CITY OF LOGAN, UTAH
Ordinance No. 07-87

AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A CITIZENS’ COMPENSATION ADVISORY COMMITTEE, THE APPOINTMENT OF MEMBERS TO THE COMMITTEE AND THE DUTIES AND RESPONSIBILITIES OF THE COMMITTEE

WHEREAS, Section 10-3-1219 of the Utah Code Annotated states that the Mayor has the power to appoint, with the advice and consent of the City Council, committees of the municipality, except as may otherwise be specifically limited by law. Under Utah law, the Mayor and the City Council constitute two separate and equal branches of City Government. As a result, the City Council has the authority to appropriate funds for the elected officials and employees of the City Council and Logan City.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN AS FOLLOWS:

SECTION 1. Logan Municipal Code, 1989, Chapter 2.52, Article VII, Public Employees—Citizens’ Compensation Advisory Committee, is hereby amended to read as follows:

2.52. PUBLIC EMPLOYEES
ARTICLE VII. Citizens’ Compensation Advisory Committee

2.52.200. Name and Purpose: The purpose of this ordinance is to create the Citizens’ Compensation Advisory Committee (the “Committee”) and provide for its duties and responsibilities in making recommendations, to the City Council, regarding the compensation of the City’s elected officials and employees.

2.52.210. Appointment of Members to the Committee:
A. The Committee shall be comprised of the following:
1. Seven members appointed by the Mayor and ratified by the City Council from a list of nominees submitted by the City Council.
2. One city council member who shall serve as a non-voting liaison.
3. All committee members shall be residents of the City of Logan.

B. In appointing the members to the Committee, the City Council shall give consideration to achieving representation from a broad cross section within the Logan City community of occupational, professional, employee and management interests including persons from academia, business, community councils, and organized labor, and persons with compensation expertise. No member of the Committee shall be deemed by this ordinance an employee of the City.

2.52.220: Members of the Committee are Volunteers: Members of the Committee shall perform their services on the Committee without pay or other compensation except expenses actually and reasonably incurred as approved by the City Council. Members
shall be deemed volunteers as defined in Sections 67-20-1 et seq. Utah Code Ann., and as such shall be immune from any liability with respect to any decision and action taken in the performance of their duties and responsibilities on the Committee as provided by Sections 63-30b-1 et seq. of the Utah Code Ann.

2.52.230: Terms of the Committee Members. Three of the initial members of the Committee shall serve for two years. All other initial appointees shall serve for four year terms. Persons appointed thereafter to the Committee shall serve four year terms.

2.52.240: Organization of the Committee. The Committee shall select a chair and a vice chair at its first meeting. Any vacancy on the Committee shall be filled for the unexpired term of the vacated member in the same manner that the vacated member was appointed. Four members of the Committee shall constitute a quorum. The Committee shall take no action or make any determination without the concurrence of the majority of its members being present.

2.52.250: Duties of the Committee. With the purpose of evaluating the compensation levels of the City's elected officials and employees and making recommendations to City Council, the Committee shall:

1. Determine a market or markets, comprised of public and private employers at the local, state, and (if necessary) regional level, which, if surveyed, would provide reliable, competitive compensation comparisons to the pay practice of the City. The Committee shall use a variety of resources for comparisons, which may include other compensation studies, such as those developed by Utah Department of Workforce Services, the Employers' Council, and the Utah Local Government Compensation Group (formerly known as Wasatch Compensation Group), etc.;
2. Conduct a survey of comparable employers to determine wages and benefits paid by those employers to their employees;
3. Analyze the survey data;
4. Recommend the appropriate competitive position of City pay levels relative to the central tendency of surveyed employer's compensation studies.
5. Evaluate the compensation of the City's elected officials and employees relative to the survey data;
6. Conduct other studies as the Committee deems necessary to perform its duties and formulate the recommendations required herein;
7. On or before February 1 of each fiscal year, prepare and submit a written report to the Mayor and the City Council containing the following:
   a. A list of public and private employers the Committee utilized in its study;
   b. A list of other compensation surveys and/or instruments the committee utilized in its study;
   c. A summary of the committee’s findings based on the survey data;
   d. Recommendations based on the survey data, of the appropriate competitive position for the City relative to compensation practices of comparable employers;
   e. Recommendations regarding wages and benefits of the City’s elected officials and executive employees;
   f. General recommendations regarding the wages and benefits of the City’s employees, e.g. base salary, benefits, incentives;
g. Recommendations regarding revisions, modifications or changes, if any, that should be made to the compensation practices of the City;

8. Provide other advice and recommendations, or perform other studies related to the compensation of the City’s elected officials and employees as may, from time to time, be requested the City Council or by the Mayor.

9. Unless otherwise directed by the Mayor and the City Council, the Committee shall make no recommendations or studies regarding job classifications, working conditions, grievance processes or other non-compensation matters.

2.52.260: Meetings. Meetings may be ordered by the majority of the Committee, its chairperson, or Mayor or City Council. Notice shall be provided as required in the Open and Public Meetings Act, Sections 52-4-101 et seq. of the Utah Code Ann., and successor sections. The Committee may close the meeting if allowed under Section 52-4-5204 of the Utah Code Ann., upon affirmative vote of two-thirds of the members of the Committee in an open meeting for which notice is given provided a quorum is present. The meeting shall be closed if the discussions relate to records which are defined as protected or private under the Government Records Access and Management Act, Sections 63-2-201 et seq. of the Utah Code Ann., or any ordinance adopted by the City Council pursuant to said Act.

2.52.270: Staff Support from the City staff. The City staff shall provide staff support to the Committee to assist the Committee in the performance of its duties.

2.52.280: Committee Actions Shall Not Bind the Mayor or City Council. The recommendations of the Committee shall not be deemed to bind the Mayor and the City Council in their determination of compensation levels for their employees. Nothing herein shall be construed to be a delegation of the Mayor’s and the City Council’s responsibility and authority to establish the compensation levels for their employees.

2.52.290: Duration. This ordinance shall be in effect until December 1, 2005.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 7TH DAY OF NOVEMBER, 2007, BY THE FOLLOWING VOTE:

AYES: Swinimer, Needham, Taylor, Piper, Thompson
NAYS: None
ABSENT: None

Steven C. Taylor, Chair

ATTEST:

Lois Price, City Recorder
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this __th__ day of ____________, 2007.

Steven C. Taylor, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this __th__ day of ____________, 2007.

Randy Watts, Mayor
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, et al.

On this 12th day of November, A.D. 2007

personally appeared before me Rachelle S. Thomas who being first duly sworn,

deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal

daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

LEGAL NOTICE.

a copy of which is hereto attached, was published in said newspaper for One (1) issue

commencing November 11, 2007 and

ending November 11, 2007.

Signed Rachelle S. Thomas

Subscribed and sworn to before me, the day and year above written.

Signed Cynthia K. Fulton Notary Public.

My Commission expires September 7, 2011.