



CITY COUNCIL  
POLICIES AND PROCEDURES

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# Council Policies and Procedures

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### Updates by Resolution

Res. 04-172, October 26, 2004

Res. 09-83, May 12, 2009

Res. 09-124, August 25, 2009

Res. 10-146, October 27, 2010

Res. 13-37, March 27, 2013

Ord. 15-06, February 25, 2015

Res. 17-188, September 27, 2017

Res. 19-29, February 13, 2019

Res. 20-17, March 11, 2020

Res. 20-28, May 13, 2020

Res. 20-69, October 28, 2020

Res. 21-037, July 28, 2021



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### **Article I. COUNCIL GOALS AND ASPIRATIONS**

#### Section 1.01 OVERALL COUNCIL GOALS

The West Jordan City Council aspires to be efficient and accessible to the public it serves. The Council's ambition is to: take courageous and pro-active action; to stay on the leading edge of technology and management theory; to be a well-run, efficiently managed, and innovative City, where policies and decisions are made in a fiscally sound and ethical manner.

#### Section 1.02 ASPIRATIONS AND VALUES

West Jordan City Council aspires to be efficient and accessible to the public it serves based on the following principles:

- Each Council Member is 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 and respectfully making informed choices and in setting public policy.
- Council Members will respect the City's Administrative procedures and chains-of-command, including addressing problems related to Administrative Department heads and staff directly with the Mayor, Chief Administrative Officer, or (alternatively) to the Council as-a-whole, when appropriate.
- 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.
- The Council will promote government accessibility to all citizens, in all its proceedings through openness and transparent public processes by promoting electronic communications that enhance the public's ability to participate in and observe government processes; and by encouraging citizens and interested parties to exercise their right to petition their government for redress or

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- change, and providing appropriate avenues for them to be heard and have their views considered.
- The Council will be innovative and proactive in solving issues that may arise.
  - The Council will render reason-based decisions using all information including professional advice, citizen input, and verifiable information.
  - The Council will strive to be a State leader and advance good government and public service through cooperative interactions with others by: providing leadership and service in regional, state, and national programs, councils, organizations and meetings; 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 receiving and soliciting citizen participation in the City's decision-making and advisory committee process.
  - The Council will strive to provide necessary public services in a fiscally responsible manner.
  - The Council will act and require the highest standards of ethical conduct, at all levels of City government. The Council expects high standards of accountability and employee performance, which includes the Council using its powers to expose and correct unproductive or inappropriate activities at all levels of City government.
  - The Council should meet, at least annually, with the Planning Commission, General Plan Committee, and other City committees to discuss the Council's vision and purpose, and receive reports regarding the needs, accomplishments, and goals of that reporting body

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### Article II. COUNCIL INTERNAL POLICIES

#### Section 2.01 COUNCIL OFFICE TRAVEL

(a) Conferences/Conventions.

1. Council Members may travel to conferences and conventions related to City business including the following contingent on fund availability:
  - National League of Cities; Washington D.C.
  - Utah League of Cities and Towns; Annual Meeting or
  - Utah League of Cities and Towns, Mid-Year Meeting
  - Council Staff will inquire of all Council Members during the budget process which conferences they intend to attend. The Council Staff will then prepare cost estimates for inclusion in the Council Office travel budget.

(b) Council Approval Required; Council Staff Duties.

When a Council Member wants to attend a conference, convention or seminar, Council Staff will prepare a notice on a Council agenda.

1. If the Council opposes the proposed travel or if appropriated funds are not available, the trip will not be scheduled. If approved, the Council Staff or the Council Member will arrange for the travel.
2. The Council Member may attend at their own expense.

#### Section 2.02 COUNCIL MEMBER COMPENSATION

(a) Salary of Council Members

Council Members will receive their compensation in the form of salary as set by the Council and designated in the annual budget and benefits as a full-time City employee.

(b) Benefits for Council Members

Council Members may participate in city-sponsored benefits as provided in the City's benefit plan to city employees. City Council Members are entitled to the same benefits as full-time employees.

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### (c) Miscellaneous Expenses

Each Council Member may receive the amount budgeted annually for miscellaneous expenses.

### (d) Technology Allowance

Each member of the City Council is provided a monthly technology allowance at an amount as adopted in the annual budget. This allowance is to pay the connectivity and/or communication expenses.

Section 2.03            FILLING A VACANCY ON THE CITY COUNCIL  
If any vacancy occurs on the City Council, the process prescribed in Utah Code § 20A-1-510, or its successor provisions, shall be followed. (Ord. 15-06, 02-25-2015)

Section 2.04            PARTICIPATION ON CITY COMMITTEES,  
BOARDS, AND COMMISSIONS

### (a) Committee 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 may participate on non-City appointed boards; however, where those organizations interact with City government on a policy, procedural, or financial basis, these 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.
2. 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.
3. 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.

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### Section 2.05 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 but are not limited to the Council of Governments, Utah League of Cities and Towns, and County task forces.

(b) Requests Referred to Council.

When the Council receives a request for Council representation on such community bodies, a copy of this request will be forwarded to each Council Member.

1. The Council will determine whether a single Council Member or more than one Council Member should serve.
2. After determining the number of slots, Council Members will be informed of the opening(s).
3. When possible, all Council Members will be informed of the available position(s) before its formal discussion, 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 so the Council cannot make a designation, the Mayor will request a Council Member to attend on an interim basis. At the next 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 updates to the Council and to inform the Council of significant developments.

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(f) Need to Advise Outside Bodies of Need for Official City Action.

Council Members serving on outside task forces, commissions or boards will inform such bodies that the entire Council must consider issues before an official City Council position can be expressed or action taken.

### Section 2.06 COUNCIL PHOTOGRAPHY FOR OFFICIAL PURPOSES AND NEWSLETTERS

(a) Official Photographs.

An official council member photograph shall be taken when a Council Member is elected to office. There shall also be a group photo of the newly seated council after every election. The photographs are for official use.

(b) Private Use of Photos.

A Council Member may use his/her digital photograph(s) for personal or other purposes.

### Section 2.07 NEWS MEDIA

(a) Council Chair as Spokesperson.

The Council Chair is the official spokesperson for the City Council on items the Council has voted upon. The Council Chair represents the Council to the news media for legislative matters.

(b) Individual Council Members and the Media

Individual Council Members may meet with media representatives or media editorial boards. Council Members 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.

(c) Council Staff Prepare Press Releases.

Press releases are a common form of communication with the media. It is appropriate for Council Director, on behalf of Council, to prepare press releases:

1. 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.

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2. Announcing a public event/meeting in a Council Member's district for a Council Member. It is also appropriate for the Council Member to either announce such a district event or request the Council Director to do so.
3. Making announcements on a special committee's findings or activities of a Council Member who serves on such committee. 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.

### (d) Media Coordination with PIO/Executive Branch

Press Releases or Press Announcements should be coordinated with the Public Information Officer to avoid competing Press Releases. If there is a disagreement between the Legislative and Executive Branch, coordination would allow both sides to better explain the respective positions.

### (e) 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 re-election purposes.

### (f) Press Contacts.

When a media representative contacts the Council to request an interview with a Council Member on an issue that relates to the entire Council, the following applies:

1. The interview request shall be directed to the Council Chair.
2. If the Council Chair is not available for the interview, the request shall be referred to the Vice Chair.
3. If the Council Chair or Vice Chair is not available, the request is then referred to the next senior Council Member.
4. Council Office Staff may prepare material and information to assist the council member.

## Section 2.08 ISSUES OUTSIDE OWN COUNCIL DISTRICT

Constituents commonly contact Council Members to request their assistance in resolving issues and problems. 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

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large”, 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.

### Section 2.09      TRANSITION FOLLOWING MUNICIPAL ELECTIONS

#### (a) Transition Period.

There is a period of approximately eight weeks from the November election until the first of January, when Council Members begin serving their term of office. This period is a transition phase for the Council. To avoid confusion regarding the roles of Council Members, the following policy shall apply:

#### (b) Attendance at Official Council Functions.

The Council Chair will contact Council Member(s)-Elect on the first business day following the municipal election canvass. 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 they may be excluded from closed door meetings.

#### (c) Member-Elect Meeting Council Staff

Council Member(s)-Elect are encouraged to meet with the Council Office Staff prior to taking the oath of office.

#### (d) Outgoing Council Member Travel

City-related travel opportunities may become available to Council Members preceding the Induction Ceremony.

1. 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.
2. 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.
3. A Council Member leaving office and requesting travel following a primary or general election must secure the consent by a



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majority vote of the City Council, before requesting such travel arrangements.

(e) Agenda Packets.

When preparing agenda packets for regular Council meetings and Work Sessions, the Council Staff will provide an electronic agenda packet for Council Members and Council Member(s)-Elect.

(f) Mail and Miscellaneous Notices.

The Council Staff will provide Council Member(s)-Elect with copies of routine mail and other material sent to all Council Members.

(g) Surrendering City Property.

A Council Member leaving office will deliver any City-owned equipment to the Council Office Director no later than noon on the day of the Induction Ceremony. City-owned property includes, but is not limited to, computers, printers, software, cell phones, office keys, desk keys, and official City identification.

(h) Computer Connection.

The Council Staff will arrange for the set-up of computers and other technology for use by the new Council Member(s) by the first week of January. The Council Staff will also arrange for computer related assistance and training for new Council Member(s).

### Section 2.10 COUNCIL RETREATS

The Council may schedule a Strategic Planning retreat each year. This annual retreat of the City Council may occur 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.

### Section 2.11 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.

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### Section 2.12 SERVICE OF LEGAL DOCUMENTS

Each Council Member will refer service of all legal documents to the City Attorney's Office.

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### **Article III. COUNCIL MEETINGS**

#### Section 3.01 EARLY NOTIFICATION TO COUNCIL MEMBERS

(a) Future Issue Identification/Notice.

Council Members will be made aware items to be discussed on future Council agendas, as early and as thoroughly as reasonably possible. Council Members should have adequate time and notice on issues coming before the Council.

(b) Three Month Tentative Calendar.

The Council Staff should 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.

#### Section 3.02 ATTENDANCE OF MEMBERS

The attendance of Council Members at regularly scheduled Council meetings is encouraged. Absences will occasionally occur as a result of unavoidable circumstances.

1. Anticipated absences shall be communicated to the Council Director and Council Chair as soon as it is known when Council Members cannot attend.
2. If a Council Member anticipates being absent for two or more consecutive regular Council meetings, the Council Member shall so advise the Council Director, who shall place the information on the calendar.
3. For purposes of maintaining a potential quorum and the requirement of recording votes, if a council member is participating electronically, the camera should be on. There may be times where bandwidth or other technical issues may prevent a camera being on, in those instances council members should be an active participant in the meeting and notify the council chair and council office director of the technical issue.

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### Section 3.03 CITY COUNCIL MEETING SCHEDULE

(a) Regular Meetings.

The City Council holds two regular Council meetings per month. Regular meetings are typically held on the second and fourth Wednesdays of the month. Other meetings may be added as appropriate.

(b) Special/Emergency Meetings.

Special or emergency meetings may be called as provided by Utah law.

(c) Meeting Notice

The Council Staff is responsible for posting agendas and providing notice of all Council meetings, as provided by Utah law.

### Section 3.04 COUNCIL MEETING AGENDAS AND PAPERWORK

(a) Sources of Agenda Items.

Council Meeting agendas are developed from a variety of sources including Council interest, individual Council Member interest, Council Office work with outside resources, and administrative transmittals.

(b) Agenda Publication

Agendas are posted at least 24 hours in advance. Council leadership and Council Staff will work with City administration to have a complete agenda at least two weeks prior to the Council meeting. Understanding that time critical issues that may arise, the Council leadership will work with the City Administration to ensure prompt consideration of these matters while ensuring proper consideration of these matters.

(c) General Agenda Timeframes

Topics for city council consideration should generally be identified and communicated to the city council at least four weeks prior to the Council meeting at which they will be first considered. This initial identification and communication can be general and topical, (Such as “Discussion and possible action XXXXXX”) without additional staff reports/documentation. Council Leadership will work with City

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Administration on time sensitive matters to ensure proper consideration.

1. The item may not be placed on an agenda until complete reports/information with all supporting documentation are received by the Council Office.
2. All items submitted for Council consideration on any Council meeting agenda should include complete and relevant information. All items must be clear, concise, and accurate.
3. All documents and maps will be in a format that is easy to enlarge and read.
4. The fully ready item may be then placed on an agenda for a meeting scheduled no sooner than two weeks, so the Council has time to review the item for appropriate discussion.

(d) Administration Transmittals/Request for Council Action.

A transmittal or Request for Council Action is a formal document requesting Council to act on any topic or subject. The City administration will forward transmittals to the Council as they are completed.

1. There is no guarantee that an item for Council consideration will be scheduled for consideration at the suggested or desired Council meeting. Generally, items will be handled in the order of submission. An administration item can be made higher priority based on the request of at least two Council Members.
2. City administration transmittals may include the Mayor's formal recommendation to the Council.
3. Transmittals may also include potential options for the Council's consideration.
4. In cases when the City administration is forwarding a recommendation of another person or entity (such as the planning commission or an outside consultant commissioned by the City) and the Mayor wishes to provide a different recommendation, the Mayor may articulate the City administration's position in the transmittal.
5. The City administration should submit paperwork for Council consideration and agenda placement in a single transmittal format from the Mayor's office.

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6. The transmittal should be detailed enough to meet all requirements under city ordinance(s). Transmittals provide the public and the Council with adequate information to understand the issue, the requested actions, policy and budget impact, and long-term consequences of non-action or action.
7. The signatures included in the transmittal cover sheet signify that the material has been vetted by the administration before forwarding the content to the Council.
8. If council members or staff identifies incomplete, inconsistent, or inaccurate information in the transmittal, they may submit a request for revisions or corrections to the City administration and may suspend its review until the City administration provides updated information or requested information. Council Staff will wait for complete and correct information before completing the scheduling process.
9. If the transmittal involves a matter that has a deadline for action, the City administration will provide to the Council Office complete information about the nature and reason for the deadline.

### (e) Council Staff Responsibility Upon Receipt of Transmittal.

Upon receipt of the transmittal, Council Staff:

1. Work with Council Chair and Vice chair to schedule on agenda.
2. Shares the information with Council Members and places it in a queue for staff analysis.
3. Council Staff will review transmittal paperwork and may ask clarifying questions to the City administration in advance of the scheduling process.
4. Review transmittals for complete data, and legal compliance.

### (f) Form of the Transmittal.

Transmittals should include:

1. The date the transmittal was sent to the Council;
2. The signature of a member of the Mayor's office staff;
3. The subject of the transmittal;
4. The name of the City administration's contact person with whom Council and/or Council Staff may communicate with on the matter;

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5. The document being transmitted;
6. The Mayor's recommendation about the document being transmitted;
7. If applicable, the planning commission's recommendation about the document being transmitted;
8. The budget impact;
9. Background and discussion information, including timeline considerations;
10. Any exhibits to the transmittal, including maps where appropriate.
11. Substitute or Amended Transmittals:
  - a. Once a packet is published to the PMN website, amendments or substitutions to what has been published are required.
  - b. The Amendment or Substitution would have a cover page identifying it as a substitute or amendment to the original published transmittal.
  - c. The Amendment or Substitution should only list the changes to the original packet and should reference the same line numbers as in the original.
    - i. i.e. If lines 200-209 are amended, the Substitute or Amended Transmittal has a cover page and a separate page with the amended changes in lines 200-209.

### (g) Document Standards.

Documents should be submitted to the Council in the following format:

- Searchable PDF files. Text based PDFs are highly encouraged. Limited Scans (only documents that cannot be directly converted or printed to PDF should be scanned.)
- Signatures electronically affixed or use standard format of /s/ Name (example /s/ John Doe)
- Draft and clean legislative ordinances should include line numbering for easy reference by the council, public and staff.
- Page numbers on all documents (when combining documents Adobe Bates numbering can be used)
- Large documents are recommended to be bookmarked.

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### (h) City Council Member Introduced Matters

Any City Council member and co-sponsor may sponsor a matter by submitting a memo and any relevant information (including draft ordinances).

1. Once introduced these items will be presented to the full Council for further consideration.
2. Once initially considered, the item may be refined and transmitted for administration feedback (including legal review), and Mayor's comments/input.
3. After review has been completed by City administration, placed in proper format, etc. by the Council Staff, the item would be returned to Council for further consideration and action
4. After review has been completed by City administration, placed in proper format, etc. by the Council Staff, the item would be returned to Council for further consideration and action

### Section 3.05 Council Agenda

The Meeting Agenda should have the following items:

#### (a) Non-Voting Items

- Call to Order
- Pledge of Allegiance
- Special Recognitions
- Citizen Comments
- Reports from Mayor, CAO, Council Members, etc.

#### (b) New Business Items- Introduction of Matters on Agenda

All matters that appear for the first time on a Council agenda (except consent items) should appear as New Business Items. This occurs even if a briefing/discussion takes place on the day it appears on the agenda.

1. New business items not requiring immediate action may be referred to a subsequent meeting for further discussion or action.
2. If the Council chooses to act on a matter of new business the Council may remove the item from new business items and act based on a motion by any Council Member. (unless the item requires a public hearing).



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### (c) Consent Items

Consent items are not required to be New Items.

1. Consent items are scheduled for action at the soonest possible date and typically do not require reports by the Council Office staff because those matters are generally ongoing in nature or related to housekeeping items.
2. Routine consent agenda matters may include but are not limited to confirming dates for public hearings; authorizing signature of interlocal agreements; amending special assessment areas; and authorizing telecommunication agreements.
3. Advice and Consent items for appointees should not be placed on the consent calendar.

### (d) Unfinished Business

1. Unfinished Business is matters that were introduced but remain unresolved and remain on the agenda until resolved.
2. Unfinished business is subject to further discussion.

### (e) City Attorney/Legal Review

Many documents require the City Attorney's/Legal approval "as to form" before they can be executed. The Council prefers attorney approval on all other documents for form before formal Council approval, including Ordinances, Resolutions, budget documents, etc. All such documents should be approved "as to legal form" before being placed on a Council agenda.

### (f) Informal Updates

The City administration may provide to the Council informal informational updates, particularly on large or significant items. Those updates may be completed as often as needed in a letter, memorandum, or email format. The Council may schedule a briefing on any of the provided informal updates. Informal updates are not a substitute for a complete, fully vetted transmittal.

### (g) Copies of Agenda to Administration

Council Staff should send the agenda to the Mayor's office advance of the meeting to enable the Mayor's office confirm City administration attendance and presentation at the scheduled meeting.

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### (h) Waiver of Requirements

Any requirement may be waived by a majority of the Council when the Council determines the waiver would be in the best interest of the City.

### Section 3.06 RESOLUTIONS OF SUPPORT, APPRECIATION, OR RECOGNITION

Resolutions of support, appreciation or recognition are placed on the Council agenda at the request of the Mayor or any Council Member.

### (a) Council Members Requests

If a Council Member wishes to have a resolution placed on the Council agenda, the procedure will be:

1. The Council Staff will coordinate preparation of the resolution.
2. If the Council Director views the subject of the resolution to be controversial, the Council Director will notify Council Members, in advance, when the item is going to be placed on the agenda.
3. If the resolution is routine or facially non-controversial, it may 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 delivered to Council Members, before regular Council meetings.
4. The Council Staff will arrange for appropriate City staff to attend the meeting to address the resolution that will be presented, if requested by the sponsoring Council Member.

### (b) Non-City Requests

If a non-City organization requests that a resolution be placed on the Council agenda the Council Staff will assist the requestor in seeking a Council sponsor,

### (c) Employee/Department Recognition

When a proposed resolution recognizes a City employee, department, or division for achievement, the Council Staff will draft a document to be signed by the Council Members congratulating the employee, department or division. The Council presents or announces the award during a Council Meeting.

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### Section 3.07 PUBLIC HEARINGS AND NOTIFICATION

#### (a) Policy Statement

The West Jordan City Council encourages input from the public particularly in matters involving funding, budgeting, or major policy initiatives. The Council favors holding public hearings to facilitate that citizen participation.

#### (b) Mandatory Hearings

Utah law requires public hearings even when some may view this process as unnecessary, expensive, or merely imposing an unreasonable delay. These mandatory hearings include, but are not limited to:

#### (c) Annexations/ Adoption of Policy of Declaration.

The City Council must hold a public hearing about a proposed annexation in accordance with State Law. Following the public hearing, the Council may adopt a motion, conceptually approving the annexation. State statute requires a five-day waiting period for the filing of any protests after conceptual approval. 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.

#### (d) 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 before 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.

#### (e) Zoning Changes

Following receipt of the recommendation of the Planning Commission of a proposed zoning change or change to the requirements in the City's zoning ordinance, a public hearing will be established and advertised as required by Utah Code and/or the City ordinances. City staff will

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mail notices to affected property owners, as provided in Utah Code and/or City Code.

(f) General Plan Creation and Amendments

The Municipal Land Use and Development Act requires the City Council to 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 City Council will hold a public hearing.

(g) Subdivision Ordinance Amendment

Before the City Council can amend the Subdivision Ordinance, the Council shall hold a public hearing.

(h) Budgets

1. Under the State Uniform Fiscal Procedures Act for Utah Cities, the City Council shall adopt a budget. Before adopting the budget, the Council must adopt a “Tentative Budget” following a public hearing.
2. At any time during the budget year the City Council may vote to increase one or more funds listed in the Fiscal Procedure Act, including capital improvement, general, special revenue and debt service funds. There must be a public hearing before the City Council may increase any of these funds

(i) Bonds

Before voting on a Resolution to authorize the issuance of revenue bonds the City Council shall first hold a public hearing as required by the Utah Code.

(j) Redevelopment Projects

When the Redevelopment Agency creates a Redevelopment Project Area, its Board shall hold public hearings as required by law.

(k) Action on an Agenda Item After a Public Hearing

After a public hearing is held, the City Council may take action in the same meeting or consider it as a business item on a future Council agenda as determined by the City Council.

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### (l) Notices of Public Hearings

The City Council and/or appropriate City Staff will properly publish and mail all Public Hearing Notices as provided in the Utah Code and/or the City Code.

### (m) Conduct of Public Hearings

The Council Chair (or acting chair conducting the meeting) shall make efforts to ensure that public hearings are conducted in an efficient and orderly process. Notwithstanding the outline provided below, the Chair retains rights to modify and adapt as necessary. The process recommended to the Chair is as follows:

1. In addition to the general packet requirements outlined in Rule 3.04 the following shall apply:
  - a. All necessary presentation material will be submitted to the City Council in accordance with the full packet submission process noted in Council Policies and Procedures.
    - i. If a land use application is presented, it shall include the full packet submitted to Planning Commission as well as minutes from the meeting. Draft minutes will be acceptable if approved minutes are not available.
  - b. A Summary of all changes between the application submitted to the Planning Commission and application to the City Council (if changes were made).
2. Staff will provide a short introduction on the purpose and background of the public hearing.
3. The Applicant or their designee may address the Council. They may summarize their request for council action, highlighting pertinent information. The length of the Applicant's presentation will be limited to a time frame determined by the Chair.
  - a. The Applicant may not add information which was not included in the packet provided to the Council.
  - b. The Applicant may not be permitted to assume a "presenter" role; however, they may be permitted to speak.

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- c. The Applicant generally will not be permitted to share screens.
4. The Council shall be provided an opportunity to ask clarifying questions of staff or the Applicant.
5. The Public Hearing shall be opened for comment.
6. Comment is received from any of the public wishing to address the Council.
7. The Public Hearing shall be closed for Public Comment.
8. The Applicant may be provided a final opportunity to address the Council and respond to items raised during the Public Hearing.
  - a. The Chair shall place a time limit on the Applicant's final comment period.
  - b. The Chair may summarize questions for the Applicant to aid in focus and clarity.
  - c. The Applicant should note that this final opportunity is to respond to questions and is not additional presentation time.
9. The Council may deliberate the proposed request.
  - a. Presenting additional question to the Applicant after deliberation has begun should be an extremely rare exception to the process.
  - b. The Applicant shall not be involved in policy discussions of the Council or address policy or legislative matters under deliberation.
10. The Council may vote on a desired course of action.

### Section 3.08      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. Utah Code §52-4-4 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

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present. No ordinance, resolution, rule, regulation, contract, or appointment can be approved at a closed meeting.

1. 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 roll call vote of each Council Member. The vote shall be entered in the minutes of the meeting.
2. Utah law allows a closed meeting to be held for the following purposes:
  - a. 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;
  - b. Strategy sessions to discuss collective bargaining;
  - c. Strategy sessions to discuss pending or reasonably imminent litigation;
  - d. 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;
  - e. Strategy sessions to discuss the sale of real property when:
    - f. 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;
    - g. the public body had previously given public notice that the property would be offered for sale; and
    - h. the terms of the sale are publicly disclosed before the public body approves the sale;
  - i. Discussion regarding deployment of security personnel, devices, or systems; and
  - j. Investigative proceedings regarding allegations of criminal misconduct.

### (b) Records or Minutes Required

Utah Code §52-4-7 defines the record of closed meetings and how they must be kept.

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1. If the Council 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.
2. If the Council closes a meeting for any other purpose, the Council shall either audio 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

Closed meeting discussions must remain confidential. No Council Member or attendee shall disclose confidential information or use such information for the attendee's or another's gain or benefit. Any person violating the duty of nondisclosure may be subject to criminal sanctions.

### (d) Notice of Close Meeting

Notice of a closed meeting must be on a properly noticed Council agenda. This notice must provide 24 hour notice before a scheduled meeting. However, emergency meetings, including closed meetings, may be held as permitted by Utah Code §52-4.

### (e) Closed Meeting Material

1. Closed meeting material should be provided by noon on the Thursday immediately before the scheduled closed meeting to allow for proper noticing.
2. Information provided for closed Council meetings by the Mayor's Office should be provided after vetting by the City Attorney.

## Section 3.09 ELECTRONIC COUNCIL MEETINGS

### (a) Conditions; Elements.

Utah law authorizes the City Council to hold meetings electronically. Electronic meetings are a public meeting convened or conducted by telephonic, telecommunications, or computer conference.



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1. To participate, Council Members must be able to communicate with all other members; each Council Member must be able to hear the entire communication.
2. Electronic Public hearings are permitted.
3. Electronic meetings will be properly noticed and comply with the Open and Public Meetings Act (Utah Code § 52-4-1 et seq., or successor provisions)
4. Closed meeting participation will be handled on case-by-case basis.
5. For purposes of maintaining a quorum and the requirement of recording votes, if a council member is participating electronically, the camera should be on. There may be times where bandwidth or other technical issues may prevent a camera being on, in those instances council members should be an active participant in the meeting and notify the council chair and council office director of the technical issue.

### (b) Limitations on Electronic Meetings

The City Council may hold electronic meetings, and members of the City Council or others may electronically participate in meetings. In order to electronically participate in a meeting, a Council Member shall provide notice to the Council Director or his or her designee prior to the meeting. (Res. No. 17-188, 09-27-2017)

## Section 3.10 CITIZEN COMMENTS AT COUNCIL MEETINGS

### (a) Citizen Comments

1. Near the start of each Council meeting, interested persons will be permitted to address the Council concerning any matter including comments concerning an item on the meeting's agenda.
2. If the matter to be discussed is the subject of a public hearing, the commenter may speak when that hearing is conducted.
3. If appropriate, the presiding officer may refer a commenting individual to the City Staff to assist with the issue. (Res. No. 09-83, 05-12-09; Res. No. 10-146, 10-27-10)

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### (b) Procedures for Public Comments

1. Interested persons desiring to address comments to the Council are invited to complete a “request to speak” form, which will be available near the main door to the Council chambers and at the podium.
2. The “request to speak” form allows the presiding officer to announce the name of the citizen and also provides the address, email address, and phone number of the citizen so City staff can follow-up with the citizen. If a person has not completed a card, they may be asked to complete one before they leave. (Res. No. 10-146, 10-27-10)

### (c) Process

1. 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” form, through the raise of hand, or approaching the podium.
2. Each speaker will 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.
3. A comment on any matter outside of the Council’s jurisdiction may be ruled out of order by the presiding officer. (Res. No. 10-146, 10-27-10)

### (d) Time Allotted for Citizen Comments

1. The Council allows up to three (3) minutes for each person who addresses the Council.
2. If a person 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.
3. The presiding officer may allocate more time to a speaker in a content-neutral and uniform manner.
4. 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)

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### (e) Meetings with Large Group Participation

1. If the presiding officer determines that a large number of persons wish to speak on a single 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.
2. The presiding officer may alternate a pro speaker with a con speaker.
3. The presiding officer may also request a spokesperson(s) to represent groups of interested citizens 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)

### (f) 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 Council Office, either before or at the time of the meeting at which the subject matter will be addressed.

1. Citizens may submit written comments or other materials in place of or to supplement their oral comments.
2. If written comments or supplementary materials are submitted during a public hearing, the Council may 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)

## Section 3.11 COMMUNICATION DEVICES

### (a) Duty to Disengage Electronic Equipment

Persons attending Council meetings are to turn off audible features of cellular telephones, audible pagers, or other communication devices while meetings are in session.

### (b) 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 present, under Utah Code §10-3-608..

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### Section 3.12 COUNCIL COMMITTEES

Council Committees are formed under West Jordan Municipal Code §1-6-13. All appointments to committees and procedures are governed by ordinance with these rules as implementing policies to that ordinance.

#### 11. Committee Purpose and Function

1. Council committees are policy review and/or discussion arms of the Council that are created to assist the Council in examining issues that may come before it in greater depth and detail. Committees study issues and develop recommendations for consideration by the Council.
2. Council Committees allow for flexibility in discussions and in-depth review without the necessity of every Council Member being at every decision. This flexibility combined with work sessions, should help better manage meeting time.
3. Council Committees should enhance communication between the City Council and City staff at the early phase of the development of significant items affecting public policy questions.

Council Committees may obtain early feedback from members of the City Council on issues affecting public policy before their presentation, as necessary, to the full City Council.

#### (b) Committee Designation.

Standing committees are designated under § 1-6-13 B.2. as follows:

1. Committee on Utility Rates and Enterprise Funds. Mission: coordinate, investigate, and recommend appropriate rates in the City to the entire Council for further consideration.
2. Committee for Land Use Issues. Mission: to review land use, zoning actions, or land use zoning amendments and gather information and make recommendations to entire Council.
3. Committee for General Plan. Mission: to work with appointed General Plan Committee and assist and advise the committee.
4. Committee on Mayoral Appointments. Mission: work with Mayor and coordinate appointments and help build and coordinate advice and consent process.

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5. Committee on Council Rules. Mission: discuss, receive feedback, review Council rules for further Council action and adoption.
6. Committee on Budget and Audit. Mission: help develop processes, provide feedback on budgets in early discussions with administration, gather feedback on budgets, and participate in city audit as needed.
7. Committee of the Whole. Mission: any tasks that need further work as decided by the majority.

### (c) Committee Meeting Notice

Committee Meetings may be noticed as public meetings or with a Notice of Potential Quorum, if it is anticipated that other interested Council Members may attend.

1. Other Council Members may attend but are not voting members under West Jordan Municipal Code § 1-6-13.
2. Scheduled meetings will be listed on Council agenda.

### (d) Committee-Council Communications.

1. Within 5 business days of any committee meeting, the chair of the committee or his/her designee shall communicate to the entire city council via bcc email:
2. The individuals present at the meeting.
3. The topics discussed in the meeting.
4. Any documents reviewed or discussed, such as renderings, maps, proposed code amendments, etc.
5. Feedback or recommendations made by the committee to the affected parties.
6. Upon receipt of the committee communication, Council Members not in attendance are encouraged to provide additional feedback or ask questions of committee members to familiarize themselves with the topics of discussion.
7. The chair, vice chair, or a person designated by the chair or by the committee shall report findings to the Council, assisted as needed by others. The chair, vice chair, or a person designated by the chair or by the committee is responsible for scheduling,

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- establishing the agenda, ensuring public notices are given (including notice of potential quorum if necessary).
8. The Council will maintain a list of committee assignments and post publicly.
  9. Published Minutes of the Subcommittee meeting sent to the council meet the provisions in this subsection (d).

### Section 3.13 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 Utah Code §10-3-608. These rules do not limit or preclude a person from being arrested, cited, or subject to police action for a violation of law.

#### (a) Public Demonstrations Inappropriate

Applause, booing, or other similar behavior from the public during meetings is discouraged. If persistent, the behavior may constitute disruptive behavior or render an individual a disorderly person, subject to removal and other lawful sanctions.

#### (b) Limit Disruptive Behavior

Persons demonstrating rude, boisterous, or profane behavior will be called to order by the Council Chair. The Council Chair 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 action as permitted by law.

#### (c) Enforcement of Order

The Police Chief or his/her designee is the Sergeant-at-Arms. Any Council Member may request the Council Chair to enforce the rules of protocol and/or move to limit or end disruptive behavior or remove disorderly persons, consistent with law.

### Section 3.14 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

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Council. The Council adopts the simplified parliamentary procedures shown in Table 1.

*i. The Council Office Director is the council parliamentarian*

(b) Presiding Officer

The Council Chair is the Presiding Officer and acts as Chair at Council meetings. In the absence or incapacity of the Council Chair, the Council Vice Chair serves as presiding officer.

(c) Seating

The Council Vice Chair is seated immediately next to the Council Chair. The Council Office Director, with the approval of individual Council Members, shall establish other seating arrangements for regular Council meetings.

(d) Signing Documents

The Council Chair shall sign all ordinances, resolutions, contracts and other documents adopted by the City Council requiring an official signature. If the Council Chair is unavailable, the Vice Chair may sign documents.

### Section 3.15 DISCUSSION RULES

To assist the City Council in conducting meetings in an orderly manner, the rules for the orderly discussion of items are adopted:

(a) Obtaining the floor

A Council Member shall first gain recognition by the Council Chair. Comments and questions should be limited to the issue before the Council. Cross-exchange between Council Members and public should be avoided.

(b) Questions to Staff

A Council Member shall, after recognition, address questions to the designated person.

(c) Interruptions

Once recognized, a Council Member should not be interrupted while speaking, except for a point of order or personal privilege. If a Council Member is called to order while speaking, the individual shall cease

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speaking until the question order is determined. Upon being recognized by the Council Chair, Council Members have the floor until completion of their remarks or until recognition is withdrawn by the Council Chair.

(d) Discussion Limit

A Council Member should not speak more than once on a topic until every other Council Member has the opportunity to speak. However, the Council Chair may 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.

(e) 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.

(f) Right of Protest

A Council Member is never required to state reasons for a dissenting vote.

(g) Obligation to Maintain Order and Decorum

Each Council Member shall work to preserve order and decorum during all meetings. Council members should not engage in side conversations, disruptions, interruptions, or delaying efforts. Council Members shall inform the Council Chair when departing from a meeting.

(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. 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.



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TABLE 1 Motions and Precedence

<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 (sine die)	Y	n/a	n/a	Y	n/a	n/a
Amend or Substitute Motion <sup>1</sup>	Y	Y	Y	Y	Y	n/a
Appeal Ruling of the Chair	Y	Y	n/a	n/a	Y	Y
Limit Debate (time, order, manner)	Y	n/a	Y	Y Except “table”	Y	n/a
Main Motion	Y	Y	Y	n/a	Y	n/a
Nominations	n/a	Y	n/a	n/a	n/a	n/a
Personal Privilege or Point of Order	n/a	n/a	n/a	Y	Y	Y
Postpone to Time Certain	Y	Y	Y	Y	Y	n/a
Previous Question	Y	n/a	n/a	Y	Y	n/a
Recess or Adjourn to Time Certain	Y	Y	Y	n/a	n/a	n/a
Reconsider	Y <sup>2</sup>	Y <sup>3</sup>	n/a	n/a	n/a	Y <sup>4</sup>
Table or Take From Table	Y	n/a	n/a	Y <sup>5</sup>	n/a	n/a
Take Agenda Item Out of Order	Y	n/a	n/a	n/a	n/a	n/a
Withdraw a Motion <sup>6</sup>	n/a	n/a	n/a	Y	Y	Y
Call for Question <sup>7</sup>	Y	N	N	Y	N	Y

<sup>1</sup> Limit of three substitute motions.

<sup>2</sup> 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.

<sup>3</sup> If prior motion was debatable.

<sup>4</sup> Except for request for later action.

<sup>5</sup> Highest subsidiary motion -- takes precedence over all motions except adjourn and privilege.

<sup>6</sup> Must be voted unless there is no objection.

<sup>7</sup> Must pass by 2/3 vote

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### Section 3.16 VOTING PROCEDURES

#### (a) Obligation to Vote

When present, each Council Member is to vote.

#### (b) How Vote Taken

1. Each ordinance, resolution, and any action which would create a liability against the City, or the request of any Council Member, shall be acted upon by a roll call vote of each Council Member, by a “yes” or “no” vote.
2. 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: not less than the minimum votes required by Utah Code §10-3-507 as amended or its successor provision; or a super majority vote, if mandated by State law.

#### (c) Abstentions

If a seated Council Member abstains or 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 consensus, in his/her discretion, provided there is no negative vote or objection by a Council Member. The presiding officer may call for a collective vote of the Council, as a yea or nay vote.

#### (f) Recording

All actions and votes of the Council shall be recorded by the Council Staff.

#### (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

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he/she would have voted and briefly explain that intended vote, had that Council Member been in attendance.

### (h) Reconsideration

1. Reconsideration is done by majority vote.
2. A motion for reconsideration must be made: by a member of the prevailing majority, when the previous vote was taken; and 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.
3. 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.

## Section 3.17 TYPES OF MEETINGS

### (a) Business Meetings

Typical actions on Council Meeting agenda items include the following:

1. Approve an action.
2. Reject an action either by an explicit motion to reject or as the result of a failed motion to approve.
3. Continue an item to a future specified date.
4. Move an item to an unspecified date. (This may affect the validity of the current legal notice. The Council may want to check with staff or plan for the City to pay for additional legal noticing of land use or appropriation items if no specific date is included in the motion to forward an item.)
5. Refer an item back to a Work Meeting or Council Committee, convene an Ad Hoc Committee, or refer to Council or Administrative Staff for more study or information. It is

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customary to designate a “report back to Council” date and a lead person.

### (b) Work Sessions

1. Work Meetings are a less formal venue for discussion among Council Members, staff, and others invited by the Council.
2. Generally, public input is by invitation during the meeting and at the discretion of the Council.
3. Work sessions will be held at dates and times set by the City Council
4. Work Meetings are legally noticed and must list all topics proposed for discussion and action.
5. In a Work Meeting, the Council may:
  - Move an item forward to a future Council Meeting for final action or when more information will be available.
  - Keep an item on the agenda for a future Work Session.
  - Refer an item (if appropriate) to the Planning Commission for further review.
  - Refer an item to a Council Committee for study, usually with a specific report date.
  - Table indefinitely.

## **Article IV. INTERACTION WITH CITY STAFF**

### (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 so 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, roles should be clearly recognized.

### (b) Restrictions on Political Involvement

1. No City property or funds will be used for political campaigns or elections.

## Council Policies and Procedures

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2. The Council respects that West Jordan City discourages any employee involvement in a local campaign, even while on personal time, because involvement erodes the tenet that staff provide an equal level of service to all members of the City Council and the public.
3. Council Members will not make requests of department heads to participate in election campaigns since West Jordan City prohibits their political involvement in local campaigns.

# Council Policies and Procedures

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