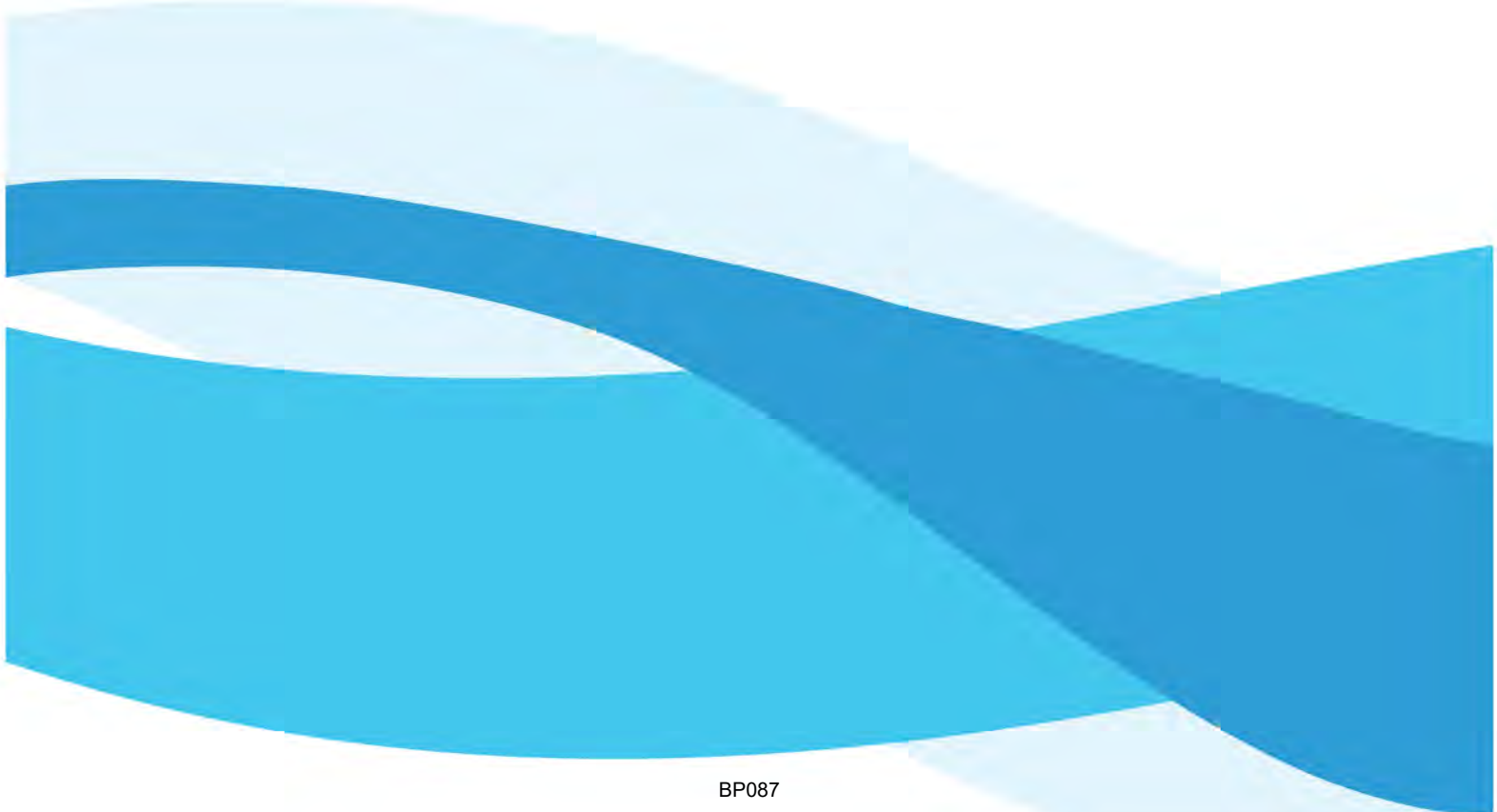


Tab **3**

Management Advisory Committee report





Consider approval of changes to Policies and Procedures

Background: This periodic review usually takes place in May of each year after the Utah legislative session and the resulting implementation of any new laws affecting District policy. This review is conducted by staff and legal counsel. The substantive changes are summarized below:

Proposed changes to all of P&P

- Removal of blank chapters 2, 8, 13, and 15 and renumbering of other chapters in consecutive order

Proposed changes to Chapter 1 – Trustees

- Section 1-6: Metro’s crime policy meets the coverage requirements outlined in the code so there is no longer a need for employee dishonesty insurance
- Section 1-7: New legislation requires a written Conflict of Interest Disclosure statement to be completed annually by Trustees
- Section 1-11 (8): Removed outdated practice of seeking advice from General Counsel for closed session. The purpose for a closed session is confirmed with general counsel prior to publishing the board meeting agenda.
- Section 1-11 (13): Decreased public comment time allotment from 5 to 3 minutes

Proposed changes to Chapter 2 - Fiscal and Budget

- Section 2-612: Retired the Managed Aquifer Recharge (“MAR”) Reserve
- Section 2-627: New legislation requires new noticing, reporting, and approval process for increasing the certified tax rate.
- Section 2-629: Updates to the timing and distribution of the tentative budget to the member cities and other entities
- Section 2-633: Updated to reflect the position who receives and documents receipt of checks.
- Section 2-635: Allowing another person to perform Clerk duties
- Section 2-638: Allowing another person to perform Clerk duties

Proposed changes in Chapter 5 – Procurement Regulations

- Section 5-102 (5): Updated to reflect Metro Water’s current vision statement

Proposed changes in Chapter 6 – Property

- Section 6-5: Addition of Disposal of Public Property as required by Utah Code Ann. § 17B-1-103(8) in regards to disposing of a significant parcel of District land

Proposed changes in Chapter 7 – Records Policies and Procedures

- Section 7-4 (42): Defines “business days” as Monday through Thursday when responding to GRAMA requests to align with current business practice
- Section 7-14 (1): The Records Officer handles GRAMA requests so the change substitutes the records officer for the clerk when receiving requests to amend records

Proposed changes in Chapter 8 – Personnel Policies



- Section 8-3: Consider addition of defining existing compensation practices at Metro Water
- Section 8-4 (13) and (14):
 - Consider addition of offering education assistance to newly hired regular, full-time employees who are currently enrolled in an eligible program
 - Consider update to repayment terms if an employee leaves within one year of receiving tuition reimbursement
- Section 8-5 (2): Addition of current practice of effective date of pay increase for successfully passing state operator certification test
- Section 8-7 (2), (4), and (14):
 - (2) Most employees work 10 hours shifts. The change considers decreasing the sick leave annual accrual from 88 hours to 80 hours; however, annual personal leave increases from 32 hours to 40 hours (Section 8-11)
 - (4) Consider update of maximum yearly carryover hours from 1080 hours to 980 due to reduction in the annual accrual rate
 - (14) Consider change in hours required to convert sick leave hours to vacation leave hours due to reduction in annual accrual rate
- Section 8-9 (4) and (12):
 - (4) Consider advancement of 40 hours of vacation leave for newly, hired employees with accrual of vacation leave beginning on thirteenth pay period of continual employment. Employees who are terminated before the thirteenth pay period would not be eligible to cash out unused vacation hours that were advanced upon hire.
- Section 8-11: Consider change in personal leave at the beginning of each calendar year from 32 hours to 40 hours. (The eight hours removed from sick leave would shift to personal leave.) This change would also update the prorated number of hours a new employee would receive in their first calendar year. As noted previously, most employees work 10-hour days. 40 hours of personal leave aligns better with time off requests.
- Section 8-13: Consider updating emergency leave assistance program to include items not related to a serious health condition as approved by the GM
- Section 8-14 (5): Change to allow holiday leave to be counted as time worked for the purposes of calculating overtime. Currently if an employee is called out and has to return to work for an emergency, they do not receive overtime pay until they have actually worked 40 hours. However, if they are called out on a week with a holiday, the 8 hours of holiday time does not count toward the 40 hours. Typically, the employee wouldn't receive overtime pay during a holiday week. This small change will benefit those employees who respond to an emergency during a holiday week.
- Section 8-15: Bereavement Leave
 - (2), (3) and (14) Consider updating "adult designee" to "domestic partner"
 - (3) Consider bereavement leave of three days for the death of an individual acting as a parent (in loco parentis)
 - Consider bereavement leave of three days for the death of an individual with whom an employee shares minor child(ren)
- Section 8-18: Consider addition of defining current practice of a holiday falling during maternity leave would not extend the amount of time for maternity leave
- Section 8-19: Consider addition of defining current practice of a holiday falling during parental leave would not extend the amount of time for parental leave
- Section 8-28: Appeal from Disciplinary Actions
 - Consider revision of appeal from disciplinary actions to the GM rather than to the MAC as a first level appeal. Managers would have the authority to terminate, suspend for more



than two days without pay, or involuntarily transfer an employee as a disciplinary action without prior approval from the GM.

- (5) The MAC would then be a secondary appeal option rather than the full board. In the case of the above disciplinary actions issued directly by the GM, the MAC would serve as the appeal option.
- (5)(a) through (f) The appeal hearing process has also been updated.
- Section 8-32: Criminal Background Checks
 - (1) and (2) Consider update to criminal background check for new or existing employees.
 - (4)(b) The update allows discretion to the GM to determine the candidate's suitability for a position and what will be taken into consideration when making that determination. Previously, the P&P outlined specific crimes that cause for rejection for a position.
- Section 8-33: Whistleblower Policy
 - (2) Consider addition to allow the District to represent itself or be represented by legal counsel during a whistleblower hearing.
 - (3) Consider addition of decisions by the independent personnel board being final and any appeals must be handled in accordance with applicable law.

Proposed changes to Chapter 9 – Vehicles and Travel

- Section 9-3 (3): Update of maximum payment for damage to an employee's vehicle from \$1,000 to \$2,000.
- Section 9-6 (1): Update the language to reflect the current approval process for board travel.

Proposed changes to Chapter 12 – Policies for Non-District Use of District Land and Interest in Land

- Section 12-202 (2): Updated to align with state code for disposal or conveyance of property
- Section 12-404 (4): Updated descriptions and permissions for shrubs, and
- Section 12-404 (8): Adding cell towers as a non-permitted use within both fee and easement, and Adding utility sleeves, pedestals, and similar infrastructure as non-permitted uses within fee-title and as permitted uses within easement.

Committee Activity: The Engineering Committee met on May 5th and reviewed the proposed changes to Chapter 12. The Management Advisory Committee met on June 2nd and reviewed the proposed changes to the P&P, other than Chapters 2, 3, 4, and 12 respectively. The Finance Committee also reviewed the proposed updates to Chapter 2 on June 3, 2026. All committees recommended approval by the full board.

Recommendation: Recommend approval of proposed changes to Policies and Procedures.

Attachment

- P&P redline changes to chapters 1, 2 5, 6, 7, 8, 9, and 12

Last Update: June 4, 2026

**CHAPTER 1
TRUSTEES**

Last Updated: June 15, 2026

Deleted: October 20, 2025

1-1 NUMBER

- 1) Utah Code Ann., Title 17B, Chap. 1, Part 3 deals with Trustees. Utah Code Ann. § 17B-1-302 allows the Board to set the number of Trustees at an odd number of no less than 3 by a 2/3 vote. No change in the number of Trustees may shorten any Trustee's term. Section 604 of the MWD Act, Utah Code Ann. § 17B-2a-604(2), allows the District to determine the number of Trustees appointed by member cities by agreement with member cities, subject to Utah Code Ann. § 17B-1-302(8) (requiring an odd number of Trustees and at least three Trustees on the Board). Pursuant to Paragraph 8 of District Resolution 1633, adopted as part of the annexation of Sandy City into the District, and approved by and relied upon by the District's member cities, the total number of Trustees shall be 7. Five Trustees are appointed by the Salt Lake City Council and 2 Trustees are appointed by the Sandy City Council. No change in the number of Trustees appointed by each member city of the District should be made without the written consent of both cities, and an amendment of District Resolution 1633.

1-2 APPOINTMENT, REMOVAL FOR CAUSE

- 1) Section 604 of the MWD Act, Utah Code Ann. § 17B-2a-604, allows for an elected board or gives city councils the power to appoint Trustees. The District's Board of Trustees has determined that it is in the best interests of the District for Trustees to be appointed. Utah Code Ann. § 17B-1-304 describes the procedures for selection and appointment of Trustees. Appointment must be by resolution after specific public notice of vacancy, qualifications, person to be contacted and deadlines for application, and after a public hearing. The appointment may not be made sooner than 2 months after the appointing city is notified of the vacancy. Pursuant to Utah Code Ann. § 17B-1-304(4) Trustees may be removed for cause after hearing by a 2/3 vote of the appointing city council.

1-3 QUALIFICATIONS, TRAINING

- 1) Utah Code Ann. § 17B-2a-302(1) requires Trustees to be registered voters and residents of the boundaries of the District. Utah Code Ann. § 17B-1-303(2)(c) provides that if a Trustee no longer meets the requirements of Utah Code Ann. § 17B-1-302(1) through -(7), the position is considered vacant, but the Trustee may continue to serve until a successor is duly appointed and qualified. Section 604 of the MWD Act, Utah Code Ann. § 17B-2a-604(4), requires that Trustees be registered voters, property taxpayers, and residents of the retail service area of the appointing city. Appointed officers and employees of an appointing city may not serve as Trustees, and such appointment or employment shall be considered grounds for immediate disqualification (see Utah Code Ann. § 17B-2a-604(5)(a)). In such an instance, the Trustee shall immediately forfeit their seat, and the position shall remain vacant until filled under Utah

Code Ann. § 17B-1-304 (see Utah Code Ann. § 17B-2a-604(5)(b)), Utah Code Ann. § 17B-1-312 requires that each Trustee receive training, per the curriculum developed by the state auditor in conjunction with the Utah Association of Special Districts, within 1 year of taking office, which includes reappointment to a new term. The failure of a Trustee to comply with this requirement does not disqualify that Trustee to act in any respect. Utah Code Ann. § 52-4-104 requires the presiding officer of the public body to ensure that the members of the public body are provided with annual training on the requirements of the Utah Open and Public Meetings Act, Utah Code Ann., Title 52, Chap. 4 (“Open Meetings Act”).

1-4 TERM

- 1) Utah Code Ann. § 17B-1-304(4) sets Trustee terms at 4 years. Utah Code Ann. § 17B-1-303(2)(c)(ii) allows Trustees who move from the District or who are no longer registered to vote to serve until a successor is duly appointed and qualified. Trustees are not limited in the number of terms they may serve, however, the appointing city councils are free to adopt policies regarding term limits.

1-5 OATH

- 1) Utah Code Ann. § 17B-1-303(3) requires Trustees to take the oath of office contained in Article IV, Section 10 of the Utah Constitution before entering upon the duties of office. Failure to take the oath does not invalidate any official act of a Trustee. Article IV, Section 10 of the Utah Constitution states:
 - a) All officers made elective or appointive by this Constitution or by the laws made in pursuance thereof, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: “I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity.”

1-6 CRIME INSURANCE

- 1) Utah Code Ann. § 17B-1-303(7) requires Trustees to obtain crime insurance in relation to performance of a Trustee’s duties, in an amount set by the Board, at District cost. The District intends to satisfy this requirement by maintaining a crime insurance policy that includes members of the Board of Trustees as covered insureds for losses arising from the performance of their official duties, as permitted under the policy terms. As described in P&P Section 1-14(1)(d)(ii), the Finance Committee should periodically review the Trustee crime insurance policy and make appropriate recommendations to the Board.

1-7 CONFLICTS OF INTEREST

- 1) Utah Code Ann. § 17B-1-311 prohibits a Trustee from serving while employed by the District as a contractor or employee. The Utah Public Officers’ and Employees’ Ethics Act, Utah Code

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Ann., Title 67, Chap. 16, is applicable to District Trustees and employees. Utah Code Ann. § 67-16-16 requires that no sooner than January 1 and no later than January 31 of each year during which the Trustee holds the appointed office, Trustee must prepare a written Conflict of Interest Disclosure statement. An electronic copy of the written disclosure statement will be posted on the District's website. In addition, as a matter of District guideline, Trustees are expected to disclose to the Board any other interests, direct or indirect, in any District transaction or proposed transaction that has, or may have, the substantial likelihood of giving the appearance of impropriety.

1-8 COMPENSATION AND TRAVEL EXPENSES

- 1) Annual Compensation. To the extent of an unencumbered appropriation for this purpose in the annual budget, and the Board approves the expenditure, Trustees are eligible to receive annual compensation to the maximum allowed by law, payable monthly for each full month of service or major portion thereof. A Trustee may decline to receive annual compensation.
- 2) Per Diem Compensation and Travel Expenses. To the extent of an unencumbered appropriation for this purpose in the annual budget, and the Board approves the expenditure, in addition to annual compensation described in P&P Section 1-8(1), Trustees are eligible to receive per diem compensation and travel expenses for attendance at up to 12 meetings or activities per year related to District business. Per diem compensation and travel expenses shall be as established by the Division of Finance for policy boards, advisory boards, counsels or committees within state government. Trustees are eligible to receive per diem compensation and travel expenses for attending Board meetings, committee meetings, city council meetings, legislative sessions, community council meetings, conferences, seminars, dispute resolutions sessions or court hearings, hearings regarding employment or procurement issues, other meetings on behalf of the District, and in performing official duties. The allowed per diem compensation and travel expenses shall be approved by the Board upon recommendation of the Executive Committee, consistent with Division of Finance guidelines, IRS schedules, and/or rates generally prevailing for reimbursement by employers, as described in P&P Section 1-14(1)(a)(iv). A Trustee may decline to receive per diem compensation and travel expenses.

1-9 POWERS

- 1) Pursuant to Utah Code Ann. § 17B-1-301 all powers of the District are exercised by the Board, either directly or through delegated authority. In addition to other powers provided by law, the Board may:
 - a) fix the location of the District's principal place of business and the location of all offices and departments, if any;
 - b) fix the times of meetings of the Board;
 - c) select and use an official District seal;

- d) employ employees and agents, or delegate to District officers the power to employ employees and agents for the operation of the District and its properties, and prescribe or delegate to District officers the power to prescribe the duties, compensation, and terms and conditions of employment of those employees and agents;
- e) require District officers and employees charged with the handling of District funds to obtain crime insurance in an amount set by the Board;
- f) contract for or employ professionals to perform work or services for the District that cannot satisfactorily be performed by the officers or employees of the District;
- g) through counsel, prosecute on behalf of the District or defend the District in all court actions or other proceedings in which the District is a party or is otherwise involved;
- h) adopt bylaws for the orderly functioning of the Board;
- i) adopt and enforce rules and regulations for the orderly operation of the District and for carrying out the purposes for which the District was created;
- j) prescribe a system of civil service for District employees;
- k) on behalf of the District, enter into contracts that the Board considers to be for the benefit of the District;
- l) acquire, construct or cause to be constructed, operate, occupy, control, and use buildings, works, or other facilities for carrying out the purposes of the District;
- m) on behalf of the District, acquire, use, hold, manage, occupy and possess property necessary to carry out the purposes of the District, dispose of property when the Board considers it appropriate, and institute and maintain in the name of the District any action or proceeding to enforce, maintain, protect, or preserve rights or privileges associated with District property;
- n) delegate to a District officer the exercise of a District duty; and
- o) exercise all powers and perform all functions in the operation of the District and its properties as are ordinarily exercised by the governing body of a political subdivision of the state and as are necessary to accomplish the purposes of the District.

1-10 QUORUM

- 1) Except as otherwise expressly required by applicable statute, District regulation, or District policy, 4 Trustees shall constitute a quorum. To be counted as part of a quorum, trustees

attending electronically must be identified as present and have the means to hear and be heard. Any action of the Board shall require the affirmative vote of at least 4 Trustees. As described in P&P Section 1-11(8), and Utah Code Ann. § 52-4-204(1)(a), a motion to move into closed meeting requires a 2/3 vote (4 of 4, 4 of 5, 4 of 6, 5 of 7) during an open meeting for which 24-hour notice was given.

1-11 MEETINGS

- 1) Open and Public Meetings Act. All Board meetings, including workshops, retreats and executive sessions, must comply with the Open Meetings Act, Utah Code Ann., Title 52, Chap. 4. This section is to be interpreted in a manner consistent with the Open Meetings Act.
- 2) Definitions. The definitions contained in the Open Meetings Act are applicable to this section.
- 3) Annual Meeting Schedule. At or near the beginning of the calendar year, the Board will establish a regular meeting schedule, including date, time and place. The schedule may be modified with appropriate notice.
- 4) Notice. Except in emergencies, the District will give not less than 24-hour notice to the Trustees and the public of any Board meeting, including agenda, date, time and place. Meetings to discuss certain matters require more than 24-hour notice. Examples include the following:
 - a) As described in P&P Section 2-630, and Utah Code Ann. § 17B-1-630, a meeting called to consider a resolution to increase appropriations for operating or capital budget funds requires at least 5-day notice to all Trustees. This notice requirement may be waived in writing or orally at the meeting by any Trustee.
 - b) As described in P&P Section 2-629, and Utah Code Ann. §§ 17B-1-629 and 17B-1-609(1)(b), a public hearing to consider the budget requires posting of notice at least 7 days before the hearing.
 - c) Utah Code Ann. § 59-2-919 requires a very particular form of notice, if the District intends to levy a tax rate in excess of the certified rate.
 - d) As described in Utah Code Ann. § 11-14a-1, any new debt resolution must be adopted only after a very particular form of notice is given before adoption of the new debt resolution.
 - e) A public hearing to consider annexation may, under some circumstances, require particular notice described in Utah Code Ann. § 17B-1-410.
 - f) A public hearing to consider withdrawal of property from the District may, under some circumstances, require particular notice described in Utah Code Ann. § 17B-1-509.

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- 5) Methods of Providing Meeting Notice. Notice of meetings, including agenda, date, time and place, will be available to the public at the District offices, will be posted on the Utah Public Notice Website, and will be posted to the District's web page. Reasonable efforts will also be made to provide notice to the member cities in a manner requested by the member cities.
- 6) Emergency Meetings. Meetings to consider matters of an emergency or urgent nature include meetings held for the purposes of addressing circumstances that may pose an imminent and substantial risk of material pecuniary or physical loss or inconvenience to the District, its employees, its member cities, or the public. When because of unforeseen circumstances it is necessary to consider matters of an emergency or urgent nature, Board meetings may be held only if:
 - a) the best practicable notice of the time and place of the meeting and the topics to be considered has been given;
 - b) an attempt has been made to notify all Trustees; and
 - c) a majority of the Trustees approves holding the meeting.
- 7) Agenda. District staff, under the direction of the Chair, will prepare an agenda for Board meetings. Any item timely requested by any Trustee will be placed on the agenda. Except in an emergency meeting, the Board may not take final action on a topic unless that topic is listed under an agenda item and included with the advance public notice required by this section. At the discretion of the presiding member of the Board, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.
- 8) Closed Meetings. Closure of a meeting requires at least a 2/3 vote of Trustees present at an open meeting where a quorum is present, and for which the required notice has been given (4 of 4, 4 of 5, 4 of 6, 5 of 7). In addition, P&P Section 1-10 requires a minimum affirmative vote of 4 Trustees for any matter. The reason or reasons for holding a closed meeting, the location of the closed meeting, and the vote cast regarding closure by each Trustee, shall be entered in the minutes and record of the open meeting at which the closed meeting was approved. No ordinance, resolution, rule, regulation, contract, or appointment shall be approved in a closed meeting. This does not prohibit other actions to be taken by the Board. Meetings may be closed only for the following reasons:
 - a) discussion of the character, professional competence, or physical or mental health of an individual;
 - b) strategy sessions to discuss collective bargaining;
 - c) strategy sessions to discuss pending or reasonably imminent litigation;

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meeting shall complete a sworn statement in the form attached at the end of this Chapter. A recording of an open meeting shall 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 shall be properly labeled or identified with the date, time and place of the meeting. Written minutes or recording of an open meeting must be converted for and maintained in long-term storage. Such minutes and recordings shall include:

- a) the date, time and place of the meeting;
 - b) the names of Trustees present and absent;
 - c) the substance of all matters proposed, discussed, or decided by the Board, which may include a summary of comments made by Trustees;
 - d) a record, by individual Trustee, of votes taken;
 - e) the names of each person who is not a member of the Board, and after being recognized by the presiding member of the Board, that provided testimony to the Board and the substance in brief of their testimony or comments; and
 - f) all other information that is a record of the proceedings of the meeting that any Trustee requests be entered in the minutes or recording.
- 10) Government Records Access and Management Act. Pending minutes, approved minutes, and recordings of open meetings, shall be made available to the public and posted online as described in Utah Code Ann. § 52-4-203.
- 11) Recording of Open Meetings by Others. All or any part of an open meeting may be recorded by any person in attendance so long as the recording does not interfere with the conduct of the meeting.
- 12) Electronic Meetings. The District may hold electronic meetings in compliance with Utah Code Ann. § 52-4-207. In addition to the requirements above for other meetings, the notice will include a description of how Trustees will be connected, will to the extent otherwise required establish one or more anchor locations for the public meeting, at least one of which is the District's large conference room, and state if public comment will be accepted during the meeting. Upon written request received at least 12 hours before the electronic meeting, space and facilities shall be provided at the anchor location so that interested persons and the public may attend, monitor and participate in the open portions of the meeting. Any Trustee who is connected electronically and can be heard will be included in calculating a quorum.
- 13) Conduct of the Meeting. Except as otherwise provided by the P&P or applicable law, or as directed by the Chair, meetings will be conducted pursuant to Robert's Rules of Order. Board meetings will be conducted by the Chair if present, by the Vice-Chair in the Chair's absence,

by the Secretary in the absence of the Chair and Vice-Chair, or by a Trustee elected by the Board in the absence of the Chair, Vice-Chair and Secretary. The Trustee conducting the meeting may make or second motions and may vote on any matters upon which a vote is called for. The Trustee conducting the meeting may establish parameters for the conduct for public hearings designed to maintain order and decorum and fairly apportion available time. Absent consent of the Chair in advance, public comments should be limited to 3 minutes.

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- 14) The Trustee presiding over the meeting may, without motion or vote, expel a person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised. Any Trustee may move the expulsion of a person under such circumstances.

1-12 BOARD OFFICERS

- 1) Utah Code Ann. § 17B-1-309 states that the Board shall elect a Chair, and may elect other officers as the Board considers appropriate. The Board will select from among its members a Chair, a Vice-Chair and a Secretary. Each Board officer serves at the pleasure of the Board for a term of one (1) year from July 1 to June 30 the following year, unless earlier removed or replaced by the Board. Each Board officer shall serve until replaced.

1-13 GENERAL MANAGER AND GENERAL COUNSEL

- 1) The Board will appoint a General Manager ("GM"), and General Counsel who are not Trustees. The GM and General Counsel serve at the pleasure of the Board.

1-14 COMMITTEES OF THE BOARD

- 1) Standing committees of the Board shall include the Executive Committee, the Management Advisory Committee, the Engineering Committee, the Finance Committee and the Environmental Committee. The Executive Committee consists of the Chair, Vice-Chair and Secretary. Members of other standing committees shall be appointed by the Board. The Board may appoint additional ad hoc committees. Except as otherwise determined by the Board, the authority of standing and ad hoc committees shall be limited to recommending action to the Board. The descriptions of general guidelines for the roles of standing committees below are not intended to limit the right of any Trustee to bring any discussion or action item before the Board.
 - a) The Executive Committee will:
 - i) Recommend action to the Board regarding the hiring, firing and compensation of the GM and General Counsel;
 - ii) Recommend action to the Board regarding the written appointment of a proxy, and the written instructions and authority to be given to such proxy, for the voting of the

**CHAPTER 2
FISCAL AND BUDGET**

Last Updated: June 15, 2026

PREFACE

This Chapter of the P&P is intended to be consistent with the MWD Act, the Fiscal Procedures for Special Districts, Utah Code Ann. Title 17B, Chapter 1, Part 6 (the "Fiscal Procedures"), applicable portions of Utah Property Tax Act, Utah Code Ann. Title 59, Chapter 2 (the "Property Tax Act") and applicable portions of Utah Code Ann. Title 17B, Chapter 1, Part 7, which governs the manner in which budgets and audit reports for Special Districts are submitted to interested governmental entities for review. For ease of reference, the Sections of this Chapter of the P&P are numbered the same as the related Fiscal Procedures Sections. Since many of the Sections of the Fiscal Procedures do not apply to the District, or do not require a corresponding policy Section, the Section numbers of these policies and procedures are not always contiguous.

This Chapter of the P&P describes how the District's books and records will be kept and the procedures used by the Board to approve budgets. Once funds have been properly appropriated, the District's Procurement Regulations describe the manner in which a source for goods and/or services is to be selected and any required contract terms. Once the source has been properly selected this Chapter of the P&P describes the controls applicable to contract approval and disbursement of District monies.

2-601 DEFINITIONS

Terms used in this Chapter of the P&P shall be interpreted in a manner consistent with the definitions found in Utah Code Ann. § 17B-1-601.

- 1) "JVWCD" means Jordan Valley Water Conservancy District
- 2) "JVWTP" means the Jordan Valley Water Treatment Plant
- 3) "O&M" means Operations and Maintenance
- 4) "Budget officer" means the person appointed by the Board of Trustees to prepare the budget for the District. The board appoints the GM as the budget officer.

2-602 FISCAL YEAR

- 1) The District's fiscal year is July 1 to the following June 30.

2-603 UNIFORM ACCOUNTING SYSTEM

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exclusions in insurance coverage, and protect against denials of insurance coverage, all resulting from any unforeseen losses, claims or legal actions. The goal of the District is to maintain an unrestricted Insurance/Contingency Reserve balance at a level that will provide funds to protect the District against such unforeseen costs not covered by any other reserves. The District's goal is to accumulate funds in the Insured/Contingency Reserve up to \$2,000,000. This goal shall be reviewed annually. The Insured/Contingency Reserve should not include deductibles and self-insured retentions which are expected to be paid during the budget year, special liability reserves set by the Board to address particular events, capital trust account funds, bond funds, or general trust accounts.

5) Reserves Named by Agreement. The District has entered, and may in the future, enter into agreements that require the District to maintain agreement-specific reserves. Examples include:

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a) Jordan Aqueduct Repayment Contract. Article 10 of the "Contract Among the United States, Central Utah Water Conservancy District and Metropolitan Water District of Salt Lake City Providing for Partial Repayment of the Jordan Aqueduct of the Bonneville Unit," dated May 16, 1986, as amended by the "Contract Among the United States, Central Utah Water Conservancy District and Metropolitan Water District of Salt Lake City Providing for Partial Repayment of the Jordan Aqueduct of the Bonneville Unit," dated October 28, 1993 (the "Jordan Aqueduct Repayment Contract") requires the District to maintain an operating reserve of \$20,000 in an interest bearing federally insured account. The District is required to replenish the reserve in the amount of \$4,000 annually to the extent necessary to bring the reserve back up to \$20,000. This amount can be altered by written agreement between the District and the United States Secretary of the Interior.

b) JVWTP O&M Agreement. Article 17 of the "Operation and Maintenance Agreement for the Jordan Valley Water Treatment Plant and Terminal Reservoir" among Central Utah Water Conservancy District, Jordan Valley Water Conservancy District and this District, dated April, 1993, requires the District to maintain a reserve account of \$20,000.

c) 150th South Pipeline Agreement. Article VI.2.(a) of the 150th South Pipeline Agreement between the District and JVWCD requires each party to contribute \$6,000.00 annually to a federally insured, interest bearing account as a reserve for Extraordinary Operation, Maintenance, Repair and Replacement Costs as defined by that agreement until \$30,000.00 is accumulated in the account. As funds are withdrawn from that account annual deposits of \$6,000.00 must resume until the account balance is again \$30,000.00.

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6) Annual Review. The Finance Committee shall annually, and prior to the adoption of a tentative budget, review the District's reserves and recommend action to the Board as described in P&P Section 1-14(1)(d)(i).

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7) Authorization of Expenditures from Reserves. As a part of the adoption of an annual budget the Board should define the circumstances, if any, under which expenditures may be made

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b) the expenditure is used to meet the emergency.

2-624 LAPSE OF APPROPRIATIONS - EXCEPTIONS

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1) All unexpended or unencumbered budget appropriations, except capital project fund appropriations, lapse at the end of the budget year to the respective fund balance.

2-627 PROPERTY TAX LEVY

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1) The Board at a regularly scheduled meeting or special meeting called for that purpose, shall, by resolution, set the real and personal property tax rate for various District purposes by the date set under Utah Code Ann. § 59-2-912, but the rate may be set at an appropriate later date in accordance with Utah Code Ann. §§ 59-2-919 through 923.

2) Utah Code Ann. § 59-2-912 requires the District, before June 22 each year, to adopt a proposed tax rate, or if the rate is equal to or less than the certified rate, adopt a final tax rate, and to both report the rate and levy and submit the statement required by Section 59-2-913 to the Salt Lake County Auditor.

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3) Utah Code Ann. §§ 17B-1-1001 through 1003, 17B-2a-608, and 59-2-919 through 923 govern in situations where the District intends to set a tax rate above the District's certified rate. Those Sections 17B-1-1001 through 1003, 17B-2a-608 require the Trustees to report the proposed tax increase to the legislative bodies of the Member Cities, the District to request that the legislative bodies of the Member Cities hear the report on the proposed tax increase, and the legislative bodies of the Member Cities approve the proposed tax increase. Section 59-2-921 sets for the public meeting and notice requirements for any proposed increase exceeding the District's certified tax rate. Sections 59-2-919.1 through -520 set forth the information regarding any such proposed tax rate increase that must be included in the county auditor's notice sent to property owners on or before June 22 each year, and require the District to submit any resolution adopting a tax rate above the certified rate to the State Tax Commission. Section 59-2-921 introduces certain limited exceptions to the notice and hearing requirements of Section 59-2-919, such as when the State Tax Commission, the county board of equalization, or a court changes the District's adopted tax rate, or when the District raises its tax rate above the certified rate in response to a reduction of its assessment roll. Subject to the exceptions stated in Utah Code Ann § 59-2-924(8), the District may, until the final budget is adopted, expend money based upon the tentative budget or on its prior year's final budget as amended, if the prior year's budget is readopted by resolution at a properly constituted Board meeting.

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4) The combined levies for all purposes in any year, excluding the retirement of general obligation bonds, the payment of any interest on the bonds, and any taxes expressly authorized by law to be levied in addition, may not exceed the limit enumerated by the laws governing the District.

Deleted: District to provide special notice of the tax increase before holding the necessary public hearing including to the county and county auditor, and a public hearing held at or after 6:00 p.m. It is the District's goal to set the tax rate at a meeting held at or after 6:00 p.m. to facilitate public comment whether required by statute or not. If the tax levy is to be above the certified rate the District's final budget cannot be adopted until after the just described public hearing. T

2-628 CERTIFICATION OF RESOLUTION SETTING LEVY

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- 1) The District Clerk shall certify the resolution setting the tax levy to the county auditor in accordance with Utah Code Ann. § 59-2-912, or in the case of a tax rate increase exceeding the District's certified rate to the State Tax Commission, in accordance with Utah Code Ann. § 59-2-920.

2-629 OPERATING AND CAPITAL BUDGET

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- 1) On or before the first regularly scheduled meeting of the Board in May, the GM shall consult with the Finance Committee and prepare a tentative operating and capital budget for the ensuing fiscal year. The tentative budget shall include projected receipts, an operations and maintenance account, capital improvement accounts and reserve accounts as described in P&P Section 2-612. The tentative budget shall be filed with the Board, together with specific work programs and any other supporting data required by the Board.

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- 2) The tentative budget shall be reviewed and considered by the Board at any regular meeting or special meeting called for that purpose. Subject to appropriate notice and agenda, the Board may make any changes in the tentative budget considered appropriate.

- 3) Within 30 days of approval of the tentative budget, and at least 30 days before the Board adopts a final budget, the Board shall provide notice of the budget hearing in compliance with Utah Code § 17B-1-702 and provide the tentative budget to the entities described in that Section. Notice of the time and place of a public hearing to consider the budget shall be published according to Utah Code Ann. § 63G-30-102 at least seven days before the hearing. If the public hearing is held in conjunction with a tax increase, the notice shall be published in accordance with Utah Code Ann. § 59-2-919. If the tentative budget involves a new fee, or an increase in an existing fee, the District shall comply with P&P Section 2-643 and Utah Code Ann. § 17B-1-643, which requires special notice and public hearing at or after 6:00 p.m. if a tax increase or fee increase is part of the budget. As a District goal, the public hearing should be held at or after 6:00 pm to facilitate public comment, whether or not required by statute.

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- 4) At the time and place advertised, or at any time or any place to which the public hearing may be adjourned by the Board, the Board shall hold a public hearing on the tentative budget. All interested persons in attendance shall be given a reasonable opportunity to be heard on any item in the tentative budget.

- 5) After the conclusion of the public hearing, the Board may continue to review the tentative budget and may insert any new items. The Board may also increase or decrease items of expenditure that were the proper subject of consideration at the public hearing. The tentative budget must be submitted to the member cities as described in Section 2-702 of the P&P.

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- 6) The Board shall adopt a budget before June 22 each year, except as provided in Utah Code Ann. §§ 59-2-919 through 923. These code Sections contain special notice and hearing requirements if the certified rate is to be exceeded.

- 7) A copy of the budget as finally adopted shall be certified by the GM and shall be available for public inspection during regular District business hours at the District's main offices located at 3430 E Danish Road, Cottonwood Heights. A certified copy of the final budget shall also be filed with the State Auditor within 30 days after adoption.
- 8) Upon final adoption, the budget shall be in effect for the budget year, subject to later amendment. During the budget year the Board may, in any regular meeting or special meeting called for that purpose, review the operating or capital appropriations for the purpose of determining if the total of any of these appropriations should be increased or decreased.

2-630 INCREASE IN APPROPRIATIONS FOR OPERATING AND CAPITAL BUDGET - NOTICE

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- 1) The total budget appropriation may be increased by a resolution of the Board at any regular meeting or at a special meeting called for that purpose, so long as written notice of the time, place, and purpose of the meeting has been mailed or delivered to all Trustees at least 5 days prior to the meeting. The notice may be waived in writing or orally during attendance at the meeting by any member of the Board.

2-631 CLERK – MEETINGS AND RECORDS

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- 1) The duties of Clerk described in Utah Code Ann. Title 17B, Chapter 1, Part 6 and the P&P shall be performed under the direct supervision and control of the individual appointed by the Board to perform the duties of Clerk. The Clerk or other appointed person shall attend the meetings and keep a record of the proceedings of the Board.

2-632 CLERK – BOOKKEEPING DUTIES

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- 1) The Clerk or other designated person not performing treasurer duties shall maintain the financial records of the District, including a list of the outstanding bonds, their purpose, amount, terms, date and place payable. The Clerk may delegate one or more of the following duties to the Accountant: reconciling receipt records to validated deposit, preparing and sending billings, recording transactions in general ledger, and preparing bank reconciliations. No duties of the Clerk shall be delegated to the Treasurer.

2-633 TREASURER

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- 1) The duties of Treasurer described in Utah Code Ann. Title 17B, Chapter 1, Part 6 and the P&P shall be performed under the GM's direct supervision and control. These duties include being custodian of all money, bonds, or other securities of the District, investing and depositing all monies of the District following the procedures and requirements of the State Money Management Act, Utah Code Ann. Title 51, Chapter 7, and Chapter 3 of the P&P, receiving all funds payable to the District, and keeping accurate, detailed account of the same. The

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Treasurer shall provide a report regarding the District's investments periodically to the Finance Committee. No duties of the Treasurer shall be delegated to the Clerk or anyone working under the direct supervision of the Clerk. The Treasurer may delegate one or more of the following duties to the Administrative Assistant: receiving and documenting receipt of checks.

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2-634 RECEIPTS FOR PAYMENT

- 1) The Treasurer shall give or cause to be given to every person paying money to the District, a receipt or other evidence of payment (except when payment is received by check or electronically), specifying, as appropriate, the date of payment and upon which account paid and shall file a duplicate of the receipt. The District does not accept cash for payment.

2-635 ISSUANCE OF CHECKS

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- 1) The Clerk or other designated person not performing treasurer duties shall prepare the necessary checks after having determined that each claim was properly authorized, the claim does not over-expend the applicable appropriation, and the expenditure was approved in advance by the Board. The Treasurer shall sign all checks. The person or persons maintaining the financial records of the District may not sign any single signature check. Before affixing a signature, the Treasurer shall determine that a sufficient amount is on deposit in the appropriate bank account of the District to honor the check.

2-637 DEPOSIT OF FUNDS

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- 1) The Treasurer shall promptly deposit all District funds in the appropriate bank accounts of the District in a manner consistent with Utah Code Ann. § 51-4-2. Utah Code Ann. § 51-4-2(a) requires public funds received by political subdivisions of the state to be deposited "daily, if practicable, but not later than once every three banking days." It is unlawful for any person to commingle District funds with the person's own money. If it appears that the Treasurer or any other District officer or employee is making a profit out of public money, or is willfully using the same for any purpose not authorized by law, the Treasurer, officer or employee shall be suspended. Additional disciplinary action shall be taken consistent with any standards established by the District.

2-638 FINANCIAL REPORTS

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- 1) The Clerk or other delegated person not performing treasurer duties shall prepare and present to the Board detailed financial reports, at least quarterly, in a form approved by the Board, showing the financial position and operations of the District for that quarter and year-to-date status. As a guideline the Clerk shall prepare and present to the Board detailed financial reports monthly whenever practicable. The Clerk shall prepare and present to the Board available financial and statistical information in any format reasonably requested by any Trustee.

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2-639 ANNUAL FINANCIAL REPORTS

**CHAPTER 5
PROCUREMENT REGULATIONS**

Last Updated: June 15, 2026

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PREFACE

This Chapter of the P&P is intended to be consistent with those portions of the Utah Procurement Code, Utah Code Ann., Title 63G, Chap. 6a (the "Procurement Code") and the regulations of the Procurement Board that apply to the District. These regulations are established pursuant to rulemaking authority granted to special districts in the Procurement Code. Where the Procurement Board has issued regulations on the same subject covered by these District Procurement Regulations, these District Procurement Regulations govern. And, where these District Procurement Regulations establish rules and procedures in addition to those established by the Procurement Board, these District Procurement Regulations, as well as the Procurement Board's regulations, apply. Any such additional rules and procedures are specifically identified in these District Procurement Regulations. Any such additional rules and procedures are specifically identified in these District Procurement Regulations.

For ease of reference, these Procurement Regulations are organized by Part numbers that correspond to the numbered Parts of the Procurement Code. To the extent practicable the Sections of these Procurement Regulations are numbered the same as the related Procurement Code Section. For example, Section 63G-6a-102 of the Procurement Code describes the purposes of the Procurement Code, and P&P Section 5-102 describes the purposes of this Chapter.

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All District expenditures must be properly appropriated as described in P&P Chapter 2. Once a District expenditure has been properly appropriated, this Chapter of the P&P describes the manner in which the source for the budgeted purchase is to be selected. Once the source for a properly appropriated purchase has been selected, P&P Chapter 2 describes the manner in which the source for the budgeted purchase is to be approved.

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**PART 1
GENERAL PROVISIONS**

5-102 PURPOSES

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This Chapter of the P&P is intended to:

- 1) provide for transparency in the District procurement process;
- 2) provide for the fair and equitable treatment of those who deal with the District regarding procurement;
- 3) provide increased economy in District procurement;

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- 4) foster effective broad-based competition within the free enterprise system to the extent practicable; and
- 5) Consistent with the District's vision to provide **reliable, clean drinking water by responsibly managing our resources and proactively planning for the future**, this Chapter is intended to provide proper value to the District with cost effective goods and services.

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5-103 DEFINITIONS

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Unless otherwise modified in this Chapter of the P&P, terms used in this Chapter of the P&P shall be defined as described in Section 103 of the Procurement Code. As used in this Chapter:

- 1) "Procurement Board" means the Utah State Procurement Policy Board.
- 2) "Procurement Official" means the GM or his/her designee.
- 3) "Protest Officer" means a standing committee or ad hoc committee of the Board as determined by the Chair.

5-106 DISTRICT AUTHORITY AS AN INDEPENDENT PROCUREMENT UNIT

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- 1) The District may:
 - a) engage in a standard procurement process;
 - b) acquire a procurement item under an exception to the requirement to use a standard procurement process, as provided in this Chapter, the Procurement Code or the Procurement Board regulations; or
 - c) otherwise engage in an act authorized or required by this Chapter, the Procurement Code or the Procurement Board regulations.
- 2) With respect to a procurement or contract over which the Procurement Official has authority, the Procurement Official may:
 - a) manage and supervise the procurement to ensure to the extent practicable that the District receives the best value;
 - b) prepare and issue standard specifications for procurement items;
 - c) review contracts, coordinate contract compliance, conduct contract audits, and approve change orders;

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**CHAPTER 6
PROPERTY**

Last Updated: June 15, 2026

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6-1 PURCHASE OF MOTOR VEHICLES

- 1) Consistent with the experience of other governmental entities, it is the objective of the District to purchase vehicles under state contract; to encourage their proper use, care and maintenance by District employees; and to sell the vehicles at the appropriate time to maximize resale value. In order to minimize the difference between purchase price paid by the District and the realized resale value, it may be appropriate where the vehicle is likely to be purchased by a member of the general public upon resale (such as a passenger vehicle, or a light truck without utility equipment) to order optional features such as trim and appearance packages, power accessories, and electronics which may not be necessary for District use, but which enhance resale value.
- 2) Each year, as part of the budget approval process, the Procurement Official shall recommend to the Finance Committee the vehicles to be purchased, including the probable state contract price of each vehicle.

6-2 INVENTORY OF PROPERTY

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- 1) Staff shall keep and periodically update an inventory of the District's real and personal property. The Finance Committee shall approve the value threshold(s) for items of personal property to be included in the inventory, and the manner in which the inventory is to be kept and updated.

6-3 DISPOSAL OF SURPLUS PROPERTY

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- 1) The Procurement Official shall periodically submit a list of surplus property, together with a recommended method of disposal to the Finance Committee for review. Real property of the District shall be offered and sold only upon approval of the Board.
- 2) Disposal of surplus property other than motor vehicles should be made "as is" and without warranty or representation of any kind or nature, after reasonable public notice.
- 3) The District's disposal of surplus motor vehicles shall be accomplished as follows:
 - a) The Procurement Official shall make a recommendation to the Finance Committee as to an approximate reasonable sales price for each motor vehicle to be sold as surplus property. This recommendation should be made by the Procurement Official based on a review of any applicable information contained in the NADA "Blue Book", the Kelly "Blue Book", and/or interviews with a reasonable number of local auction houses and/or dealerships.

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summaries of negotiation discussions should be kept. All landowner complaints should be presented to the GM and the Board. All purchase contracts shall be approved as described in P&P Section 2-642.

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- 5) Standard Easement Form. Except as otherwise approved by the Board, easement deeds shall be in form approved by the GM and counsel.

6-5 DISPOSAL OF PUBLIC PROPERTY

- 1) The District is generally obligated to receive fair market value for any disposal of District Lands, unless there is specific legislative authorization to deviate from that standard. See *Sears v. Ogden*, 533 P.2d 118 (Utah 1975).
- 2) As required by Utah Code Ann. § 17B-1-103(8), the District must comply with Utah Code Ann. Title 11, Chapter 1, Part 2 ("Disposal of Public Property") when disposing of District Lands. Under that Part, prior to disposing of a "significant parcel," the District must provide notice of the proposed disposal pursuant to the procedures set forth in Utah Code Ann. § 11-1-203. If the proposed disposal does *not* concern a "significant parcel," only a physical posting on the property soliciting offers is required. Unless the District otherwise defines "significant parcel" by resolution, a "significant parcel" means District Lands with an estimated fair market value of \$500,000 or more (Utah Code Ann. § 11-1-202(3)).

Additionally, the District may dispose of a "significant parcel" only after a majority vote by the Board in a public meeting in which details of the proposed disposal are disclosed, as set forth in Utah Code Ann. § 11-1-204, unless the District otherwise adopts a resolution removing that requirement. Any such resolution must establish a method to inform the public of the disposal and the District must otherwise comply with Utah Code Ann. § 11-1-203.

Utah Code Ann. § 11-1-205 sets forth the circumstances in which the District is exempt from complying with Utah Code Ann. §§ 11-1-202 through -204.

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**CHAPTER 7
RECORDS POLICIES AND PROCEDURES**

Last Updated: June 15, 2026

PREFACE

This Chapter of the P&P is intended to be consistent with those portions of the Utah Government Records Access and Management Act Utah Code Annotated, Title 63G, Chap. 2 ("GRAMA") applicable to the District.

**PART 1
GENERAL PROVISIONS**

7-1 GENERAL INTENT

- 1) The purpose of these records policies and procedures is to conform to Section 701 of GRAMA, which provides that each political subdivision of the State of Utah may adopt an ordinance or a policy relating to information practices. If a political subdivision adopts a policy or ordinance, it remains subject to Parts 1 and 3, and Sections 201, 202, 205, 206, 601 and 602 of GRAMA, as well as Utah Code Ann. Sections 63A-12-105 and -107. Except for the Sections of GRAMA which apply to the District notwithstanding the adoption of this Chapter 7, the only GRAMA Sections which apply to the District are those which are expressly referenced in these policies and procedures.
- 2) It is the policy of the District to make public records available upon reasonable request, while preventing the disclosure of non-public records, all consistent with applicable portions of GRAMA and these records policies and procedures. In those situations where persons other than the District may have an interest in records in the possession of the District, such as laboratory test results for samples tested by the District at the request of others, the District will make reasonable efforts to give those who may have an interest in such records notice and an opportunity to object before the District will respond to a request for such records.

7-2 DEFINITIONS

- 1) Terms used in this Chapter 7 shall be defined as stated in Section 63G-2-103 of GRAMA.

**PART 2
ACCESS TO RECORDS**

7-3 FEES

- 1) The District will charge fees for copying, compiling, etc. as described in Section 63G-2-203 of GRAMA. The charges will be set annually as part of the budget, but are subject to change

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by the Board at any time. To the extent charges are not specified in the annual budget they may be specified through a written formal policy adopted by the Board. The District will attempt to assign the person with the requisite skills and the lowest hourly wage. The District may assign to outside sources the task of searching for records, compiling records, or reviewing records to confirm the appropriate documents are being provided in compliance with GRAMA and this chapter of the P&P. In those cases, the District will charge its actual costs for such work. Newer requests for records will not be processed or released until all current and prior payments for previous records requests are paid in full. If the requestor does not take delivery of a records request within 30 days of receiving reasonable notice that the records are available, the response will be considered to have been abandoned and the District may destroy the response.

7-4 REQUESTS – TIME LIMIT FOR RESPONSE AND EXTRAORDINARY CIRCUMSTANCES

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- 1) Except where inconsistent with this Chapter, Sections 63G-2-201 and 204 of GRAMA shall apply to requests made to the District.
- 2) Requests for records shall be directed to the Records Officer, which consistent with Section 63G-2-103(27), shall be an individual appointed by the GM to work with the state archives regarding District records. The District defines "business days" as Monday through Thursday.
- 3) If the District receives a request that seeks an expedited response, the District shall first determine if the request demonstrates a benefit to the public. If the request demonstrates a benefit to the public, not just the requester, the District's response shall be expedited subject to all limitations and requirements of Sections 63G-2-201 and 204 of GRAMA and this Chapter 7. If the request does not demonstrate a benefit to the public, the District shall notify the requester within five business days of receiving the request that the request will not be expedited.
- 4) If the response is to be expedited, the District shall provide its response within five business days of receiving the request, subject to all limitations and requirements of Sections 63G-2-201 and 204 of GRAMA and this Chapter 7. If the request is not to be expedited, the District shall respond as soon as reasonably possible but no later than 10 business days after receiving the request, subject to all limitations and requirements of Sections 63G-2-201 and 204 of GRAMA and this Chapter 7.
- 5) The District's response shall either:
 - a) approve the request and provide a copy of the record;
 - b) deny the request in accordance with the procedures and requirements of Section 63G-2-205 of GRAMA;
 - c) notify the requester that the District does not maintain the record requested and provide, if

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- 1) Consistent with Section 63G-2-701(5), any person aggrieved by classification, designation or access decisions of the District may appeal to the GM. The decision of the GM may be appealed to the District's GRAMA appeals board. The District's GRAMA appeals board shall be appointed by the Board and shall consist of a District employee or board member, a citizen, and a citizen with professional experience either managing or requesting records. Section 63G-2-401 of GRAMA governs appeals, except that the notice of appeal shall be sent to the GM. The matter shall be reviewed as soon as practicable by the District's GRAMA appeals board. The time for decision for appeals described in Section 63G-2-401(5) shall not apply to the District.

**PART 6
ACCURACY OF RECORDS**

7-14 REQUESTS TO AMEND RECORDS

- 1) Requests to amend District records are **not** governed by Section 63G-2-603 of GRAMA. Requests to amend District records must be made in writing to the Records Officer. The request must contain the requester's name, mailing address, daytime telephone number and brief statement of why the described District record should be amended. The Records Officer shall respond in writing to the request within 15 business days. Any appeal of the decision of the Records Officer must be made as described in Section 9-13 of these records policies and procedures.

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**PART 8
LIABILITY AND DISCIPLINARY ACTION**

7-15 LIABILITY AND DISCIPLINARY ACTION

- 1) Liabilities and penalties, if any, associated with records access and retention are described in Sections 63G-2-801 through 804 of GRAMA.

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**PART 9
ARCHIVES AND RECORDS SERVICE**

7-16 MANAGEMENT AND RETENTION OF RECORDS

- 1) The standards for the management and retention of records applicable to the District are found in Section 63A-12-103.

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CHAPTER 8
PERSONNEL POLICIES

Last Updated: June 15, 2026

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8-1 INTENT

- 1) The Board expects the GM to implement goals consistent with its desire:
 - a) To provide each employee with a productive work environment, including the necessary policies, procedures, tools, equipment, and resources to perform that employee's duties.
 - b) To be committed to the safety of employees and others.
 - c) To provide a work place which prohibits discrimination and harassment.
 - d) To recruit, select, retain, advance, and pay employees on the basis of their relative ability, knowledge, and skills and without regard to race, color, religion, pregnancy, sex, sexual orientation, gender identity, national origin, age, disability, or any other class protected by applicable law.
 - e) To provide each employee with a job description that describes their duties and responsibilities.
 - f) To provide employees with a description of available benefits.
 - g) To adopt and disseminate to employees the procedure for processing employee grievances and appeals.
- 2) The Board's goal is to provide to the GM the authority, support, and resources reasonable and necessary to implement the policies of this chapter consistent with applicable state and federal law and other instructions of the Board.
- 3) The Management Advisory Committee shall cause the District's Employee Manual to be reviewed annually by legal counsel to ensure that it conforms to state and federal law, this Chapter, and other instructions of the Board.

8-2 ANNUAL EMPLOYEE BENEFIT REVIEW

- 1) As a part of the annual budget process the GM will consult with the Management Advisory Committee regarding an appropriate employee benefits package. Health, dental and vision care, life insurance, a cafeteria plan, accident and disability insurance, retirement benefits, and District matching contributions (100% match up to a maximum of 3% of gross pay) to 401(k).

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as well as other benefits, should be considered. The District is interested in providing benefits that will help the District attract and retain skilled and experienced employees. The District is interested in maintaining reasonable stability and predictability for its employees and their families, while also maximizing the District's investment in an employee benefit package by reacting appropriately to changes in the insurance industry, insurance products, applicable state and federal laws, and economic conditions. The District is interested in providing benefits that are reasonably comparable to those offered by other local entities similar to the District. In providing these benefits the District shall comply with all applicable federal, state and local laws including but not limited to Consolidated Omnibus Budget Reconciliation Act ("COBRA"), Health Insurance Portability and Accountability Act ("HIPAA"), Fair Labor Standards Act ("FLSA"), and Affordable Care Act ("ACA"). Only regular full-time employees are eligible for benefits unless otherwise required by law. Trustees are considered part-time appointed officials for purposes of Utah Retirement System ("URS") rules and are not eligible for URS benefits.

8-3 COMPENSATION

- 1) District employees are paid commensurate with the skills and abilities required of their position. The District strives to achieve equity with the external job market. The District strives to maintain internal equity among District positions and employees. Each District position has been evaluated and assigned a pay range. The District periodically will review job specifications, revise job descriptions, and evaluate and compare District positions against comparable positions in similar organizations. The midpoint of each District pay range is intended to reflect local or regional job market conditions, as applicable for the position. Pay ranges may be modified with approval from the Board to reflect job market influences for specific positions.
- 2) Employee performance is continually evaluated throughout the year and is formally discussed with the employee at least annually. Wage increases within approved pay ranges may be awarded as the budget allows at the discretion of the Board and the General Manager and is based on aligning pay with performance. Length of service, in and of itself, is not a reason to merit an increase in pay.
- 3) Total compensation provided to employees includes wages paid, various benefits such as group health and life insurance, the District's retirement plan, and other benefits as described in the Employee Manual.

8-4 EMPLOYEE EDUCATION ASSISTANCE

- 1) Subject to available unencumbered appropriations in the budget, the District may assist regular full-time employees with the expense of qualifying educational courses.
- 2) A course plan, which describes required classes, estimated time to complete program, and

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due to participation in this program.

13) Newly hired regular, full-time employees who are currently enrolled in an eligible program may also qualify for assistance with the expense of educational courses that the GM determines is related to the employee's current job duties or a reasonably foreseeable future District position. The employee's overall job performance will be considered when determining eligibility.

a) Newly hired employees must submit a request describing the remaining required classes, estimated time to complete program, and estimated cost to achieve degree, license or certification for approval by the GM.

b) If approved, the newly hired employee is subject to the requirements as outlined above.

14) Employees who leave District employment for any reason except layoff within one year of receiving tuition reimbursement are required to repay the total amount of tuition reimbursement received in the last 12 months of employment. If repayment is required under this policy, the amount of education assistance required to be repaid will be considered a loan payable upon the employee's last day of employment and will be deducted from wages owed to the employee pursuant to a signed authorization. In the event the amount of education assistance required to be repaid exceeds wages owed as of the last day of employment, the employee must arrange in advance the repayment terms prior to the last day of employment. If not paid within the agreed upon repayment terms, the unpaid amount may be sent to a collection agency. If no arrangements were made prior to the last day of employment, the unpaid amount is due within 30 days and would be subject to a collection agency if not paid.

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8-5_OPERATOR CERTIFICATION PROGRAM

1) The District encourages certain employees to become certified both in the area of treatment as well as distribution. Subject to available and unencumbered appropriation in the budget, each eligible employee who takes and passes the tests at various grade levels will be compensated as follows for unrestricted status:

- a) Grade I - \$0.12/hour
- b) Grade II - \$0.18/hour
- c) Grade III - \$0.24/hour
- d) Grade IV - \$0.30/hour

2) Certification pay is not retroactive, but is effective as of the pay date following verification of passing the test. For each grade level, one-half of the compensation will be issued at the time proof is provided that the test was passed and the remaining one-half will be issued at the time the employee shows proof that they are unrestricted. The next pay period will reflect any pay increase.

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- 3) The compensation for each grade is cumulative. If an employee passes any test higher than Grade I, they will also receive compensation for any lower grade(s) for which they have not already been compensated. For example, if an employee certifies at Grade IV, the employee will receive compensation for Grades I, II, III, and IV.
- 4) Restricted status signifies that the employee has passed the test, but lacks the experience required by the Operator Certification Rules. Certain experience and education requirements must be met to obtain an unrestricted certificate. The number of years to be unrestricted is determined by certification grade level and education.
- 5) The District, at its discretion, may pay for the employee to take tests in both areas.
- 6) The District, at its discretion, may pay in advance for the employee to take the test for the first time at each grade. If an employee does not successfully pass the test, employee must pay for subsequent tests in advance, and request reimbursement from the District upon passing the test. Reimbursement will only be issued for the test that is passed successfully; not any prior tests.
- 7) Although an employee may test for both treatment and distribution, they may be awarded each grade of compensation only once. If an employee changes pay grades during the course of their employment, they will not be compensated again for having completed prior tests.
- 8) Employees must obtain the necessary Continuing Education Units to maintain their certification in order to continue receiving certification pay.

8-6 EMPLOYEE TRAINING

- 1) The District may request or require employees to enroll in various workshops, seminars, courses, or schools (training) so that both the employee and the District may benefit from added knowledge. In the event the District requests or requires the employee to train, the District will pay the costs associated with such training. This also applies to Continuing Education Units ("CEUs") required for maintaining certification. The District will determine which courses are appropriate for fulfilling CEU requirements. Typically, training will take place as part of the employees' regular work schedule (on District time).

8-7 SICK LEAVE

- 1) Only regular full-time employees are eligible for paid Sick Leave.
- 2) Eligible employees will accrue 80 hours of Sick Leave per year.
- 3) Accrual of Sick Leave starts upon the employee's date of hire and is available for use after their first pay date.
- 4) Eligible employees may carry over to the following calendar year a maximum of 980 hours

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of Sick Leave. The employee will forfeit any amount beyond the maximum allowed carry over.

- 5) The District will not grant advances on Sick Leave.
- 6) Permissible Uses of Sick Leave:
 - a) Office visits to doctors, dentists or other health practitioners for the employee or the employee's dependents;
 - b) Caring for the employee's own health (physical or mental) or injury; and
 - c) Caring for the employee's immediate family member who is suffering an illness, injury, or serious health condition. Immediate family is defined for these purposes as spouse, domestic partner, child, or parent.
 - d) For the purposes of this chapter, Personnel Policies, "Domestic Partner" means any individual, who is at least 18 years old, with whom an employee has a long-term committed relationship of mutual caring and support. The domestic partner must have resided in the same household with the eligible employee for the past 12 consecutive months, and must have common financial obligations with the employee. The domestic partner and the employee must be jointly responsible for each other's welfare
- 7) Upon their supervisor's approval, Sick Leave or other accrued time off may be used for unsafe driving conditions due to inclement weather if the employee is unable to work from home and adequate coverage is available to fulfill the needs of the District.
- 8) Employees should provide as much advance notice as practicable when using Sick Leave. Employees who are unable to report to work due to illness should notify their direct supervisor through phone call, text or email before the scheduled start of the workday, if practicable, and no later than two hours into the workday unless the employee is incapacitated. Generally, employees must also contact their direct supervisor on each additional day of absence no later than two hours into the workday. The District reserves the right to deny Sick Leave to employees who fail to follow these notification requirements.
- 9) The District reserves the right to require a doctor's note any time Sick Leave is used.
- 10) The District reserves the right to require employees to provide a doctor's medical release that they may safely return to work.
- 11) Sick Leave must be used in minimum increments of one-quarter hour.
- 12) Sick Leave benefits will be calculated based on the employee's rate of pay at the time of absence and will not include any special forms of compensation such as incentives, overtime,

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bonuses or shift differentials. For exempt employees, an hourly equivalent of their salary, based upon a 40-hour workweek, will be used.

13) Sick Leave must be reported in the pay period it is used.

14) If an employee has 800 or more hours of Sick Leave available for use as of the last pay period of each calendar year, Sick Leave will be converted to Vacation Leave in the following calendar year based on the employee's calendar year-end available balance. One of the following conversions may take place:

a) 800-889 Sick Leave hours: 20 Vacation Leave hours or;

b) 890-979 Sick Leave hours: 30 Vacation Leave hours or;

c) 980 Sick Leave hours or more: 40 Vacation Leave hours.

d) Employees may opt out of converting Sick Leave to Vacation Leave if their balance is between 800 hours and 979 hours. If employees have 980 hours of Sick Leave or more, the conversion to Vacation Leave will occur automatically.

15) Sick Leave is not counted as time worked for purposes of calculating overtime.

16) Sick Leave may not be cashed out at any time except as described in the District's Sick Leave Conversion Upon Retirement Policy.

17) Abuse, misuse, or excessive use of Sick Leave, or misrepresentation or dishonesty regarding the use of Sick Leave may result in denial of Sick Leave and/or disciplinary action up to and including termination of employment.

8-8 SICK LEAVE CONVERSION UPON RETIREMENT

1) For employees who are eligible to retire, and do retire from the District:

a) The employee may upon retirement elect to receive a one-time cash payment equal to 25 percent of the employee's accumulated Sick Leave at the employee's rate of pay at the time of retirement, less any applicable taxes and withholdings. Accumulated Sick Leave received as a one-time cash payment is not included as compensation for purposes of retirement related earnings reported to the Utah Retirement System ("URS").

b) In the alternative, the employee may elect to convert 25 percent of the accumulated Sick Leave to continuing group health, dental and/or vision insurance coverage for the employee and any previously enrolled eligible dependents on a dollar-for-dollar basis. Under this option, the value of 25 percent of the employee's accumulated Sick Leave at the employee's rate of pay at the time of retirement will be held in reserve for the employee

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and applied to the applicable group insurance premium for the benefit of the employee and previously enrolled eligible dependents. This will continue until the employee's reserve is exhausted, coverage periods have exhausted as required by law, or the employee and all previously enrolled eligible dependents become eligible for Medicare or health insurance under another group plan. The District will cash out and pay to former employee any remaining converted Sick Leave that is not used to pay for insurance premiums. This option is subject to all limitations, terms and conditions of the group insurance policy, federal law, and state law.

- c) In the alternative, the employee may elect to convert 25 percent of the employee's accumulated Sick Leave, at the employee's rate of pay at the time of retirement, to purchase service credit in their 401(k) Plan or contribute to their Health Savings Account, subject to IRS guidelines, and only to the extent allowed under the law. Written notice of the employee's intention to exercise this option must be given to the District no later than four weeks prior to the employee's retirement date.
 - d) Under any of the above options, the remaining accumulated Sick Leave is surrendered to the District.
- 2) For Sick Leave accumulated through February 28, 2001 by District employees who are eligible to retire, and do retire, before reaching the age of Medicare eligibility:
- a) The employee may elect to receive a one-time cash payment equal to 25 percent of the Sick Leave accumulated through February 28, 2001, at the employee's rate of pay at the time of retirement, less any applicable taxes and withholdings. Accumulated Sick Leave received as a one-time cash payment is not included as compensation for purposes of retirement related earnings reported to the URS.
 - b) In the alternative, the employee may elect to convert 50 percent of the Sick Leave accumulated through February 28, 2001 to continuing group health, dental and/or vision insurance coverage for the employee and any previously enrolled eligible dependents on a dollar-for-dollar basis. Under this option, the value of 50 percent of the employee's accumulated Sick Leave at the employee's rate of pay at the time of retirement will be held in reserve for the employee and previously enrolled eligible dependents and applied to the applicable group insurance premium for the benefit of the employee and previously enrolled eligible dependents. This will continue until the employee's reserve is exhausted, coverage periods have exhausted as required by law, or the employee and all previously enrolled eligible dependents become eligible for Medicare or health insurance under another group plan. The District will cash out and pay to former employee any remaining converted Sick Leave that is not used to pay for insurance premiums. This option is subject to all limitations, terms and conditions of the group insurance policy, federal law, and state law.
 - c) The employee may elect to convert 50 percent of the Sick Leave accumulated through

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February 28, 2001, at the employee's rate of pay at the time of retirement, to purchase service credit in their 401(k) Plan, subject to IRS guidelines, and only to the extent allowed under the law. Written notice of the employee's intention to exercise this option must be given to the District no later than four weeks prior to the employee's retirement date.

- d) For items (b) and (c) above, the Sick Leave accumulated through February 28, 2001 will be reduced accordingly if the Sick Leave balance falls below the original accumulated balance at any time during the employee's tenure at the District.
 - e) Under any of the above options, the remaining accumulated Sick Leave is surrendered to the District.
- 3) Any conversion of Sick Leave upon retirement is contingent upon an adequate unencumbered appropriation in an approved budget.

8-9 VACATION LEAVE

- 1) Only regular full-time employees are eligible for paid Vacation Leave.
- 2) Vacation Leave accrual is as follows based on the number of years of service completed (whether continuous or intermittent) as a full-time employee:
 - a) Date of hire thru year 4: 80 hours per year
 - b) 5 year anniversary thru year 9: 120 hours per year
 - c) 10 year anniversary and beyond: 160 hours per year
- 3) A completed year is calculated from the date of hire.
- 4) Upon hire, full-time employees shall receive an advancement of 40 hours of Vacation Leave. Accrual of additional Vacation Leave will begin after the thirteenth pay period of continual employment.
- 5) Accrual of Vacation Leave starts upon the employee's date of hire and is available for use after their first pay date.
- 6) Eligible employees may carry over to the following calendar year a maximum of 320 hours. The employee will forfeit any amount beyond the maximum allowed carry over.
- 7) Employees must receive prior approval from their supervisor before taking Vacation Leave.
- 8) Employees may use their vacation time at their discretion.

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9) Employees are encouraged to use Vacation Leave in one-hour increments and to use at least 80 hours per calendar year.

10) Vacation Leave benefits will be calculated based on the employee's rate of pay at the time of the leave and will not include any special forms of compensation such as incentives, overtime, bonuses or shift differentials. For exempt employees, an hourly equivalent of their salary, based upon a 40-hour workweek, will be used.

11) The District will not grant advances on Vacation Leave except as noted in Section 8-9(4) of this P&P.

12) Any accrued, unused vacation will be cashed out at termination of employment at the employee's rate of pay at the time of termination, less any applicable taxes and withholdings. If an employee terminates employment prior to the completion of six months of continual employment, any remaining amount of unused advanced Vacation Leave as outlined in Section 8-9(4) of this P&P will not be paid out at termination. Accumulated Vacation Leave cashed out upon termination is not included as compensation for purposes of retirement related earnings reported to the URS. Upon retirement, any accrued, unused vacation will be cashed out or converted only as described in the District's Vacation Conversion Upon Retirement Policy.

13) Vacation Leave is not counted as time worked for purposes of calculating overtime.

8-10 VACATION CONVERSION UPON RETIREMENT

1) Upon retirement all employees who accumulate vacation time are entitled to a cash payout, at their rate of pay at the time of retirement, for accumulated vacation time, less any applicable taxes or withholdings. Accumulated Vacation Leave cashed out upon termination is not included as compensation for purposes of retirement related earnings reported to the URS.

2) In the alternative the employee may elect to convert their accumulated Vacation Leave to continuing group health, dental, and/or vision insurance coverage for the employee and any previously enrolled eligible dependents on a dollar-for-dollar basis. Under this option, the value of the employee's accumulated Vacation Leave at the employee's rate of pay at the time of retirement will be held in reserve for the employee and applied to the applicable group insurance premium or Medicare supplement for the benefit of the employee and previously enrolled eligible dependents. This will continue until the employee's reserve is exhausted, coverage period has exhausted as required by law, or the employee and all previously enrolled eligible dependents become eligible for Medicare or health insurance under another group plan. Conversion of Vacation Leave to insurance coverage ceases for the employee and previously enrolled eligible dependents as each becomes eligible for Medicare or health insurance under another group plan. The District will cash out and pay to employee any remaining converted Vacation Leave that is not used to pay for insurance premiums or Medicare supplement. This option is subject to all limitations, terms and conditions of the group insurance policy, federal

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- 3) In the alternative the employee may elect to have the accumulated vacation time, at the rate of pay at the time of retirement, contributed to their 401(k) Plan or Health Savings Account, subject to IRS guidelines, and only to the extent allowed under the law. Written notice of the employee's intention to exercise this option must be given to the District no later than four weeks prior to the employee's retirement date.
- 4) Any conversion of Vacation Leave upon retirement is contingent upon an adequate unencumbered appropriation in an approved budget.

8-11 PERSONAL LEAVE

- 1) Only regular full-time employees are eligible for paid Personal Leave.
- 2) Eligible employees receive 40 hours of paid Personal Leave at the beginning of each calendar year.
- 3) Personal Leave for new employees will be prorated for the first calendar year as follows based on hire date:
 - a) January 1-March 31: 40 hours
 - b) April 1-June 30: 30 hours
 - c) July 1-September 30: 20 hours
 - d) October 1-December 31: 10 hours
- 4) Personal Leave may be used at the employee's discretion.
- 5) Personal Leave does not carry over from year to year and cannot be converted or cashed out.
- 6) Personal Leave must be used by the last full pay period of the calendar year to avoid forfeiting any paid leave.
- 7) Personal Leave can be used in minimum increments of one-quarter hour.
- 8) Employees must receive prior approval from their supervisor before taking Personal Leave.
- 9) Personal Leave benefits will be calculated based on the employee's rate of pay at the time of absence and will not include any special forms of compensation such as incentives, overtime, bonuses or shift differentials. For exempt employees, an hourly equivalent of their salary, based upon a 40-hour workweek, will be used.

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10) Personal Leave is not counted as time worked for purposes of calculating overtime.

11) The District will not grant advances on Personal Leave.

8-12 LEAVE WITHOUT PAY

- 1) Leave without pay requires prior authorization from the GM. Employees absent from their regularly scheduled work shift without authorization are subject to disciplinary action up to and including termination.
- 2) Employees will not accrue Vacation or Sick Leave while on an unpaid leave of absence. Leave accruals are contingent upon active employment and the receipt of regular wages. Accordingly, any period during which an employee is not receiving pay (excluding paid leave such as vacation, sick, personal, holiday pay, or any other leave described in this chapter) will not count toward the accrual of Vacation or Sick Leave benefits. This applies to all types of unpaid leave, including but not limited to unpaid medical leave and leaves of absence under the Family and Medical Leave Act (FMLA) when such leave is unpaid.

8-13 EMERGENCY LEAVE ASSISTANCE PROGRAM

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- 1) Employees may voluntarily donate hours of accrued vacation leave to another regular full-time employee if the recipient meets all of the following qualifications:
 - a) Recipient, their spouse, child, or parent have a serious health condition, as that term is defined by FMLA or the recipient has a family emergency, as subject to approval by GM.
 - b) Recipient has exhausted all accrued sick, vacation, and personal leave hours.
 - c) Receipt of donated leave must comply with applicable income protection insurance requirements (i.e., short term disability).
- 2) Employee's donations may not exceed 120 hours in a calendar year (January 1 through December 31).
- 3) Donating employee's remaining vacation leave balance shall not be less than 80 hours.
- 4) Donations must be made in full hour increments.
- 5) Based on the request, donated time off will be provided to the recipient on a pay period basis to a maximum of 12 calendar weeks. Any unused donated time off will remain with the donating employee.
- 6) Employees will be paid at their current rate of pay, not the rate of the donor.

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- 7) Donated hours cannot be converted to cash.
- 8) Donated vacation leave is not counted as time worked by the recipient for purposes of calculating overtime.
- 9) The District will not grant advances on donated vacation leave.
- 10) All requests must be approved by the department manager and the GM.

8-14 HOLIDAYS

- 1) Only regular full-time employees are eligible for paid holidays.
- 2) Employees receive eight hours of holiday leave per holiday.
- 3) The GM will announce 13 paid holidays annually.
- 4) Holiday leave benefits will be calculated based on the employee's rate of pay at the time of the leave and will not include any special forms of compensation such as incentives, overtime, bonuses or shift differentials. For exempt employees, an hourly equivalent of their salary, based upon a 40-hour workweek, will be used.
- 5) Holiday leave is counted as time worked for purposes of calculating overtime.
- 6) Non-Exempt employees working the holiday (the actual date of the holiday not the observed date of the holiday) will be paid at two and one-half times their hourly rate. Non-exempt employees scheduled to fill scheduled shifts to facilitate 24-hour shift work will be compensated for the scheduled shift that has a majority of its hours on the actual date of the holiday (i.e., the night shift employee on the evening prior to the holiday and the day shift employee on the day of the holiday will get pay at two and one-half times their hourly rate; the night shift employee on the night of the actual holiday will be paid at the regular hourly rate).

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8-15 BEREAVEMENT LEAVE

- 1) Only regular full-time employees are eligible for paid Bereavement Leave.
- 2) In the event of the death of a spouse, domestic partner, or child, the employee will be paid for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of Bereavement Leave on the day following the funeral or memorial service if all of the following apply: (1) such service is held more than 150 miles distance from the employee's residence; (2) the employee attends the service; and (3) the day following the service is a regular work shift.

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- 3) In the event of the death of a parent or an individual acting in loco parentis, sibling, current stepmother or stepfather, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild; or domestic partner's relative as if the domestic partner were the employee's spouse; or death of an individual with whom an employee shares minor child(ren), the employee will be paid for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed three working days. The employee will be permitted one additional day of funeral leave on the day following the funeral or memorial service if all of the following apply: (1) such service is held more than 150 miles distance from the employee's residence; (2) the employee attends the service; and (3) the day following the service is a regular work shift.
- 4) In the event of a miscarriage or stillbirth, i.e., spontaneous or accidental loss of a fetus regardless of gestational age or duration of the pregnancy, where (1) the employee would have been a biological parent of a child born as a result of the pregnancy; (2) the employee provides documentation establishing that the employee was intended to be an adoptive parent of a baby born as a result of the pregnancy; or (3) the employee provides documentation establishing a valid gestational agreement through which the employee would have been a parent of a child born as a result of the pregnancy, the employee will be paid for scheduled work time not to exceed three working days immediately following the date of miscarriage or stillbirth.
- 5) In the event of the death of a relative other than those identified in paragraphs 2 and 3, eligible employees will be paid for scheduled work time, not to exceed one day, to attend funeral services. The employee will be permitted one additional day of Bereavement Leave on the day following the funeral or memorial service if all of the following apply: (1) such service is held more than 150 miles distance from the employee's residence; (2) the employee attends the service; and (3) the day following the service is a regular work shift.
- 6) In the event of a non-bloodline relative or friend, eligible employee will receive up to four hours of paid leave to attend funeral services.
- 7) Upon their supervisor's approval, employees may use any accrued leave to obtain additional paid time off.
- 8) The District will make reasonable efforts to provide unpaid time off determined by the GM to be appropriate for the situation.
- 9) While exceptions will be made as warranted in the case of a death of an immediate family member, employees are required to get advance approval from their supervisor or manager prior to taking Bereavement Leave. Failure to do so may result in denial of leave.
- 10) Bereavement Leave benefits will be calculated based on the employee's rate of pay at the time of the leave and will not include any special forms of compensation such as incentives, overtime, bonuses or shift differentials. For exempt employees, an hourly equivalent of their

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salary, based upon a 40-hour workweek, will be used.

- 11) New employees are immediately eligible for Bereavement Leave.
- 12) Bereavement Leave is not counted as time worked for purposes of calculating overtime.
- 13) The District may require a copy of an obituary or other information to confirm attendance at funeral services.

8-16 JURY DUTY AND WITNESS LEAVE

- 1) Regular full-time employees will receive paid leave for jury duty.
- 2) Except as excused by their immediate supervisor, employees on Jury Duty Leave should return to work if released by the court prior to the end of the regular working day in time to make it practicable to return to work.
- 3) Employees may retain any compensation received for jury duty or witness fees.
- 4) While temporary employees do not receive paid leave for jury duty, the District will provide unpaid time off so they can attend to their civic responsibilities.
- 5) Regular full-time employees who are serving as witnesses in litigation in which the District is a party will receive their regular wage or salary while attending court or serving as a witness.
- 6) Employees who are subpoenaed to serve as witnesses in court actions that do not involve the District will receive their regular wage or salary.
- 7) Jury Duty and Witness Leave will be calculated based on the employee's rate of pay at the time of the leave and will not include any special forms of compensation such as incentives, overtime, bonuses or shift differentials. For exempt employees, an hourly equivalent of their salary, based upon a 40-hour workweek, will be used.
- 8) Jury Duty and Witness Leave is not counted as time worked for purposes of calculating overtime.

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8-17 MILITARY SERVICE

- 1) The District will not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment by the District on the basis of military service, performance of service, application for service, or obligation. The District will comply with all applicable statutes, including Employment and Reemployment Rights of Members of the Unified Services Act, 38 U.S.C. § 4301 *et seq.*, and Utah Code Ann. §§ 71-10-1 *et seq* and any amendments thereto.

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8-18 MATERNITY LEAVE

- 1) Regular full-time employees are eligible to receive up to six weeks of paid Maternity Leave for physical recovery following the delivery of a child. Thereafter, the District may require eligible employees to use other accrued paid leave (Sick Leave, Personal Leave and Vacation Leave) before going on unpaid leave status. This leave will run concurrently with the Family and Medical Leave Act ("FMLA"). Receipt of donated leave must comply with applicable income protection insurance requirements (i.e., short-term disability). FMLA requires 30 days advance notice for foreseeable events. If a District holiday occurs while the employee is on paid maternity leave, such day will be shown on the employee's pay stub as holiday pay, but will be charged against paid maternity leave and will not extend the total paid maternity leave entitlement.

8-19 PARENTAL LEAVE

- 1) Regular full-time employees who become parents through birth, adoption or foster care may take up to two weeks of paid leave to care for and bond with the child. Parental Leave will start on the date of the child's birth or, in the case of adoption or foster care, the date the child is placed in the employee's home. Parental Leave will run concurrently (during the same period of time) with FMLA (if applicable). FMLA requires 30 days advance notice for foreseeable events. If a District holiday occurs while the employee is on paid parental leave, such day will be shown on the employee's pay stub as holiday pay, but will be charged against paid parental leave and will not extend the total paid parental leave entitlement.
- 2) An employee who is eligible for Maternity Leave will also be eligible for Parental Leave.

8-20 FAMILY AND MEDICAL LEAVE ACT LEAVE

- 1) The District will comply with the requirements of FMLA. The following generally describes FMLA leave; however, if there is any discrepancy between this policy and FMLA, the provisions of FMLA apply.
- 2) Eligible employees are entitled to up to 12 weeks of unpaid FMLA leave within the calculated leave year for the following reasons:
 - a) For incapacity due to pregnancy, prenatal medical care, or child birth
 - b) To care for the employee's child within one year after birth or placement for adoption or foster care within one year of placement
 - c) To care for the employee's spouse, child or parent who has a serious health condition
 - d) For the employee's own serious health condition that makes the employee unable to

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- 7) This policy applies to all current employees and candidates for regular, full-time employment. This policy does not apply to temporary employees.

8-27 EQUAL EMPLOYMENT OPPORTUNITY

- 1) The District is an equal employment opportunity employer. The law prohibits employment discrimination and harassment due to:
- a) Race
 - b) Color
 - c) National origin
 - d) Sex (including pregnancy)
 - e) Age (forty and older)
 - f) Religion
 - g) Disability as defined by law
 - h) Veteran or military status
 - i) Sexual orientation or gender identity
 - j) Any other class protected under federal, state or local laws.
- 2) Illegal discrimination, harassment, and retaliatory conduct are prohibited in all aspects of employment, including hiring, compensation, training, promotions, performance evaluations, benefits, etc.
- 3) Any employee found to have engaged in discriminatory, harassing or retaliatory conduct is subject to immediate disciplinary action, up to and including termination.
- 4) The District will not tolerate any form of illegal harassment, or other abusive conduct, including verbal, visual and physical conduct that demeans or shows hostility toward an individual based on a protected class.
- 5) Employees who believe they have been subjected to illegal discrimination, harassment or retaliatory conduct in the workplace should immediately notify their Department Manager or the District's HR Manager. Management will initiate a prompt, thorough investigation and will take remedial action, as appropriate. Reports of discrimination, harassment and/or retaliatory conduct are treated as discreetly and confidentially as practical.
- 6) Retaliatory conduct is defined as taking adverse action against an employee because the employee has made a discrimination, harassment or retaliation complaint, or because the employee has testified, assisted or participated in any manner in an investigation, proceeding, or hearing relating to violation of this policy.

8-28 APPEAL FROM DISCIPLINARY ACTIONS

- 1) Employee disciplinary actions are final and effective when made or managers or GM, subject

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to the appeal process described here. Although there is an appeal process, the employment relationship is still "at-will."

- 2) Any such disciplinary action which involves termination, suspension for more than two days without pay, or involuntary transfer to a position with less remuneration for a disciplinary reason may be appealed to the GM, except when the termination or involuntary transfer is as a result of a layoff or reorganization. Such appeal shall be initiated by written notice received by the GM detailing briefly the date and nature of the disciplinary action appealed from and a summary of the grounds for the appeal. Such written notice must be received by the GM within 10 calendar days after the disciplinary action.
- 3) If an appeal is timely filed, the GM shall schedule a hearing within 30 calendar days of receiving a request for an appeal hearing.
 - a) The GM has discretion to set, on a hearing-by-hearing basis, all necessary requirements for the hearing to provide a fair, efficient and professional process.
 - b) The employee who is the subject of the termination, suspension, or transfer may examine the evidence received and provide additional evidence to be considered by the GM.
 - c) At the conclusion of the hearing, or within 15 calendar days thereafter, the GM shall make written findings determining whether there is just cause for the disciplinary action taken against the employee.
 - d) If the GM finds that adverse action was taken in violation of the District's policies, the GM may order (a) reinstatement of the employee at the same level as before the adverse action; (b) the payment of back wages; (c) full reinstatement of fringe benefits; or d) other action as deemed appropriate by the GM.
- 4) Those employees under the direct supervisory authority of the GM subject to the disciplinary procedures outlined in this section, may appeal the decision by the GM to the Management Advisory Committee (MAC) as outlined above. Decisions of the MAC shall be made by majority vote and are final.
- 5) If the employee wishes to appeal the decision of the GM, a further appeal may be taken to the MAC. Such appeal shall be initiated by written notice received by the MAC via the GM or HR Manager, detailing briefly the date and nature of the disciplinary action appealed from and a summary of the grounds for the appeal. Such written notice must be received by the GM or HR Manager within 10 calendar days after the GM decision. No additional evidence will be received by the MAC.
 - a) If an appeal is timely filed, the MAC shall schedule a hearing within 30 calendar days of receiving a request for an appeal hearing.

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- ~~Deleted: <#>at which two or more members of the Management Advisory Committee will hear the appeal. The employee who is the subject of the termination, suspension, or transfer may: appear in person and be represented by counsel; have a public hearing; confront the witnesses whose testimony is to be considered; and examine the evidence to be considered by the Management Advisory Committee. The Management Advisory Committee has discretion to set, on a hearing by hearing basis, all necessary requirements for the hearing to provide a fair, efficient and professional process.¶~~
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- b) The MAC has discretion to set, on a hearing-by-hearing basis, all necessary requirements for the hearing to provide a fair, efficient and professional process.
- c) The employee who is the subject of the termination, suspension, or transfer may appear in person and be represented by legal counsel, challenge the witnesses whose testimony is to be considered, and examine the evidence to be considered by the MAC as previously received by the GM.
- d) The employee and the District management may call witnesses and offer evidence which bears upon the issues presented by the disciplinary action. If the employee intends to call a witness who is an employee of the District, the employee shall file a written request with the GM or GM's designee at least 10 days before the hearing, and the GM or GM's designee shall arrange for the appearance of the witness(es).
- e) At the conclusion of the hearing, or within 15 calendar days thereafter, the MAC shall make written findings determining whether there is just cause for the disciplinary action taken against the employee.
- f) If the MAC finds that adverse action was taken in violation of the District's policies, the MAC may order (a) reinstatement of the employee at the same level as before the adverse action; (b) the payment of back wages; (c) full reinstatement of fringe benefits; or d) other action as deemed appropriate by the MAC.
- g) The decision of the MAC shall be made by majority vote and are final. Any appeal must be taken in accordance with applicable law.

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8-29 DELEGATION OF EMPLOYMENT MATTERS TO GM

- 1) The GM is delegated authority to determine employment and discipline guidelines that are consistent with the P&P, instructions of the Board, budget appropriations, and applicable law.
- 2) The GM should from time to time consider appropriate, consistent guidelines regarding compensation, health, dental, vision, life, accident, disability, long-term care and retirement benefits, COBRA compliance, workers compensation, telecommuting, education, recruiting, leave benefits, FMLA compliance, FLSA compliance, contract employees, new hires, standards of conduct, drug and alcohol testing, security, safety, equal opportunity compliance and public relations. To the extent appropriate, these should be summarized in the Employee Manual or in other written form. Substantive changes to the Employee Manual and/or other written guidelines shall be brought to the Management Advisory Committee's attention promptly.

8-30 EMPLOYEE AUTHORIZATION STATUS

- 1) The District is, and shall remain, registered with the federal "status verification system" (E-

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verify or current equivalent). The District will use this "status verification system" to verify the federal employment authorization status of new employees in keeping with state and federal law.

8-31 ENROLLMENT IN MEDICARE

- 1) At the time an employee reaches the age of Medicare eligibility and anytime thereafter, the employee has the option to voluntarily drop the District's group health insurance coverage and enroll in Medicare. If the employee elects to enroll in Medicare, the District will reimburse the employee to cover the costs of Medicare and Medicare Supplements, subject to available appropriations in the budget. Reimbursement of Medicare premiums and Medicare supplements will not exceed the amount the District pays for group health insurance coverage and Health Savings Account contributions.
- 2) In preparation for an employee's enrollment in Medicare, the employee has the option to cease contributions from the District to their Health Savings Account and instead receive those contributions as monthly earnings or a lump sum payment until retirement. These earnings may be subject to taxation.

8-32 CRIMINAL BACKGROUND CHECKS

- 1) The District may require an applicant for a position as a regular full-time employee or an applicant for a position as a temporary employee to submit to a criminal background check as a condition of employment if, in the judgment of the Board or the GM, the individual may be in a position to affect the safety or security of District works and waters or affect the safety or well-being of patrons, visitors, and employees of the District. Criminal background checks will comply with applicable law, including Utah Code § 34-52-201.
- 2) As a condition of continued employment, the District may require existing employees to consent to and complete a criminal background check on a periodic basis.
- 3) Criminal background check procedure:
 - a) If requested by the GM, each individual will consent to a criminal background check conducted by a third party provider.
 - b) The criminal background check may include county criminal search; national sex offender, SSN, alias, OFAC, nationwide criminal history system, and motor vehicle records.
- 4) The District will then evaluate the result of the criminal background check in accordance with the criteria described below, to the extent allowed by law:
 - a) If a criminal background check reveals that an individual failed to accurately disclose a criminal history, the District may reject the application for employment, terminate

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employment, restrict or deny access to District works and/or waters, or take other security measures.

b) If the District reasonably believes the record is accurate, the GM shall determine the candidate's suitability for the position at issue. Unless otherwise provided by law, factors considered in determining suitability may include, but are not limited to the following:

- i) relevance of the crime to the position sought;
- ii) the nature of the work to be performed;
- iii) time since the conviction;
- iv) age of the candidate at the time of the offense;
- v) seriousness and specific circumstances of the offense;
- vi) the number of offenses;
- vii) any relevant evidence of rehabilitation or lack thereof; and
- viii) any other relevant information, including information submitted by the candidate or requested by the District

- 5) The District shall provide written notice to the individual who is the subject of the criminal background check that a criminal background check has been requested. Such notice shall be given to this person within three business days of the request for the background check.
- 6) If the District rejects an application for employment based on information obtained through a criminal background check, the District shall:
 - a) Notify the individual in writing; and
 - b) Give the individual an opportunity to respond by filing a written request for review which identifies the reason(s) for review with the MAC as outlined in Section 8-28(5) of the P&P. The MAC will consider whether the information supplied by the individual warrants an exception to the policy.
- 7) Information obtained through criminal background checks under this Chapter shall be classified and protected from disclosure as "private and protected records," as described in Sections 7-10 and 7-12 of the P&P.
- 8) The information obtained through a criminal background check under this Chapter shall be used only to determine employment.

8-33 WHISTLEBLOWER POLICY

- 1) Pursuant to the Utah Protection of Public Employees Act, Utah Code Ann. Title 67, Chap. 21, (the "Act"):

Deleted: ¶ To the extent allowed by law, the District may reject an application for employment, terminate employment, restrict or deny access to District works and/or waters, or take other security measures, if a criminal background check reveals any of the crimes listed below or conviction of any crime grounded in violence, deceit or other behavior which would indicate a potential risk for the District. Such District action shall be determined by the GM to be reasonable and necessary under the circumstances to protect the safety or security of District works or waters or the safety or well-being of patrons, visitors, and employees of the District. Such action shall be based upon the nature and gravity of the offense or conduct, the time elapsed since the conviction or completion of sentence, and the nature of the job sought or held. This list shall be considered illustrative and not be considered exhaustive, and the GM shall have discretion to consider crimes not listed below as grounds for such actions.¶ ¶ Felony conviction or pending indictment for:¶ ¶ Homicide:¶ ¶ Felony crimes against a person, including but not limited to, assault and battery.¶ ¶ Sex offenses, including but not limited to, lewdness, assault, incest, and rape.¶ ¶ Child molestation or abuse.¶ ¶ Robbery or burglary.¶ ¶ Theft.¶ ¶ Arson.¶ ¶ Kidnapping.¶ ¶ Drug related offenses.¶ ¶ Fraud, or¶ ¶ Outstanding felony warrant.¶ ¶ ¶ Misdemeanor conviction or pending indictment within the last ten (10) years for:¶ ¶ ¶ Any of the crimes listed in subpart (c), above.¶ ¶ Weapons violations.¶ ¶ Property crimes.¶ ¶ Forgery, or¶ ¶ Gambling offenses.¶
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Deleted: <#>GROUP HEALTH INSURANCE¶ ¶ Dependents of District employees, specifically children over the age of 18, who are also employed as District regular full-time employees, are entitled to enroll as an individual on the District's health plan and Health Savings Account ("HSA"). Per IRS Guidelines, to be an eligible individual and qualify for an HSA, an individual cannot be claimed as a dependent on another person's tax return.¶ ¶
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- a) The District will not take adverse action against an employee because the employee, or a person authorized to act on behalf of the employee, communicates in good faith (1) the waste or misuse of public funds, property or manpower; or (2) a violation or suspected violation of a law, rule or regulation adopted under the law of Utah, a political subdivision of Utah, or a recognized entity of the United States. The District encourages employees to report such issues either to their immediate supervisor, the HR Manager, or anonymously through the employee suggestion box located in the Administration building copy room. The employee reporting such issues is not responsible for investigating the activity or for determining fault or corrective measures. The GM or GM's designee is responsible for investigating and coordinating corrective action.
- b) The District will also not take adverse action against an employee because the employee participates or gives information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review held by the District.
- c) The District will not take adverse action against an employee because the employee has objected to or refused to carry out a directive that the employee reasonably believes violates a law of Utah, a political subdivision of Utah, or the United States, or a rule or regulation adopted under the authority of the laws of Utah, a political subdivision of Utah, or the United States.
- 2) Employees who believes they are being retaliated against (i.e., termination, compensation, work assignments, threats, etc.) in violation of this policy or the Act must file a complaint/grievance with the independent personnel board, by delivering the complaint/grievance to the HR Manager, within 10 calendar days of the adverse action that was taken. The independent personnel board consists of the Executive Committee or its designee. The independent personnel board will conduct a hearing within 30 calendar days of the receipt of the complaint/grievance by the HR Manager, unless otherwise mutually agreed upon by the District and the employee. At the hearing, the District has the burden of proof, by a preponderance of the evidence, to establish by substantial evidence that the District's action was justified by reasons unrelated to the employee's good faith actions set forth in section (1) above. The employee may appear in person and be represented by legal counsel and examine the evidence to be considered by the independent personnel board. The District may represent itself or it may be represented by legal counsel. The independent personnel board has discretion to set, on a hearing-by-hearing basis, all necessary requirements for the hearing to provide a fair, efficient and professional process.
- 3) The independent personnel board shall render its decision and enter its order within 10 calendar days of the hearing. Decisions of the independent personnel board are final. Any appeal must be taken in accordance with applicable law.
- 4) If the independent personnel board finds that adverse action was taken in violation of this policy or the District's regulations, the independent personnel board may order (a) reinstatement of the employee at the same level as before the adverse action; (b) the payment of back wages; (c) full reinstatement of fringe benefits; (d) full reinstatement of seniority rights; or (e) if the adverse action includes failure to promote, if the employee would otherwise

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have been promoted, a pay raise that results in the employee receiving the pay that the employee would have received if the employee had been promoted. The independent personnel board may also order an employee who violated the Act to pay a civil fine of not more than \$500.

- 5) The District will post notices and use appropriate measures to keep employees informed of their rights and obligations under the Act. Employees will be provided a copy of the Act when they are hired, when they request a copy, and when they file a complaint/grievance under this policy or the Act.
- 6) The District will comply with the Act as it is revised and amended by the Utah Legislature from time to time.

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CHAPTER 9
VEHICLES AND TRAVEL

Last Updated: June 15, 2026

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9-1 USE OF DISTRICT AND PERSONAL VEHICLES

- 1) Except when an employee has been provided with a monthly vehicle allowance, District employees are encouraged to use District vehicles when conducting District business. If a District vehicle is not available or it is not practicable to use one, then an employee may use his or her personal vehicle and submit a mileage reimbursement request within 30 days of travel. Mileage reimbursement shall be consistent with IRS guidelines for deductible expenses.
 - a) The GM has discretion to provide to those District employees who frequently use vehicles for District business, or those District employees who must respond to District facilities in emergencies after hours, an assigned District vehicle for commuting to and from work, District business and *de minimis* personal travel, such as a brief stop for a personal errand which is not out of the way.
- 2) Board authorization is required for use of District vehicles for personal use other than *de minimis* use.

9-2 MARKINGS

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- 1) All District vehicles shall be marked with the District logo as required by Utah Code Ann. § 41-1a-407(1)(a) and (b). The GM shall have discretion to determine whether particular vehicles are marked and in what fashion, in accordance with Utah Code Ann. § ~~41-1a-407~~(2)(d) and (e).

9-3 PERSONAL AUTO INSURANCE DEDUCTIBLE

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- 1) Personal vehicles used for District business must be insured. The District may require confirmation of insurance before employees are authorized to use personal vehicles for District business.
- 2) If an accident occurs while a District employee is driving a personal vehicle while engaged in District business, the District, under the following circumstances, will reimburse the employee for the amount of his or her vehicle insurance deductible:
 - a) The accident is reported to the applicable law enforcement agency promptly; the agency completes and prepares a report; and the employee promptly provides his or her supervisor with a copy of the report, along with proof of insurance coverage for the vehicle involved.

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- b) The employee did not cause or contribute to the accident by acts or omissions which were intentional, reckless or grossly negligent.
 - c) At the time of the accident, the employee had collision damage insurance coverage on the vehicle involved.
- 3) Payment by the District under this subparagraph is limited to the amount of the deductible up to a maximum of Two Thousand Dollars (\$2,000.) If the damage to the vehicle was caused, or contributed to, by the acts or omissions of a third party who was not a District employee, the employee involved shall act reasonably and promptly to see that the District is reimbursed by the third party or the third party's insurer.

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9-4 CONDUCT

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- 1) All employees shall use safety restraints as required by law when in any motor vehicle on District business. All employees shall exercise reasonable care, obey all traffic signals and laws, and act courteously and responsibly while operating any motor vehicle on District business.

9-5 DRIVER LICENSE AND RECORD

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- 1) Each employee who is required to operate vehicles as part of his or her duties with the District shall maintain a valid driver license of the appropriate class. Employees are expected to know whether their duties with the District require a Commercial Driver License.
- 2) Each employee is expected to report promptly to his or her supervisor upon the occurrence of any of the following events:
- a) Any suspension, revocation or invalidity of the driver license of that employee, if that employee is required to operate vehicles as part of his or her duties;
 - b) Any change in the class, status or restrictions of a driver license of that employee which may require a change in work assignments by the District in order to comply with applicable law; and
 - c) Any citation for driving under the influence of alcohol, and any citation for a moving violation, received while driving a District vehicle.
- 3) The District may periodically obtain the driving record of any employee who is required to operate vehicles as part of his or her duties. Employees shall cooperate as reasonably requested to make such driving record available to the District.

9-6 AUTHORIZED REIMBURSABLE TRAVEL

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1) It is the policy of the District to reimburse Trustees and employees for reasonable costs associated with authorized travel while on District business. Trustees are authorized to attend conferences, seminars or meetings when their attendance is related to their duties as Trustees, and in the judgment of the Chair of the Board, attendance will benefit the District. Trustee travel reimbursement shall be authorized in advance by the Chair. Payment of Trustee reimbursement will be supervised by the GM. Employees are authorized to attend conferences, seminars or meetings when their attendance is related to their duties as District employees and their attendance will, in the judgment of the GM, benefit the District. All overnight travel of District employees for District business shall be approved in advance by the GM.

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9-7 TRAVEL ARRANGEMENTS

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1) Travel arrangements shall be made with the assistance of the GM or his/her designee, including registration for conferences, seminars, or other meetings, transportation, lodging, car rental, etc. In making travel arrangements for transportation, lodging and car rental, the District should consider several available service providers (including, for example, the Utah State Travel Office, private travel companies and reservation services, or on-line internet services); shall seek the best available rate given the needs of the traveler and the District, and the specific details of the planned travel; and shall inquire about the availability of discounts or price concessions for government employees. The GM need not price hotel accommodations for seminars where the Trustee or employee will be staying in the hotel where the conference meetings will be held. The GM shall act reasonably to document the steps taken to conform with the provisions of this Section 9-7.

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9-8 PER DIEM TRAVEL ALLOWANCES AND ADVANCES

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1) Travel expenses shall be reimbursed, and may be advanced, based upon the city per diem allowed under IRS guidelines for deductible expenses. Travel expenses not otherwise defined under IRS guidelines shall be arranged and approved in accordance with the provisions of Section 9-7 above. The GM may authorize a reimbursement or advance under special circumstances in excess of the city per diem allowed under IRS guidelines, so long as the decision is documented by the GM.

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2) Instructions and forms requesting travel advances shall be adopted by the GM. It is the traveler's responsibility to obtain approval far enough in advance to process the advance request in a routine manner. If travel plans change, or if for any other reason the per diem amount advanced exceeds that allowed by IRS guidelines, any excess must be returned to the District promptly.

3) Receipts shall be kept to the extent required by applicable IRS city per diem guidelines, or if the traveler seeks to be reimbursed for expenses in excess of IRS city per diem guidelines. Receipts for personal meals are not required.

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9-9 CREDIT CARDS

CHAPTER 12
POLICIES FOR NON-DISTRICT USE OF
DISTRICT LAND AND INTEREST IN LAND

Last Updated: June 15, 2026

This chapter of the P&P contains policies governing the use of District property interests by persons or entities other than the District.

PART 1
GENERAL PROVISIONS

12-101 PURPOSE

This Chapter of the P&P is intended to:

- 1) provide guidelines and authorization processes for use of District Lands by others, *see* Utah Code § 17B-2a-603;
- 2) protect and maintain District property for its intended use;
- 3) describe uses that will generally allow the District to
 - a) maintain its ability to have necessary, proper, and timely access to District Lands and infrastructure;
 - b) minimize the costs to the public by protecting reasonable constructability for future infrastructure, repair, and replacement projects;
 - c) minimize costs to the public by avoiding litigation;
 - d) minimize the exposure to liability claims;
 - e) provide security; and
 - f) fulfill the District's fiduciary responsibilities to protect District assets for the benefit of the District's member cities and the water users served by those member cities;
- 4) balance the objectively reasonable interests of property owners impacted by District easements in the reasonable use of and protection of their property with the purposes of District right to utilize and protect District assets; and
- 5) describe when agreements are required to document balance between the needs of the District and Affected Parties.

12-102 INTENT

- 1) General Implementation. The District's intent is to implement these objectives and provide these protections in a fair, timely, and reasonable manner.

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Lands. If reasonable conditions cannot be implemented, the use may be denied. Expense to the District (current or reasonably anticipated) is an appropriate consideration in determining conditions; expense to the Affected Party is not.

- 5) Uses Not Considered in this Chapter. The EC or Board may authorize Agreements in addition to those the staff is authorized to issue by this chapter, or make exceptions to the policies, where doing so would serve the interests of the District and the public the District serves.

12-202 PROCUREMENT AND DISPOSAL OF PROPERTY

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- 1) Procurement. The District may procure property as is necessary or convenient for the administration of its duties, including through eminent domain.
- 2) Disposal. The District will make reasonable efforts to comply with its obligation to receive fair market value for disposal of property, and will take reasonable efforts to act within the District's limited authority to dispose of District Lands or any right or interest in District Lands if said disposal is in the best interest of the District, its member cities, and the water users served by those member cities. As set forth in Section 6-5 of this P&P, and as required by Utah Code Ann. § 17B-1-103(8), any disposal or conveyance of District Lands must comply with Utah Code Ann., Title 11, Chapter 1, Part 2 ("Disposal of Public Property").

12-203 USE OF DISTRICT LANDS BY OTHERS

- 1) Compliance. Use of District Lands shall be in compliance with this chapter.
- 2) Grandfathering. Many uses of District Lands have occurred since the acquisition of the District Lands. The District does not recognize existing uses as exempt from these policies (i.e., grandfathering). Uses inconsistent with these policies should be resolved at the time of an Agreement or Agreement renewal.
- 3) Proactive Coordination. The District may proactively communicate with individuals using District Lands to bring those uses consistent with this Chapter, including payment of all required fees and charges as applicable. The District should continually review District Lands to identify uses that may violate the District's rights.
- 4) Existing Conflicting Uses. Where existing uses are in conflict with this Chapter, the District will seek to bring them consistent with policy. Some uses may require coordination or means, beyond cost, that render their removal impossible. Such uses may include private utility connections that must cross District Fee Lands to a lateral or structures that were previously constructed overhanging District Lands, or roads maintained by a city for the public. These existing uses shall be considered on a case-by-case basis by the Board as an exception request (see Section 12-501).

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12-404 USE TABLES

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- 1) Permissions. The following tables show uses that are generally permitted (P), may be permitted with conditions (C), or are not permitted (N). Uses not shown may be extrapolated from similar uses (e.g., a flag pole and a basketball standard), or should be considered not permitted.
- 2) Agreements for Permitted Uses. The District will review requested uses on a case-by-case basis and is not obligated to permit any third-party use of District Fee Lands or any use of District Easement Lands where such would adversely impact the District’s land interest or infrastructure. See Section 12-303 to determine when agreements are required, whether a permitted (P) use or may be permitted with conditions (C) use.
- 3) Application. These use tables are intended for third-party uses within District Corridors. Third-party uses of other District Lands, including treatment plants, pump stations, and reservoirs, shall only be permitted by the Board.
- 4) Landscaping and Play Equipment

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<i>Use Type</i>	<i>Fee¹</i>	<i>Easement¹</i>
² Fence, concrete	N	N
² Fence, masonry block	N	N
² Fence, metal	C	P
² Fence, vinyl	C	P
² Fence, wood	C	P
Fire pit (with shutoff valve located outside District Lands)	N	C
Garden	P	P
Garden box	P	P
Landscape rock (greater than 36 inches in diameter)	N	C
Landscape rock (smaller than 36 inches in diameter)	P	P
Natural ground cover (grass, gravel, sand, mulch)	P	P
Pad, non-reinforced concrete or asphalt	N	C
Pad, reinforced concrete	N	C
Paver (free-sitting)	P	P
Play equipment (e.g., swing sets, slides, goal posts) – anchored	N	C
Play equipment (e.g., swing sets, slides, goal posts) – free-standing	N	P
Shrub (four feet or shorter at maturity)	P	P
Shrub (taller than four feet <u>at maturity and within 20 feet of District infrastructure, including roads</u>)	N	N
Shrub (taller than four feet <u>at maturity and greater than 20 feet from District infrastructure, including roads</u>)	N	P
Shaping (edging, curbing)	P	P
Sprinkler system (with shutoff valve located outside District Lands)	P	P

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Tree (greater than 20 feet from District infrastructure, including roads)	N	P
Tree (within 20 feet of District infrastructure, including roads)	N	N
Vine	N	P
Water feature	N	N

¹ P = permitted, C = may be permitted with conditions, N = not permitted

² See corresponding Standard Specification for other requirements.

a) In-ground improvements such as pads should be separated at the Corridor boundary to promote ease of removal without damaging portions of the hard surface outside the Corridor.

b) Shrub height at maturity is defined using available data for the State of Utah, such as Utah State University's Shrub Selection for Utah Landscapes. Height at maturity is determined solely by the shrub species and not through trimming or similar maintenance.

5) Roads, Driveways, and Walkways.

<i>Use Type</i>	<i>Fee¹</i>	<i>Easement¹</i>
Amenities (e.g., signs, lights, medians, guardrails)	N	C
Curb, gutter, park strip, sidewalk	C	C
Private driveway, walkway	N	C
Private road	N	C
Public road (60° to 90° crossing of District Lands or infrastructure)	C	C
Public road (less than 60° or parallel to District Lands or infrastructure)	N	C
Public trail (motorized)	N	C
Public trail (non-motorized)	C	C

¹ P = permitted, C = may be permitted with conditions, N = not permitted

a) Public roads are not desirable within District Lands. If public roads are allowed within District Lands, alternative traffic access must be available to accommodate rerouted traffic for times of repair or replacement of District infrastructure or other use by District of District Lands.

b) Utilities are not considered to be part of the public road. See Section 12-7(14) for policies related to utility crossings.

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6) Structures.

<i>Use Type</i>	<i>Fee¹</i>	<i>Easement¹</i>
Building (including overhang), footing or foundation	N	N
Building, no footing or foundation	N	C

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Carport, free-standing	N	C
Deck	N	C
Pole, post (e.g., mailbox, flag pole, light pole) (greater than 20 feet of District infrastructure, including roads)	N	P
Pole, post (e.g., mailbox, flag pole, light pole) (within 20 feet of District infrastructure, including roads)	N	C
Pool	N	N
Retaining wall, footing	N	N
² Retaining wall, non-reinforced gravity block or non-grouted rock and not supporting a structure or road	N	C
Shed, free-standing	N	C

¹ P = permitted, C = may be permitted with conditions, N = not permitted

² See corresponding Standard Specification for other requirements.

- c) Structures, where permitted or permitted with conditions, should not be connected to another structure. This will permit removal without damage to the connected structure.

7) Equipment, Materials, Animals.

<i>Use Type</i>	<i>Fee¹</i>	<i>Easement¹</i>
Animals – boarding	N	C
Animals – temporary (e.g., grazing)	N	P
Construction Materials (i.e., staging)	N	C
Equipment (e.g., vehicles, trailers) storage and/or parking – off road	N	P
Equipment (e.g., vehicles, trailers) storage and/or parking – roads or driveways	P	P
Materials (e.g., yard waste, litter, debris)	N	P
Salvage yard	N	N

¹ P = permitted, C = may be permitted with conditions, N = not permitted

- a) Where a public road or parking area is approved by Agreement on District Fee Land, parking should be limited to reasonable uses and times. Long-term parking, or the parking of inoperable vehicles and/or equipment shall not be permitted.
- b) Whether or not permitted, the parking or storage of equipment or boarding/grazing of animals should not block District access to District infrastructure.

8) Utilities.

<i>Use Type</i>	<i>Fee¹</i>	<i>Easement¹</i>
Utilities, commercial (60° to 90° crossing of District Lands or infrastructure)	P	P

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Utilities, commercial (less than 60° or parallel to District Lands or infrastructure)	N	P
Utilities, residential, existing	C	P
Utilities, residential, new	N	P
Cell towers	N	N
Utility sleeves, pedestals, and similar infrastructure	N	P

¹ P = permitted, C = may be permitted with conditions, N = not permitted

- a) Corrosion Protection. Metal pipes and high voltage power that are in close proximity to and may affect District infrastructure should be required to implement corrosion protection measures that provide proper protection of District infrastructure.

**PART 5
APPEAL AUTHORITY AND EXCEPTIONS**

12-501 APPEALS

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- 1) Appeal. In the event an Applicant or Licensee disagrees with a determination related to their desired use of District Lands, the Applicant or Licensee may appeal the determination as described in this section.
- 2) Form. All appeals shall be in writing, explain in detail the bases for the appeal, and state clearly the relief sought.
- 3) Escalation. Appeals of a staff decision may be appealed to the Engineering Manager, of an Engineering Manager decision to the General Manager, and of a General Manager or EC decision to the Board.
- 4) Deadline. The written appeal must be received by the District within 30 calendar days following receipt of the decision that is being appealed. At the request of the person(s) filing the appeal, the Engineering Manager may extend the time for appeal upon good cause shown.
- 5) Appeals May be Decided on Information Submitted with Appeal. The individual or body addressing an appeal has discretion to resolve the appeal with or without information beyond the written appeal.
- 6) Resolution. A Board decision may result in an exception to policy specific to the Application, a modification to this chapter thereby resolving the appeal, or further denial. If the appeal is denied, Applicant may revise and resubmit an Application for uses consistent with this chapter.

Decisions to be in Writing. Decisions will be made in writing and delivered to the person(s) filing the appeal. The District may implement electronic notification

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