advisor to the Mayor, City Council and all Department Heads.
- Responsible for all legal issues affecting the City.
- Responsible for managing and supervising the City Attorney's Office, Prosecutor's Office, Risk Management Division and City Recorder's Office.
- Prepared and managed annual budgets and supervised all personnel.
- Responsible for hiring and supervising outside legal counsel.
- Responsible for all of the City's land use legal issues, including supervision of the administrative process, appeals, and related litigation.

Snell & Wilmer

November 1991 – June 1996

Private legal practice

Ray, Quinney & Nebeker

June 1987 – October 1991

Private legal practice

Education

University of Chicago Law School

June 1987

Juris Doctor Degree

University of Utah

June 1984

Honors Bachelor of Arts Degree, Cum Laude (History, Spanish)

Community Involvement

Utah Municipal Attorneys Association, Past President

Utah League of Cities and Towns, Past President

City of Holladay, Former City Council Member and RDA Chair

University of Utah Honors College - Advisory Board Member

University of Utah, Occasional Adjunct Professor

Personal

Age 59, married, seven children. Proficient in Spanish.

References available upon request.



Staff Report

File #: 20-421, **Version:** 1

Date: 11/30/2020

Agenda Item Title

Possible Closed Session: character, professional competence, or physical or mental health of an individual.