

RESOLUTION _____-2012

A RESOLUTION OF THE CITY COUNCIL OF NORTH OGDEN CITY MAKING AMMENDMENTS TO THE NORTH OGDEN CITY, CITY COUNCIL RULES OF PROCEDURE AND REPEALING RESOLUTION 4-2012.

WHEREAS: the City Council of North Ogden City finds that it is authorized by state law to adopt rules of procedure to govern the conduct of its official meetings; and

WHEREAS: the City Council finds that it is prudent to adopt rules of procedure; and

WHEREAS: the Council has reviewed and approves the amended “North Ogden City, City Council Rules of Procedure” which are incorporated into this resolution;

NOW THEREFORE BE IT RESOLVED by the City Council of North Ogden City as follows:

1. The attached “North Ogden City, City Council Rules of Procedure” are hereby adopted.

NORTH OGDEN CITY CITY COUNCIL RULES OF PROCEDURE

PURSUANT to Utah Code Ann. § 10-3-606, the City Council of North Ogden City adopts the following rules of procedure:

Rule I: Mayor as Chair of the City Council.

1. The Mayor is the chair of the Council and presides at all Council meetings.
 - a. Except as provided in (1) (b) the Mayor is a nonvoting member of the Council;
 - b. The Mayor is a voting member of the Council:
 - i. on each matter for which there is a tie vote of the other Council Members present at a Council Meeting; or, when the Council is voting on:
 1. whether to appoint or dismiss the City Manager; or
 2. an ordinance that enlarges or restricts the Mayor's powers, duties, or functions.
2. If the Mayor is absent, unable or refuses to act, the Council may elect a member of the Council as “Mayor Pro Tempore,” to:
 - a. preside at a Council Meeting; and

- b. perform, during the Mayor's absence, disability, or refusal to act, the duties and functions of the Mayor.
 - c. The City Recorder shall enter in the minutes of the Council Meeting the election of a Council Member as Mayor Pro Tempore.
3. The Mayor shall sign:
 - a. all ordinances and resolutions passed by the Council;
 - b. all official minutes of City Council meetings after such minutes have been approved; and
 - c. all correspondence determined by the Council to be representative of the group as a whole.
 4. The Mayor shall receive all messages and communications from the City Manager and others addressed to the Council as a body and shall be responsible to convey all such messages and communications to the other members of the Council. Utah Code Ann. § 10-3b-302.

Rule II: Open and Public Meetings.

1. Every meeting of the City Council shall comply with the "Open and Public Meetings Act" Utah Code Ann. § 52-4-101, et. Seq.
2. The Council shall give at least twenty-four (24) hours advance notice of its meetings unless an exception for shorter notice is provided under state law.
3. The notice shall include:
 - a. The meeting agenda;
 - b. The date of the meeting;
 - c. The time of the meeting; and
 - d. The location of the meeting.
4. At least once per year, the City Council shall give public notice of its annual meeting schedule.
5. Notices of meetings shall be published in compliance with Utah Code Ann. § 52-4-202.

Rule III: Types of City Council Meetings.

The following are the types of Council Meetings that may be called or scheduled:

Regular Council Meetings
Work meetings
Special meetings
Emergency Meetings
Closed Meetings (Executive Session)
Public Hearings

1. “Regular Council Meetings” will be held at City Hall, at 6:30 p.m., two times

per month, usually the second and fourth Tuesdays, unless otherwise calendared.

2. **“Work Meetings”** may be scheduled by the Mayor, as needed, once or more times per month.
 - a. Work Meetings can serve the purpose of further discussion or study of items already before the Council for action.
 - b. After discussion at a Work Meeting, items will be referred:
 - i. to a future Work Meeting if the matter needs further work by the Council; or
 - ii. to a future Regular Council Meeting to be considered as Council business or, if the matter is ready for final action, to the consent agenda.
 - c. Generally, no action will be taken on items discussed at a Work Meeting; however, the Council may make an exception and suspend its rules to vote on matters under discussion if two-thirds of the Council Members in attendance vote to suspend the rules.
 - d. During a Work Meeting the Council Members and the Mayor may sit around a conference table, rather than at the dais, to provide a more informal atmosphere and to allow a freer exchange of ideas.
3. **“Special Council Meetings”** may be ordered by the Mayor or by any two (2) members of the Council if the business of the City requires it. The order will be entered in the minutes of the City Council and shall provide at least three (3) hours' notice in advance of the meeting. The notice shall be served by the City Recorder on each Council Member who did not sign the order by delivering the notice personally or by leaving it at the Council Member's usual place of abode. Utah Code Ann. § 10-3-502.
4. **“Emergency Meetings”** may be called by the Mayor or by one (1) member of the Council for matters of an emergency or urgent matter. An attempt will be made to notify all Council Members. The best practicable notice of the Emergency Meeting shall be given. A majority of the Council must vote to hold the Emergency Meeting. Utah Code Ann. § 10-3-502.
5. **“Closed Meetings”** may be held to consider certain sensitive matters as allowed by state law.
 - a. Closed meetings are allowed for these purposes:
 - i. discussion of the character, professional competence, or physical or mental health of an individual;
 - ii. strategy sessions to discuss collective bargaining;
 - iii. strategy sessions to discuss pending or reasonably imminent litigation;
 - iv. strategy sessions to discuss the *purchase*, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 1. disclose the appraisal or estimated value of the property under consideration; or
 2. prevent the City from completing the transaction on the best possible terms.

- v. strategy sessions to discuss the *sale* of real property, including any form of a water right or water shares, if:
 - 1. public discussion of the transaction would:
 - a. disclose the appraisal or estimated value of the property under consideration; or
 - b. prevent the City from completing the transaction on the best possible terms; and
 - 2. the City Council previously gave public notice that the property would be offered for sale; and
 - 3. the terms of the sale are publicly disclosed before the City Council approves the sale;
 - vi. discussion regarding deployment of security personnel, devices, or systems; and
 - vii. investigative proceedings regarding allegations of criminal misconduct.
- b. “Closed Meetings” may be held if:
 - i. a quorum is present;
 - ii. the meeting is an open meeting for which proper notice has been given; and
 - iii. two-thirds of the members of the City Council present at the open meeting vote to approve closing the meeting.
 - c. Each matter discussed in the closed meeting must be permitted by state law.
 - d. No ordinance, resolution, rule, regulation, contract, or appointment may be approved at a closed meeting.
 - e. The following information shall be publicly announced and entered on the minutes of the open meeting at which the closed meeting was approved:
 - i. the reason or reasons for holding the closed meeting;
 - ii. the location where the closed meeting will be held; and
 - iii. the vote by name, of each member of the City Council, either for or against the motion to hold the closed meeting. Utah Code Ann. § 52-4-205.
6. “**Public Hearings**” are generally part of a scheduled and noticed Regular Council Meeting and shall consist of those items for which the Council would like to receive public input. Public Hearings will be held after providing proper notice as required by state law or City ordinance for the particular subject matter to be addressed. Such hearings shall include, but not be limited to, those matters for which a Public Hearing is required by state law or City ordinance. Matters for which state law or City ordinance requires a public hearing will be automatically scheduled by City administration. By majority vote, the Council can direct City administration to schedule a public hearing on any other topic.
- a. When a Public Hearing is held, a member of the City staff having knowledge about the issue will first present information on the issue and answer questions.
 - b. The Mayor will then strike the gavel and declare the Public Hearing open.
 - c. At that point, all parties interested in addressing the issue are invited to

- speak before any discussion is held by the Council and before motions are made.
- d. Each individual who speaks will state his or her name and address before proceeding.
 - e. After all individuals who desire to speak have spoken, the Mayor will again strike the gavel and declare the Public Meeting closed.
 - f. In the alternative, the Council may vote to continue a Public Hearing to a future specified date, time and location if there is insufficient time to take all public comment at that particular Council Meeting.
 - g. After the Public Hearing is closed, the City Council then proceeds with its discussion on the matter. When discussion by the Council is finished, a motion is made and seconded concerning the item. The Council will vote to:
 - i. postpone action on the item until the next Regular Council Meeting;
 - ii. take it to a Work Meeting for further discussion; or
 - iii. immediately take final action on the matter.

Rule IV. Quorum Requirements, Voting and Electronic Meetings.

- 1. A quorum of the City Council must be in attendance in order to hold any meeting of the City Council and to transact the business of the City.
- 2. A quorum consists of three members of the City Council, excluding the Mayor. Utah Code Ann. § 10-3-504.
- 3. No ordinance or resolution may be adopted by an affirmative vote of less than three members of the City Council.
- 4. If an insufficient number of Council Members are present to adopt a measure, the vote may be postponed to a future meeting. Utah Code Ann. § 10-3-507.
- 5. Voting shall take place by "roll call vote" for any ordinance, resolution or other item that will create a liability of the City or by request of any member of the City Council on any other matter. Utah Code Ann. § 10-3-506.
- 6. Any Council Member can change his or her vote before the results of the vote are announced.
- 7. At the conclusion of the vote on a matter, a Council Member may state a point of personal privilege and give an explanation of his or her vote.
- 8. Any Council Member can abstain from a vote. An abstention is not counted as a "yes" vote or a "no" vote.
- 9. When a Council Member abstains from voting, as a common courtesy, he or she should state a point of personal privilege and give an explanation of such abstention.
- 10. Every Council Member who is in the Council Chambers when a question is stated from the Mayor shall vote; but no Council Member shall be obliged to vote upon any question unless he or she is within the Council Chambers when his or her name is called.
- 11. Any Council Member entering the Chambers after the question is stated, but before it is decided, may have the question stated, cast his or her vote and be

counted.

12. Council Members attending a meeting by way of Electronic communication shall be considered “within the Council Chambers” for purposes of voting.
13. The City Council may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance. Utah Code Ann. § 10-3-505.
14. Council members located in a remote location are permitted to participate in a council meeting by way of electronic communication, up to a maximum of six times per calendar year per council member. The council may permit one or two Council Members located in a remote location to participate in a Council meeting by way of electronic communication.
15. Prior to permitting a Council Member located in a remote location to participate electronically in a Council meeting, the following conditions shall be met:
 - a. A Council Member who desires to participate in a Council meeting from a remote location shall make a request to the Mayor or Mayor pro temp prior to the Council meeting;
 - b. The City Recorder will affirm that proper notice of the intent to hold an “electronic meeting” was given as provided in paragraph 16 of this rule;
 - c. The City Recorder will verify that an electronic connection is available sufficient to allow the remotely situated Council Member to hear the discussion occurring in the anchor Council meeting location and to be heard in the anchor location;
 - d. A quorum of the Council must be in attendance at the anchor location, which shall be the Council Chambers at City Hall; and
16. Notice of the intent to permit a remotely situated Council Member to participate in a Council meeting electronically will be made in accordance with the Open and Public Meetings Act (“the Act”). The notice will describe how the remotely situated Council Member will be connected to the Council meeting. In addition to meeting all other requirements of the Act, the notice shall be posted at the anchor location and distributed to City Council at least 24 hours in advance of the meeting.
17. Due to the inherent difficulty of controlling confidentiality when a meeting is carried electronically to a remote location, participation by a Council Member electronically at a closed meeting is prohibited.
18. A city-provided email account will be utilized for official communications between Council Members and city administration. Council Members should save discussion on matters that will appear on the Council agenda for open public meetings. Use of City-provided email can assist City administration to comply with state law requirements for records retention.
19. Council Members should take care to uphold the dignity of the office when corresponding regarding City matters, keeping in mind that such communication will often be considered public record.

Rule V: Minutes of Council Meetings.

1. Except as provided under Subsection (7), the City Recorder shall create written minutes and a recording shall be kept of all open meetings of the City Council.
2. Written minutes of meetings of the City Council shall include:
 - a. the date, time, and place of the meeting;
 - b. the names of members present and absent;
 - c. the substance of all matters proposed, discussed, or decided by the City Council which may include a summary of comments made by members of the City Council;
 - d. a record, by individual member, of each vote taken by the City Council;
 - e. the name of each person who:
 - i. is not a member of the City Council; and
 - ii. after being recognized by the Mayor, provided testimony or comments to the City Council;
 - f. the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(e); and
 - g. any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
3. A recording of meetings of the City Council shall:
 - a. be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting; and
 - b. be properly labeled or identified with the date, time, and place of the meeting.
4. The written minutes and recording of an open City Council meeting are public records as follows:
 - a. Written minutes that have been prepared in a form awaiting only formal approval by the City Council are a public record.
 - b. Written minutes shall be available to the public within a reasonable time after the end of the meeting.
 - c. Written minutes that are made available to the public before approval by the City Council under Subsection (4)(d) shall be clearly identified as "awaiting formal approval" or "unapproved" or with some other appropriate notice that the written minutes are subject to change until formally approved.
 - d. The procedures for the City Council's approval of the written minutes of each meeting are contained in Rule 7(2)(b).
 - e. Written minutes are the official record of action taken at the meeting.
 - f. A recording of an open meeting shall be available to the public for listening within three business days after the end of the meeting.
5. All or any part of an open meeting may be independently recorded by any person in attendance if the recording does not interfere with the conduct of the meeting.
6. The written minutes or recording of an open meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.

7. Notwithstanding Subsection (1), a recording is not required to be kept of an open meeting that is a site visit or a traveling tour, if no vote or action is taken by the City Council during that visit or tour. Utah Code Ann. § 52-4-203.
8. If the City Council conducts a Closed Meeting, it shall
 - a. make a recording of the closed portion of the meeting; and
 - b. may keep detailed written minutes that disclose the content of the closed portion of the meeting.
9. A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.
10. The recording and any minutes of a closed meeting shall include:
 - a. the date, time, and place of the meeting;
 - b. the names of members present and absent; and
 - c. the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.
11. Minutes or recordings of a closed meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
12. Both a recording and written minutes of closed meetings are protected records under the Government Records Access and Management Act.
13. If the City Council closes a meeting exclusively for the purpose of discussing the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems:
 - a. the Mayor shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss the purposes described above and the requirements for keeping minutes and a recording shall not apply. Utah Code Ann. § 52-4-206.

Rule VI: Order of Business and Organization of Council Agenda.

1. The City Council will consider business in the following order:
 - a. Opening Ceremonies:
 - i. Welcome;
 - ii. Moment of Reflection
 - iii. Pledge of Allegiance
 - b. Consent Agenda;
 - c. Public Comments;
 - d. Active Agenda;
 - e. Public Comments;
 - f. Council Comments;
 - g. Adjournment.
2. The Mayor, by polling the Council Members, may, by affirmative consensus, proceed out of order to any order of business or return to an order already past. If two or more Council Members oppose, the original agenda will be followed.

3. Matters appearing on the Agenda may be discussed by the Council prior to any motion being made.

Rule VII: Conducting of Meetings and Agenda Definitions.

1. Opening Ceremonies:
 - a. Welcome. The Mayor will strike the gavel, call the meeting to order, welcome those in attendance and acknowledge visitors;
 - b. Moment of Reflection. The Mayor and Council Members alternate presenting a moment of reflection, appropriate for the occasion which is intended to set the tone for the meeting; the moment of reflection may consist of a prayer, quote, thought, etc. of the elected official's choosing;
 - c. Pledge of Allegiance. The assigned City official shall lead the audience in reciting the Pledge of Allegiance.
2. Consent Agenda.
 - a. As a courtesy, the Mayor should ask if there are any questions concerning the "Consent" items. The Mayor should identify and briefly explain the items on the Consent Agenda to all those present at the meeting.
 - b. The Consent Agenda, generally, shall consist of matters which require no further discussion or which are routine in nature such as approval of minutes.
 - c. Usually, all items on the Consent Agenda shall be adopted by a single motion, second and vote; however, prior to the motion to adopt the Consent Agenda, a Council Member may request to have an item removed from the Consent Agenda and moved to the Active Agenda for further discussion without a motion.
 - d. Items moved to the Active Agenda will be addressed in that section of the agenda ahead of other agenda items listed for discussion.
 - e. A motion, second and vote will be called for the adoption of items remaining on the Consent Agenda.
3. Public Comments/Questions.
 - a. Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business.
 - b. When a member of the audience addresses the Mayor and/or Council, he or she will come to the podium and state his or her name and address.
 - c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
 - d. The Mayor shall have discretion as to who will respond to a comment/question.
 - e. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks.
 - f. Some comments/questions may have to wait for a response until the next Regular Council Meeting.
 - g. The Mayor will inform a citizen when he or she has used the allotted time.

4. Active Agenda.
 - a. This is the portion of the agenda where the official business of the City will be taken up in the order that items are listed on the agenda.
 - b. The Mayor will ask for a motion on any items listed under this section of the Agenda, after discussion has concluded.
5. Public Comments/Questions.
 - a. After the conclusion of the Active Agenda, the Public will be given a second opportunity to comment or ask questions. The procedure for the second Public Comment period will be the same as discussed in paragraph 3 above.
6. Council Comments.
 - a. The Mayor will offer each member of the Council an opportunity to make concluding comments then the Mayor will make any comments he or she feels are appropriate.
 - b. The Mayor may also invite City Staff to comment at this time.
7. Adjournment.
 - a. The Mayor will ask for a motion to adjourn and after a motion and second will put the motion to a voice vote;
 - b. After affirmative consensus vote on the motion, the Mayor will strike the gavel and declare the meeting adjourned.

Rule VIII: Motions.

1. Matters appearing on the Agenda can be discussed by the Council prior to a motion being made.
2. After a matter has been discussed by the Council, the Mayor will ask for a motion on the matter, and a second to the motion.
3. The Mayor will:
 - a. announce the author of the motion;
 - b. restate the motion;
 - c. announce who seconded the motion;
 - d. ask if there is a question on the motion; and
 - e. call for a vote on the motion.
4. If further Council discussion is needed on a motion, the author of such motion is allowed to speak first and all other Council Members are allowed to address the issue after that.
5. The author of the motion is also allowed to make a summation.
6. The author of a motion may amend or withdraw that motion before it has been voted on.
7. Technically, after a motion has been stated by the Mayor, that motion belongs to the Council and it requires a majority vote to withdraw it; in practice, however, the Council allows the author of a motion to withdraw it unless another Council Member objects.
8. A motion dies which fails to receive a "second".
9. A Council Member may make a motion to reconsider an item already voted on at

a prior meeting.

10. A motion to reconsider must be made by a member present and voting on the prevailing side of the original motion and shall require the affirmative vote of a majority of the Council Members present and voting.
11. Any action taken by the Council shall not be reconsidered or rescinded at a Special Meeting unless the number of members of the Council present at the Special Meeting is equal to or greater than the number of members present at the meeting when the action was approved or disapproved. Utah Code Ann. § 10-3-508.
12. An item to be reconsidered shall appear on the Active Agenda and shall be identified as "Reconsideration of (the title of the matter previously voted upon)."
13. Discussion of the substance of matter to be reconsidered shall occur only after a motion to reconsider has been successfully approved by a majority of the Council present and voting.
14. Other than the main motion, the most common motion used by the Council is a motion to amend. The intent of an amendment is to modify the original motion by inserting, adding to, striking out, and striking out and inserting language in the original motion. A motion to amend a main motion should relate to the same subject as the main motion. This ensures that the Council will vote on one matter at a time.
15. A motion to amend should not have as its intent a reversal of the main motion. For example, if the main motion is to adopt an ordinance, it is not a proper motion to submit an amendment to "not" adopt the ordinance.
16. Substitute motions are a type of amendment motion. The difference is the striking out of an entire paragraph or more from the motion, (or ordinance), and substituting different language.
17. Amendments to the main motion are discussed and voted on before the main motion. Only the amendment is discussed - not the main motion. If the amendment fails, then discussion and voting on the main motion, as originally stated, follows. If the amended motion passes, the amended motion becomes the main motion.
18. The Mayor will proceed with an amendment motion in the same manner as a main motion.
19. In conducting a Council discussion on an amendment motion, the author of such motion is allowed to speak first. All other Council Members are allowed to address the issue after that. The author of the amendment motion is also allowed to make a summation.
20. Any Council Member may move to amend any proposed ordinance or proposed resolution; provided, however, that no amendment shall change the original purpose.
21. Any amendments to a proposed ordinance or proposed resolution recommended by a committee of the Council shall be made to the appropriate document prior to its appearing on the Consent Agenda. Such amendment will be noted in the Council minutes.
22. The Council may move to table a motion. The purpose of tabling a motion is not

to kill the motion, but to delay action until a future meeting of the Council. When a matter is tabled, it takes all subsidiary motions with it (e.g., amendments) to the table. A matter should be tabled no longer than necessary; preferably it will be scheduled for discussion at the next available Regular Council Meeting or Work Meeting so that action can be taken as soon as possible.

23. The following procedural motions shall require the affirmative vote of a majority of the Council Members present:

- a. To adjourn;
- b. To recess;
- c. To take up a question out of its proper order;
- d. To move the previous question;
- e. To postpone to a day certain;
- f. To refer to a committee;
- g. To limit discussion;
- h. To lay on the table (temporary only); or
- i. To amend

Such motions shall take precedence in the order moved.

Rule IX: Discussion.

1. The Mayor shall recognize any Council Member requesting recognition to speak, discuss, give a notice, make a motion, submit a report or for any reason address the Council, unless a motion taking precedence is offered.
2. All Council Members shall be allowed to speak at least once on any subject.
3. During discussion, the Mayor shall be responsible for maintaining order.
4. If, in the opinion of the Mayor, private discourse among or between Council Members or any other disturbance disrupts the Council's business, the Mayor may call the Council to order.
5. If the Mayor calls the Council to order, all Council business shall cease until such time as the Mayor resumes the Council's business.
6. Any Council Member may make a motion that the Council be called to order.
7. The following questions will be decided without discussion:
 - a. To adjourn;
 - b. To recess; and
 - c. Questions relating to order of business.

Rule X: Conflict of Interest.

Council Members are required by law to file a public disclosure statement with the City Recorder listing business interests and investments that could create a conflict of interest with the duties of the Council Member. When a matter in which a Council Member has a business or investment interest appears on the Council agenda, the Council Member must publicly disclose that interest. Although state law does not require

a Council Member to abstain from voting or avoid participating in a discussion regarding an item where there is a conflict of interest, it is advisable to do so. Utah Code Ann. § 10-3-1301 to 1312.

Rule XI: Decorum.

1. Conduct of Members of the Council.
 - a. Members of the Council shall not engage in personal attacks and shall restrict comments to issues before the body. Violations of decorum or conduct of Council Members shall be addressed by the Mayor who may declare a Council Member out of order.
 - b. Council Members should avoid engaging in private discourse or committing any other act, which may tend to distract the attention of the Council or the audience from business before the Council, or which might interfere with any person's right to be heard after recognition by the Mayor.
2. Conduct of Citizens and Attendees at Council Meeting.
 - a. Those in attendance should be admonished by the Mayor when they engage in outbursts without being recognized make personal attacks, or seek to disrupt the meeting through loud or boisterous behavior.
 - b. Individuals should be requested to address their remarks directly to the Council as a body concerning the agenda business. Persons engaged in disruptive behavior shall be removed by the Sergeant-at-Arms at the direction of the Mayor.

Rule XII: Sergeant-At-Arms.

1. Upon request of the Mayor, a Sergeant-at-Arms will be assigned to a meeting.
2. The duty of the Sergeant-at-Arms shall be to assist the Mayor in preserving order and decorum in City Council meeting.
3. In the case of any disturbance or disorderly conduct within the Chambers at a Council meeting, the Mayor may request the Sergeant-at-Arms to escort the offender(s) from the Council meeting.

Rule XIII: Personal Privilege – Protest.

1. Any Council Member shall have the right to protest any action of the Council, stating the reasons, and having the same entered in the minutes, provided such reasons do not impugn the motives or character of any person.

Rule XIV: Committees: Special, Ad Hoc, Joint Committee at Request of the Mayor, Oversight.

1. At the request of the City Council the Mayor may, from time to time, create, revise, or abolish committees, or make any changes to a committee structure, subject to a two-thirds vote of the Council, a quorum being present.
2. When such committee is created, its purpose and a relevant time frame will be established.
3. After the final report of the committee to the City Council, the committee will be dissolved.
4. The City Council, by a two-thirds vote, a quorum being present, may or may not elect to formally participate, either by its own membership or its designees, in a committee being established by the Mayor.
5. The Council as a whole may resolve to sit as an oversight committee for the purpose of investigating items relating to the conduct of City business. However, no powers are accorded the committee other than those provided by state law.
6. All meetings of Council committees shall provide notice in conformance with the Utah Open and Public Meetings Act.
7. No final action will be taken by the City Council in response to a committee report until the next Regular Council Meeting after the report is presented. Utah Code Ann. § 10-3-609.

Rule XV: Media Relations Policy

1. Goal

North Ogden City seeks to establish “transparency in government” by working cooperatively with the media to disseminate information of public interest and concern in an accurate, complete and timely manner.

2. Policy

1. To achieve the City’s goal, the City Manager is designated as the City Public Information Officer or “CITY PIO” for North Ogden City and shall be responsible for the implementation of this policy. When the CITY PIO is unavailable, he or she shall designate one of the authorized City spokespersons as the “Acting CITY PIO.”
2. The press should be treated like a customer of the City and all City employees or officials who engage with the press shall do so in a courteous, polite and professional manner. Any media inquiries received by City staff will be referred immediately to their Department Head who, in turn, will immediately forward the contact to the CITY PIO for response.
3. Inquiries from the news media are given a high priority by North Ogden City and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate and complete.
4. When contacted by the CITY PIO for information to respond to a media inquiry, all department heads shall immediately provide the CITY PIO the most accurate and complete information available for

- the response.
5. If the CITY PIO determines that the City's goal can best be achieved by having someone with more background or expertise speak for the City on a particular topic, he or she may designate one of the authorized spokespersons to assist with or give the City's response.
 6. To assure that the City's elected officials have accurate, complete and timely information to fulfill their responsibilities to represent the public in City affairs, they shall be immediately informed by telephone or email of the substance of every media inquiry and of the City's official response. They shall be notified of all official City press releases and other proactive media contacts prior to release of information to the media.
 7. The CITY PIO shall keep a log of all media contacts indicating the date and time of the contact, the substance of the inquiry, the substance of the City's response, the identity of the person making the response for the City and the date and time of the response.
 8. ~~Verbal requests from the media to any City elected official or employee that are not public safety, crisis or emergency inquiries shall be sent in writing to the CITY PIO and elected officials. Responses to the media shall be sent in writing and copied to the CITY PIO and elected officials. Copies may also be sent to other City spokespersons as needed. Verbal/telephone requests from the media seeking an official policy or statement from the City, which are not public safety, crisis, or emergency inquiries shall be sent in writing to the CITY PIO and elected officials. Official policy responses to the media shall be sent in writing and copied to elected officials.~~
 9. ~~Verbal/telephone requests from the media to any elected official seeking personal points of views are encouraged to be shared with the CITY POI as well as all elected officials. The City encourages the media to not construe such personal responses as official policy of the City. Please see section VI. of this policy for additional information on Personal Points of View.~~
3. **City Spokespersons**
Authorized City spokespersons that the CITY PIO, in his or her judgment, may designate for a particular response are:
- The Mayor and City Council members
 - The Deputy City Manager
 - The City Attorney
 - All Department Heads
 - The Police Chief
4. **Records Requests**
1. Media requests for records will be handled in accordance with this policy, to the extent it is consistent with the Government Records

Access and Management Act or “GRAMA” as contained in Utah Code Ann. § 63G-2-101 et. Seq.

2. The CITY PIO will be notified of all media records requests.
 3. He or she will then forward the request to the City Recorder who is the official custodian of all City records.
 4. The Recorder will be responsible to see that media records requests are handled in an accurate, complete and timely manner.
 5. The Recorder will immediately notify all elected officials by telephone or email of each media records request received by the City.
 6. The Police Department shall continue to respond to media requests for records concerning investigations according to police department policy.
 7. Media records requests shall be made in writing on a form prepared by the City for that purpose; the form shall include:
 - a. An accurate and complete description of the record(s) requested;
 - b. The name of the person and organization making the request;
 - c. The date and time of the request;
 - d. The telephone number and mailing address of the requestor;
 - e. The name of the City employee assigned by the Recorder to respond to the request; and,
 - f. The date and time of the response.
 8. A copy of all records disclosed to the media in response to the request shall be attached to the completed form and archived by the Recorder in chronological order.
 9. The records produced in response to media requests shall be readily available for viewing at City Hall upon request by any elected official.
5. Privileged and Private Information
1. The vast majority of the records and affairs of North Ogden City are public information which citizens, including the press, have the right to know. All public information should be provided to the press upon request without unnecessary delay.
 2. Some matters, however, like ongoing investigations, information regarding litigation or the threat of litigation, personnel issues, real estate transactions, medical and mental health matters, private data regarding citizens, documents in draft form, to name a few, are governed by privileges and laws intended to advance important public policy goals.
 3. When a media request for an interview or for records appears to involve a subject matter that may be privileged or private, the CITY PIO, Police PIO or Recorder should consult with the City Attorney. The City Attorney will review the request without delay and

promptly provide counsel to the CITY PIO or Recorder.

6. Personal Points of View

1. It is recognized that all employees have the right to express their personal points of view regarding matters of general public concern.
2. However, personal points of view may conflict with the City's official policy.
3. Therefore, City employees who write letters to the editor may not use official City stationary. If an employee chooses to identify himself or herself as a City employee in a letter or email to the editor, he or she must state that the views set forth in the letter do not represent the views of the City but are the employee's personal opinions.
4. A similar disclaimer must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for radio or television, unless the employee has been designated by the CITY PIO as a spokesperson for the City.

7. City-initiated Information

1. Proactive media contact on behalf of the City is processed through the CITY PIO -- this includes press releases, media advisories and personal contacts with reporters and editors for coverage.
2. Departments seeking publicity for events or activities, or needing to collaborate with the media to communicate important information to the public, will coordinate with the CITY PIO.
3. Departments (except law enforcement on matters pertaining to investigations) may not unilaterally initiate media contacts.
4. When the CITY PIO approves a proactive media contact, he or she shall notify elected officials of the substance of the contact by telephone or email prior to the information being released.

8. Public Safety Issues

1. Because the Police Department operates 24/7 and its work generates a high volume of media calls, it shall designate an officer or officers as Police Public Information Officers or "Police PIO's" and follow specific guidelines when releasing information.
2. When the CITY PIO is notified by a City staff member of a media call regarding a police investigation or general criminal activity, the CITY PIO will immediately forward the contact to the Police PIO for the appropriate response.
3. All information released to the media by the Police PIO should be provided immediately to the CITY PIO who will forward the information without delay by telephone or email to elected officials.
4. Media inquiries concerning matters of police personnel, general police policies and procedures or in any way reflecting upon the competency or integrity of police personnel or police administration will be routed to and handled directly by the CITY PIO as provided in this policy.

9. **Crisis or Emergency Issues**

During a crisis or major emergency (i.e. flooding, earthquake, etc.), the procedure for communicating with the media is highlighted in the City's Emergency Plan. The plan designates the CITY PIO as the main point of contact for the media. The CITY PIO is assisted by alternates, including the Police PIO, who prepare and disseminate emergency public information.

Rule XVI: Suspension of the Rules.

No rule shall be suspended except by a motion, second and vote of two-thirds of the Council Members voting, a quorum being present.

Rule XVII: Amendment, Revision or Addition to Rules.

1. Any Council Member may propose amendments, revisions, or additions to these Rules of Procedure.
2. Each amendment, revision, or addition proposed by a Council Member shall be in written form, and copies shall be provided to each Council Member.
3. Consideration of any amendments, revisions, or additions to these Rules of Procedure shall be noticed on a Council agenda.
4. A two-thirds vote of all Council Members shall be required for passage and adoption of an amendment, revision, or addition to these Rules of Procedure.
5. Each Council Member shall have a copy of the latest edition of the Rules of Procedure.
6. A copy of the Rules of Procedure will be made available to the City Manager, all department heads of the City, any member of the City staff, any citizen or other person who requests the same.

Rule XVIII: Time Frame for Delivery of Information Packets to Council Members.

For each Regular Council Meeting, Work Meeting, Public Hearing or other meeting of the Council, Council Members will receive a packet containing the agenda of the meeting and complete information pertaining to items on the agenda should be delivered by Thursday preceding the meeting. To allow Council Members adequate time to study the items for consideration at the upcoming meeting, all information for agendas and packets will be delivered to the City Recorder by the Monday preceding the meeting or such matters will not be included on that agenda. An agenda may be amended by the Mayor but no later than 24 hours prior to the meeting.

Rule XIV: Readopting of City Council Rules of Procedures.

Every (2) two years these rules shall be readopted by the City Council.

PASSED and ADOPTED this _____ day of _____, 2012.

NORTH OGDEN CITY:

Richard G. Harris, Mayor

CITY COUNCIL VOTE AS RECORDED:

Aye	Nay
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Council Member Bailey:

Council Member Bigler:

Council Member Hulme:

Council Member Fawson:

Council Member Stoker:

(In event of a tie vote of the Council):

Mayor Harris:

ATTEST:

S. Annette Spendlove, MMC
City Recorder