

**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, OCTOBER 14, 2021**

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting **Thursday, October 14, 2021 at 6:00 pm**. It is possible that a member of the Council will be participating by electronic means. The Council Chambers shall serve as the anchor location.

** Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents which are available to the City Council are also available on the City's website or are linked in this agenda. Persons desiring to make public comment or to make comment during any public hearing may provide such comment as follows:

1. Email your comments by 5:00 pm on the date of the meeting to scarlson@cityofholladay.com
2. Live Stream - <http://cityofholladay.com/government/elected-officials/meetings-and-agendas/>

AGENDA

I. Welcome – Mayor Pro-tem Durham

II. Pledge of Allegiance

III. Public Comments

Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council prior to 5:00 p.m. on the date of the meeting to scarlson@cityofholladay.com, with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below

IV. Consideration of Ordinance 2021-26 Amending Title 13 Regarding Sensitive Lands Development Standards Update – FEMA Floodplain & Fault Study (proposed amendments as they as they relate to flood hazard and geologic hazard mapping and related study revisions as per updates by the Federal Emergency Management Agency and Utah Geologic Survey.

V. Consideration of Ordinance 2021-27 Amending Title 13.77 Regarding Parking Lot Shade Tree Standards (proposed amendments to Title 13, Land Use and Development Regulations as they as they relate to considerations for shade tree planting requirements and maintenance regulations within parking lots)

VI. Consideration of Resolution 2021- Approving an Interlocal Agreement with Unified Fire Service Area for Funding Seismic Upgrades to Station 104

VII. City Manager Report – Gina Chamness.

VIII. District Issues & Board Reports

IX. Recess City Council to a Work Meeting

- a. Discussion on Updates to the Employee Manual
- b. Discussion on Upcoming Budget Amendments
- c. Calendar

Council Meetings – Nov.4 & 18

Oct. 26 – Trick or Treat – 5:30-7:00 pm

Nov. 21 – Interfaith Thanksgiving Service

Nov. 29 – Tree Lighting

X. Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition (if needed)

XI. Adjourn

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Monday, October 4, 2021 at 10:30 am

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1

CITY OF HOLLADAY

ORDINANCE NO. 2021-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING PORTIONS OF TITLE 13 RELATING TO DEVELOPMENT ACTIVITY IN SENSITIVE LANDS

WHEREAS, the Community and Economic Development Department of the City recently received new natural hazard study results from the Federal Emergency Management Agency (FEMA) and the Utah Geologic Survey (UGS); and

WHEREAS, in accordance with the above studies, City staff has proposed amendments to Title 13 Sections 74 and 75; Flood Hazard Mitigation and Natural Hazard Mitigation; and

WHEREAS, the Planning Commission has held a public hearing and has recommended that the City Council adopt the proposed amendments and the City Council has held a public hearing and now desires to adopt the proposed amendments;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Amendment. Section 13.74.010 of the City Code of the City of Holladay is hereby amended to read in its entirety as follows:

13.74.010: FINDINGS:

A. The flood hazard areas of Holladay are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

C. The city of Holladay hereby adopts the FEMA flood insurance rate maps (FIRM) and effective FEMA flood insurance studies (FIS) and all subsequent maps and studies of FEMA. (Ord. 2012-15, 9-20-2012)

Section 2. Amendment. Section 13.74.052 of the City Code of the City of Holladay is hereby amended to read in its entirety as follows:

13.74.052: BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD:

The areas of special flood hazard identified by the federal emergency management agency in a scientific and engineering report entitled, "The Flood Insurance Study For City Of Holladay", dated November 19, 2021, with accompanying flood insurance rate maps and flood boundary-floodway maps (FIRMs and FBFMs) and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter. (Ord. 2012-15, 9-20-2012)

Section 3. Amendment. Chapter 13.75 of the City Code of the City of Holladay is hereby amended to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this day of October, 2021.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea ___	Nay ___
Sabrina R. Petersen	Yea ___	Nay ___
Drew Quinn	Yea ___	Nay ___
Paul Fotheringham	Yea ___	Nay ___
Dan Gibbons	Yea ___	Nay ___
Robert Dahle	Yea ___	Nay ___

ATTEST:

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this day of October, 2021.

RECORDED this day of October, 2021.

CHAPTER 13.75: GEOLOGIC HAZARDS (Formerly “Natural Hazards Area”)

SECTION:

13.75.010: Purpose Of Provisions

13.75.020: Critical Facilities

13.75.030: Applicability

13.75.040: Disputes; Boundaries Or Mapped Hazards

13.75.050: Studies And Reports Required

13.75.060: Geologic Hazards Report

13.75.070: Review Of Reports; Approval Procedure

13.75.080: Active Fault Considerations

13.75.090: Disclosure When A *Geologic* Hazards Report Is Required

13.75.100: Disclosure When No *Geologic* Hazards Report Is Required

13.75.110: Warning And Disclaimer

13.75.120: Change Of Use

13.75.130: Conflicting Regulations

13.75.010: PURPOSE OF PROVISIONS:

A. The purpose of this chapter is to promote the health, safety and general welfare of the citizens of Holladay and minimize the potential adverse effects of geologic hazards to public health, safety and property by encouraging wise land use of geologic hazard areas. (Ord. 2012-15, 9-20-2012)

B. This chapter and its appendices address surface fault rupture, slope stability, liquefaction, and rockfall hazards, and present minimum standards and methods for evaluating geologic hazards.

C. Results of geologic hazard studies shall comply with this chapter and its appendices. The standards set forth in the appendices are minimum requirements and shall not supersede other more stringent requirements that may be required by other regulatory agents

D. Appendix A of this chapter presents geologic hazards study area maps reflecting geological concerns pertaining to development within Holladay City. Site specific geologic hazard assessments performed by qualified engineering geologists shall be required prior to developing projects located within a geologic hazards study area. In the event known or readily apparent geologic hazards exist in an area subject to a development application, which area is not depicted on the geologic hazards study area maps, the developer shall submit the applicable study and follow the process as outlined in this chapter.

13.75.020: CRITICAL FACILITIES:

For the purposes of this title, critical facilities are defined as:

A. Lifelines, such as major communication, utility and transportation facilities and their connection to emergency facilities; or

B. Essential facilities, such as:

1. Hospitals and other medical facilities having surgery and emergency treatment areas;
2. Fire and police stations;

3. Tanks or other structures containing, housing or supporting water or other fire suppression materials or equipment required for the protection of essential or hazardous facilities, or special occupancy structures;
4. Emergency vehicle shelters and garages;
5. Structures and equipment in emergency preparedness centers;
6. Standby power generating equipment for essential facilities;
7. Structures and equipment in government communication centers and other facilities required for emergency response; or

C. Hazardous facilities, such as structures housing, supporting or containing sufficient quantities of toxic or explosive substances to be dangerous to the safety of the general public if released; or

D. Special occupancy structures, such as:

1. Covered structures whose primary occupancy is public assembly (capacity greater than 300 persons);
2. Buildings for schools through secondary or daycare centers (capacity greater than 250 students);
3. Buildings for colleges or adult education schools (capacity greater than 500 students);
4. Medical facilities with fifty (50) or more resident incapacitated patients, but not included above;
5. Jails and detention facilities;
6. All structures with occupancy greater than five thousand (5,000) persons;
7. Structures and equipment in power generating stations and other public utility facilities not included above, and required for continued operation. (Ord. 2012-15, 9-20-2012)

13.75.030: APPLICABILITY:

These regulations are applicable to all lands within the geologic hazard special study areas in the city, as shown on the geologic hazards maps in this Appendix A. Such maps and all amendments thereto are made a part of this chapter as if fully described and detailed herein. Each change in the geologic hazards maps shall be subject to the amendment procedures set forth in Chapter 13.07 of this title. (Ord. 2012-15, 9-20-2012)

13.75.040: GEOLOGIC HAZARDS STUDY AREA MAPS:

A. The boundary lines of the special study areas shown on the geologic hazards' maps shall be determined by use of the scale appearing on the map. Maps intend to represent generalized scientific information designed to indicate areas where hazards may exist and where geologic hazards studies are required. Because the geologic hazards study area maps are prepared at a non-site specific scale, hazards may exist that are not shown on the geologic hazards study area maps. A site that is not shown in a geologic hazards study area for a particular hazard does not exempt the applicant from considering the hazard if evidence is found that it may exist. If it is subsequently determined that the site features a geologic hazard not represented on the geologic hazards study area maps, the review process will be pursuant to this chapter.

B. Geologic hazards study area maps may be updated and amended by the city as per Chapter 13.07 if found to be inaccurate or in error, or as new methods or data are developed to better define areas of potential hazards.

C. Where geologic hazards study area maps are thought by an applicant to be inaccurate or in error and require revision, the applicant shall submit to the city technical evidence by a qualified professional supporting the claim and showing the proposed revision. The city will review the information and render a decision. The applicant may appeal that decision to the city council

13.75.050: RESPONSIBILITY FOR GEOLOGIC HAZARD STUDIES:

Geologic hazard studies often involve both engineering geology and geotechnical engineering. Engineering geologic studies shall be performed under the direct supervision of a qualified professional engineering geologist. Geotechnical engineering studies shall be performed under the direct supervision of a qualified professional geotechnical engineer.

13.75.060: PRELIMINARY SITEWORK / ACTIVITIES:

This section shall apply to any geologic hazard investigation for the purpose of determining the feasibility of development or for the purpose of exploring, evaluating or establishing locations for permanent improvements.

A. Scoping Meeting: The developer or consultant shall schedule a scoping meeting with the city's technical review committee (TRC) to evaluate the engineering geologist/geotechnical engineer's investigative approach. At this meeting, the consultant shall present a work plan that includes locations of anticipated geologic hazards and locations of proposed exploratory activities necessary to minimum standard of practice. The investigation approach should allow for flexibility due to unexpected site conditions. Field findings may require modifications to the work plan. Upon completion of a successful scoping meeting, a grading permit application may be submitted to the City.

B. Grading Permit: As required by title 13 of this code and except as otherwise noted therein, no person shall commence or perform any grubbing, grading, earthwork, or any other land disturbance activity, without first obtaining a permit. Application shall be filed with the community and economic development department on forms provided and maintained by the city for such purpose.

13.75.070: GEOLOGIC HAZARD STUDIES AND REPORTS REQUIRED:

Any applicant requesting development on a parcel of land within a geologic hazards study area, as shown on the Appendix A: Geologic Hazards Maps, and as indicated in Chart 13.75.071 of this section, shall submit to the community and economic development department two ~~six~~ (2~~6~~) copies and one digital copy of site specific geologic hazard studies and reports.

Chart 13.75.071 USES REQUIRING SPECIAL STUDY AREA REPORT

Chart 13.75.071

Land Use (Type Of Facility)	Liquefaction Potential		Surface Fault Rupture Special Study Area
	High And Moderate	Low And Very Low	
Critical facilities (essential and hazardous facilities, and special occupancy structures, as defined in section 13.75.020 of this chapter)	Yes	Yes	Yes
Industrial and commercial buildings (greater than 2 stories or 5,000 square feet)	Yes	No	Yes
Multi-family residential structures (4 or more units per acre), and all other industrial and commercial	Yes	No	Yes
Residential subdivisions	Yes	No	Yes
Residential single lots and multi-family dwellings (less than 4 units per acre)	No*	No	Yes
*Although no special study is required, disclosure is required as described in section 13.75.100 of this chapter.			

(Ord. 2012-15, 9-20-2012)

13.75.080: GEOLOGIC HAZARDS REPORT:

A. Preparation: The geologic hazards report shall be prepared by an engineering geologist. In the case of a snow avalanche hazard, the report shall be prepared by an experienced avalanche expert. The report shall be signed by the preparer and shall also include the qualifications of the preparer.

B. Content: The report shall be site specific and identify all known or suspected potential geologic hazards, originating on site or off site, affecting the particular property. The report shall reflect current professional practice similar or to exceed the guidelines suggested in Utah Geologic Survey Circular 122 (2016) or it beyond the minimum reporting standards may be required to adequately address the fault hazard. Minimum replacement document. Considering the complexity of evaluating surface and near- surface faults, additional effort reporting standards required or inferred, does not relieve the engineering geologist from his/her duty to perform additional geologic or engineering services he/she believes are necessary to assess the fault rupture potential at a site.

C. Site Map: The report shall include a detailed site map (scale: 1-inch equals 200 feet or larger), showing the location of the hazards with delineation of the recommended setback distances from hazards and the recommended location for structures.

D. Effects Addressed: The report shall address the potential effects of the hazards on the proposed development and occupants thereof in terms of risk and potential damage.

E. Recommendations: The report shall contain recommendations for avoidance or mitigation of the effects of the hazards, consistent with the purposes set forth in section 13.75.010 of this chapter. The evidence on which recommendations and conclusions are based shall be clearly stated in the report. Trench logs (scale: 1-inch equals 5 feet, or larger), aerial photographs, references with citations, and other supporting information as applicable, shall also, be included in the report. (Ord. 2012-15, 9-20-2012)

13.75.090: REVIEW OF REPORTS; APPROVAL PROCEDURE:

A. Review: In order to fulfill the purposes of this chapter, the planning commission (for conditional uses and subdivisions), and the community development department (for permitted uses) shall review any proposed development which requires preparation of a geologic hazards report under this chapter to determine the possible risks to the safety of persons or property from geologic hazards.

B. Expert Review; Costs: Prior to consideration by the planning commission or the community development department of any such development, the community development department shall submit the report to the city engineer, the Utah geological and mineral survey, the U.S. forest service, and/or other experts for review and recommendation. Any cost the city must pay for the review shall be paid by the applicant prior to planning commission or community development department action. The community development department shall file a copy of the geologic hazards report in the city geologic hazards library and another copy with the Utah geological and mineral survey.

C. Standards: The city geologist and other retained experts in their review of the report, and the planning commission or community development director in their consideration of the development, shall determine whether the development complies with the following standards:

1. The development does not present an unreasonable risk to the safety of persons or property (including public streets), or to the aesthetics and geologic functions of the landscape (e.g., drainage, wildlife habitat, etc.) because of the presences of geologic hazards.
2. At the planning commission's discretion, with advice from the city's consulting geologist, such area may be approved for development if the applicant submits substantial evidence that, using best available practices, the identified hazards can be mitigated to a level where the risk to human life and damage to property, as well as the risk to the aesthetics and geologic functions of the site, are reduced to a reasonable and acceptable level in a manner which has a minimum effect on the geologic environment.

D. Necessary Requirements May Be Set: The planning commission or community development director may set requirements necessary to reduce the risks from geologic hazards as a condition to the approval of any development which requires preparation of a geologic hazards report. (Ord. 2012-15, 9-20-2012)

13.75.110 DISPUTES, APPEAL PROCEDURE

An applicant may appeal any decision made under the provisions of this chapter only after the city has issued a written review of a report, and shall set forth the specific grounds or issues upon which the appeal is based. The appeal shall be submitted in writing to the director of community development within thirty (30) days of the issuance of the written review or other decision. The city shall assemble a professional panel of three (3) qualified experts to serve as the appeal authority for any technical dispute. The panel shall consist of an expert designated by the city, an expert designated by the applicant, and an expert chosen by the city's and the applicant's designated experts. If the city's and the applicant's designated experts cannot reach a consensus of the third expert within thirty (30) days, the city shall select the third expert. Decisions of the panel will be binding and will be based on the majority decision of the panel. The costs of the appeal process shall be paid by the applicant.

13.75.080: ACTIVE FAULT CONSIDERATIONS:

No critical facility (excluding transportation lines or utilities which by their nature may cross active faults) or structures designed for human occupancy shall be built astride an active fault. If a fault is discovered in the excavation for such a structure, a special study, as described in section 13.75.060 of this chapter, shall be performed to determine if the fault is active, and if the fault is determined to be active, the procedures set forth in section 13.75.070 of this chapter shall be followed. No structure designed for human occupancy shall be built on a fault scarp. Footing setbacks from a fault scarp shall meet the requirements of chapter 29 of the uniform building code. The community development director may increase footing setback requirements where information from a geotechnical report indicates slope conditions warrant a greater setback distance. (Ord. 2012-15, 9-20-2012)

13.75.090: DISCLOSURE WHEN A GEOLOGIC HAZARDS REPORT IS REQUIRED:

Whenever a geologic hazards report is required under this chapter the owner of such parcel shall record a restrictive covenant running with the land in a form satisfactory to the city prior to the approval of any development or subdivision of such parcel, which includes the following:

- A. Notice that the parcel is located within a geologic hazards special study area as shown on the geologic hazards map;
- B. Notice of the existence and availability of the geologic hazards report for public inspection in the city geologic hazards library; and
- C. An agreement by the owner of the parcel and any successor in interest to comply with any conditions set by the planning commission or community development director to minimize potential adverse effects of the geologic hazards. (Ord. 2012-15, 9-20-2012)

13.75.100: DISCLOSURE WHEN NO GEOLOGIC HAZARDS REPORT IS REQUIRED:

Whenever the applicant for any new development for human occupancy is not required under this chapter to prepare a geologic hazards report, although the parcel to be developed is located within a high or moderate liquefaction potential special study area, or surface fault rupture special study area, as shown on the geologic hazards maps, notice that the parcel is located within such areas shall be recorded by the landowner in a form satisfactory to the city prior to the approval of any such development. (Ord. 2012-15, 9-20-2012)

13.75.110: WARNING AND DISCLAIMER:

The geologic hazards ordinance codified in this chapter and geologic hazards maps represent only those hazardous areas known to the city, and should not be construed to include all possible potential hazard areas. The geologic hazards ordinance and the geologic hazards maps may be amended as new information becomes available pursuant to procedures set forth in chapter 13.07 of this title. The provisions of this chapter do not in any way assure or imply that areas outside its boundaries will be free from the possible adverse effects of geologic hazards. This chapter shall not create liability on the part of the city, any officer or employee thereof for any damages from geologic hazards that result from reliance on this chapter or any administrative requirement or decision lawfully made thereunder. (Ord. 2012-15, 9-20-2012)

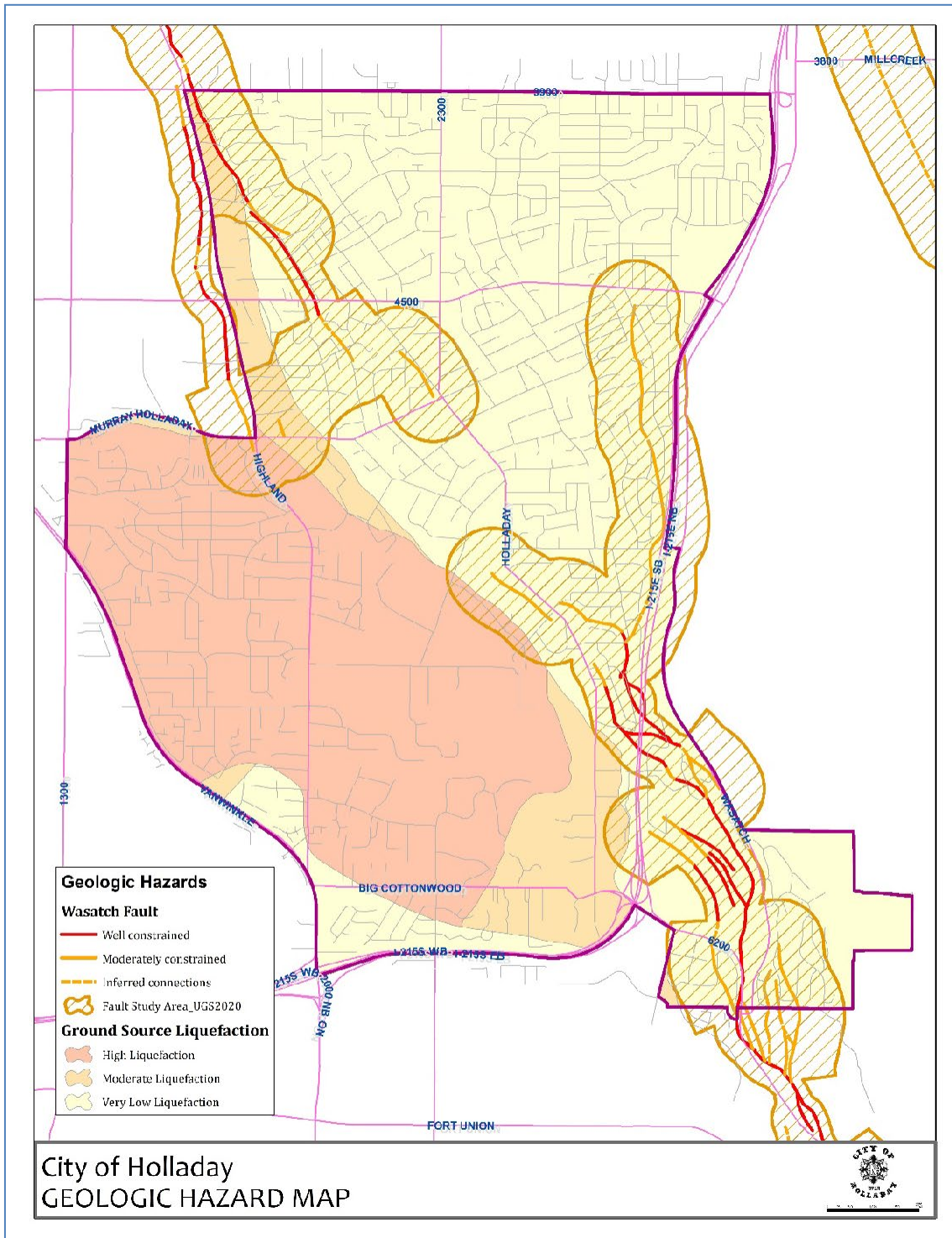
13.75.120: CHANGE OF USE:

No change in use which results in the conversion of a building or structure from one not used for human occupancy to one that is so used shall be permitted unless the building or structure complies with the provisions of this chapter. (Ord. 2012-15, 9-20-2012)

13.75.130: CONFLICTING REGULATIONS:

In cases of conflict between the provisions of existing zoning classifications, building code, subdivision regulations, or any other ordinance of the city and the geologic hazards ordinance codified in this chapter, the most restrictive provision shall apply. (Ord. 2012-15, 9-20-2012)

13.75.140: APPENDICES:
 APPENDIX A: GEOLOGIC HAZARDS STUDY AREA MAPS



CITY OF HOLLADAY

ORDINANCE NO. 2021-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING PORTIONS OF TITLE 13 RELATING PARKING LOT SHADE TREE REQUIREMENTS

WHEREAS, the Planning Commission has recommended series of property (and especially parking lot) landscape code adjustments designed to provide additional tree canopy with its associated benefits for use throughout the City in conjunction with new development or substantial re-development of multi-residential, office and commercial properties; and

WHEREAS, the City’s Tree Committee provided commentary on the changes has provided it’s support for the proposed changes; and

WHEREAS, the Planning Commission has held a public hearing and has recommended that the City Council adopt the proposed amendments and the City Council has held a public hearing and now desires to adopt the proposed amendments;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Amendment. Chapter 13.77 of the City Code of the City of Holladay is hereby amended to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this day of October, 2021.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea	___	Nay	___
Sabrina R. Petersen	Yea	___	Nay	___
Drew Quinn	Yea	___	Nay	___
Paul Fotheringham	Yea	___	Nay	___
Dan Gibbons	Yea	___	Nay	___
Robert Dahle	Yea	___	Nay	___

CHAPTER 13.77 - LANDSCAPING

SECTION:

13.77.010: Purpose

13.77.020: Applicability

13.77.030: Application Requirements

13.77.040: Property Landscaping Standards

13.77.050: Minimum Landscaping Requirements By Zone

13.77.060: Parking Lot/Parking Structure Landscaping

13.77.070: Landscape Buffers

13.77.080: Tree Canopy Sustainability

13.77.090: Street/Community/Waterway Tree Sustainability

13.77.100: Planting Guidelines

13.77.110: Landscape Maintenance

13.77.120: Installation

13.77.130: Administrative Relief

13.04.040: DEFINITIONS OF TERMS:

For the purpose of this title the following terms have the following meanings:

LANDSCAPE INSTALLATION AND MAINTENANCE: Offices and storage yards associated with a use providing installation and maintenance of landscaping for compensation.

LANDSCAPING, LANDSCAPED: A combination of planted trees, shrubs, vines, vegetative ground cover, perennial plants and annual plants or lawn, together with an irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity. A maximum of fifty percent (50%) of the total required landscaped area may include permeable materials such as organic mulch, inorganic materials such as rocks, boulders, gravel, or other materials, and/or ornamental objects such as fountains, pools, statues, retaining walls, or benches.

PROTECTED TREE: For the purposes of chapter 13.77 of this title the following trees with a dbh larger than two inches (2") are considered protected under the provisions of this title:

Community: A tree located or planted within a City-owned property such as City Hall Park, Knudsen Park, Holladay Pines Park, Butternut Park or Stratton Park.

Heritage: A designation, voluntarily applied for by the property owner, as being historic, rare, threatened, or of endangered species, reviewed and approved by members of the Utah Community Forest Council (UCFC) as provided in the Utah Heritage Tree Act of 1975.

Street: A tree located or planted within a public right-of-way.

Waterway: A tree located or planted within the area between the high-water mark and the apex of the bank of any stream or waterway and:

A. Twenty-five feet (25') from the apex of the bank of a perennial stream (Cottonwood Creek, Spring Creek), or

B. Twenty-five feet (25') from the apex of the bank of an ephemeral stream (Heughs Canyon, Neff's Canyon), or

C. Fifteen feet (15') from the apex of the bank of a manmade canal or ditch (Salt Lake and Jordan Canal, East Jordan Canal, Upper Canal, Tanner Ditch).

TREE: A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground. For the purposes of this title, while a tree may be within, or part of, either a wild/natural area or a man-made landscape(d) area, distinct planting standards are set forth herein governing the [required] planting and protection of the same.

TREE BARRIERS: For the purposes of section 13.77.080, "Tree Canopy Sustainability", of this title, a device such as fencing, berms, or signage installed to limit access to a tree protection zone.

TREE CALIPER: A landscape and nursery trade standard for trunk measurement determined by measuring the diameter of the trunk six inches (6") above the ground for up to and including four-inch (4") caliper size, and twelve inches (12") above the ground for larger trees.

TREE CANOPY: The outer limits of a tree's foliage consisting of leaves, branches and stems that cover the ground when viewed from above. This may also include understory vegetation.

TREE CANOPY COVERAGE: The area of a lot that is covered by the canopies of existing trees, including immature trees, and newly planted trees and can be designated on a tree preservation plan.

TREE CARE STANDARDS, INDUSTRY CONSENSUS: Accepted practices for tree care include - ANSI A300, nursery stock - ANSI Z60.1, and arboricultural safety requirements - ANSI Z133.1., a set of parameters developed by a group of materially affected parties in accordance with accepted essential requirements for openness, balance, consensus and due process.

TREE, GROVE: A group of trees in close proximity, especially where branches touch or vertically overlap another tree.

TREE, SIGNIFICANT: Trees of six-inch (6") caliper or greater measured at breast height, groves of five (5) or more smaller trees, or clumps of trees covering an area of fifty (50) square feet within the drip zone.

TREE TOPPING: The reduction of a tree's size using heading cuts that shorten limbs or branches back to a predetermined crown limit.

13.66.080: DEVELOPMENT STANDARDS:

The following minimum development standards shall apply in the HCR Zone:

C. Parking Lot Planter Island Standards: All new or refurbished parking lots or portions thereof, shall comply with standards listed in Section 13.77.060.

13.77.040: PROPERTY (NON-PARKING LOT) LANDSCAPE LANDSCAPING STANDARDS:

All landscaping as defined by section 13.04.040 of this title shall preserve and generally enhance desirable natural features (i.e., topography, waterways, existing vegetation, etc.), enhance architectural features of the building, strengthen vistas and provide shade for the project as well as its customers and employees. The following general standards apply to all required landscaping covered under this title, except for single-family homes on individual lots.

A. Perimeter Property Landscaping: The purpose of perimeter landscaping is to ensure the long term and consistent maintenance of landscaping along streets, to improve the visual quality of the streetscape, unify diverse architecture and carry out the long-term goals of the City of Holladay promoting attractive streets and

street beautification. Perimeter landscaping includes both landscaping in all required setback areas and any required buffer landscaping. Perimeter landscaping requirements are regulated by section 13.77.050 of this chapter. Further, distinct parking lot periphery and internal landscaping standards are found hereafter (see section 13.77.060)

B. Internal Property Landscaping Requirements/Recommendations: The purpose of the internal landscaping standards is to visually soften the mass of buildings and to visually separate building areas and development within the City. The following internal landscaping requirements and recommendations are intended to augment the perimeter landscaping requirements as required by section 13.77.050 of this chapter:

1. A minimum of one tree shall be required for every three hundred (300) square feet of the required internal landscaping area. Up to five percent (5%) of the required trees may be substituted by shrubs. Ten (10) shrubs with a minimum container size of five (5) gallons shall be required for each substituted tree. (Ord. 2013-22, 9-5-2013)

2. The location of the internal landscaping area shall abut those building elevations which form the major public views of the project from abutting streets and property and to the users of the project, or within a plaza or courtyard between buildings or portions of buildings, or in a similar area which substantially conforms to the stated purpose of the required internal landscaping standards set forth herein and approved by the Planning Commission. (Ord. 2015-02, 2-5-2015)

3. Landscaping around the base of a structure is recommended to visually “soften” the edge between the parking lot and building and to also to discourage graffiti.

4. Building entries should be emphasized with special landscaping and/or paving in combination with lighting.

C. Berming: Berming at the edge of the building in conjunction with the landscaping may be used to soften and screen parking areas, reduce structure mass and height along street facades, and contain or direct stormwater runoff. Berms may not encroach into any clear view area of a street or driveway.

D. Hardscape Materials: Decorative paving materials such as bricks, pavers, flagstones, decorative gravels, artificial turf, and textured concrete may be utilized if they form a useful open space, add color or texture to the design, and comply with the purpose and intent of this section. Untextured concrete or lava rocks are not permissible hardscape materials. All impervious hardscape areas within a landscaped area must be considered as part of the overall impervious surface coverage allowance as required by other provisions of this title. (Ord. 2013-22, 9-5-2013)

E. Landscaping Irrigation, Generally, landscaping emplaced in conjunction with newly or re-developing construction on site and in parking lot areas shall be irrigated where at all possible with an efficiently designed drip sprinkler system. Said system will be designed to minimize watershed onto adjoining public right(s) of way.

13.77.060: PARKING LOT/PARKING STRUCTURE LANDSCAPING:

A. Purpose: The purpose of perimeter and internal parking lot landscaping is to soften and mitigate the visual effect of (a) large expanse(s) of asphalt. Landscaping can also reduce summer heat gain in parking areas and define pedestrianways.

B. Hardscape Parking [Lot] Requirements: Landscaping in hardscape parking areas, in all non-single and [non] two-family residential zones, shall meet the following minimum requirements:

1. Overall Landscape Coverage Standards

- a. In general, any and all parking lots shall be landscaped such that landscape coverage in an around the periphery of a/the lot complies with the overall percentage minimums set forth in Table 13.77.061 below.

TABLE 13.77.061

Size Of Parking Area(s)	Percent to be Landscaped
Less than 15,000 sq. ft.	5
15,000 sq. ft. and larger	7.5

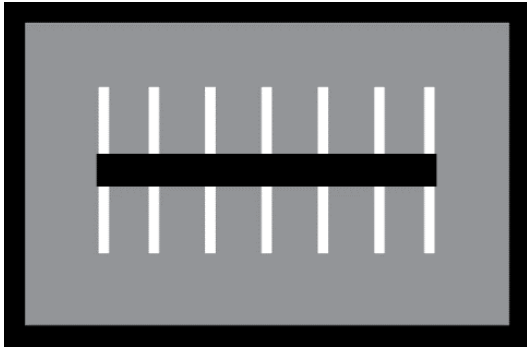
Furthermore, all open-air parking lots designed for, or containing, six (6) or more parking spaces shall provide landscaping in accordance with the provisions of this sub-section. Conversely, parking lots designed for five (5) or fewer parking spaces shall not be required to provide landscaping other than providing the percentage of yard area landscaping and landscaped buffering as specified in Table 13.77.061 above; however,

- (1) Only the first ten-feet (10') [width/depth] of landscape(d) areas located along and around the perimeter of a parking lot (i.e., beyond the curb or edge of pavement of the parking lot) may count towards satisfying this requirement; and,
- (2) Landscaping in and/or around parking lots containing five (5) or fewer parking spaces shall contain one or more deciduous trees that, when mature, will expectedly provide approximately 50% shade coverage to that lot – this connotes that the tree(s) canopy(ies) will extend over one or more portions of the paved lot to provide [the] 50% coverage (as measured during summer solstice).

2. Parking Lot Landscape Strips and Islands Standards

- a. All open-air parking lots designed for, or containing, five (5) or more parking spaces (whether emplaced with new construction or in conjunction with substantial (i.e., 50% plus re-construction or expansion of [a] building[s] on a property) shall provide landscaping in accordance with the provisions of this sub-section 2 that follow hereafter.
- b. Interior parking lot landscape design shall meet one (1) of the following options designed to provide approximately fifty percent (50%) tree canopy coverage within twenty (20) years:
 - (1) Option One -- Landscaped Strips: Landscape strips set perpendicular to the head-end of parking spaces within a parking bank may be employed (see Figure 1 hereafter).

Figure 1. Landscaped Strip(s)



When used, such strips shall meet the following minimum requirement(s):

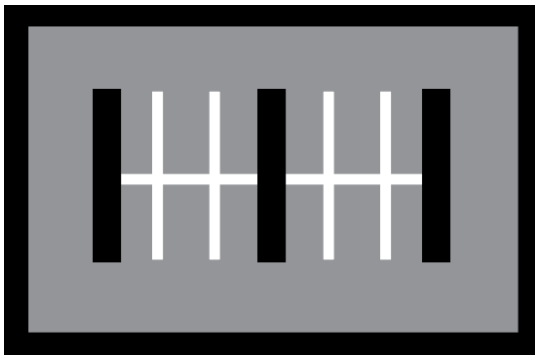
(aa) They shall be at least five-feet (5') wide/deep; and,

Exception: When the strip(s) will serve as vegetated drainage swales, the minimum width/depth of a/the strip(s) shall be eight-feet (8'); and,

(bb) One Class II deciduous tree (selected from the City's approved/adopted Tree Selection Guide's picklist) shall be planted at each end of a parking strip and, for any parking bank [or double bank] at least ninety-feet (90') feet long, at a centered [45' interval] position in between the "end trees".

(2) Option Two -- Landscaped Islands: Landscape [tree] islands that serve as parking space interrupts and endcaps within a parking bank (or double bank) may be employed (see Figure 2 hereafter).

Figure 2. Landscaped Islands



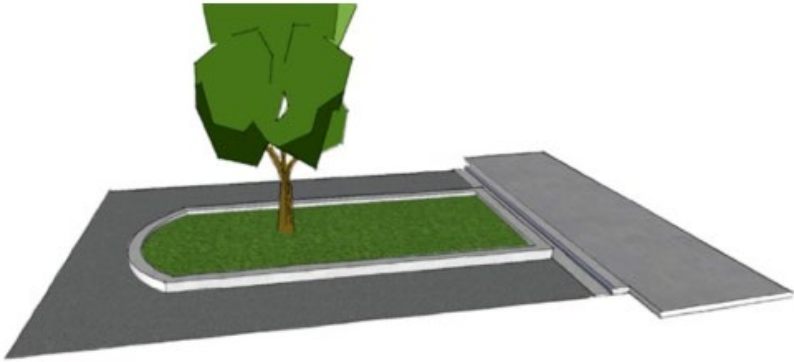
When used, such tree planter islands shall meet the following minimum requirement(s):

(aa). They shall be set parallel to abutting parking spaces as illustrated in Figure 2 above at intervals not to exceed seventy-two feet (72'); and,

(bb). They shall be of the same size/dimension as adjoining parking stalls. For example, if located in a single row of ninety degree (90°) oriented parking spaces that are nine feet (9') wide by eighteen feet (18') deep/long, a landscape planter shall also be, correspondingly, nine feet (9') wide and eighteen (18') deep). Where two (2) parking rows adjoin each other "head to head", back to back planters may be used. If placed back to back in, for example, a pair of ninety degree (90°) oriented parking rows, then the

resulting planters would likely appear to be a single nine foot (9') wide by thirty-six foot (36') deep/long planter (see Figure 2 above hereafter); and,

Figure 3. Parking Lot [Singular] Planter Design Illustration

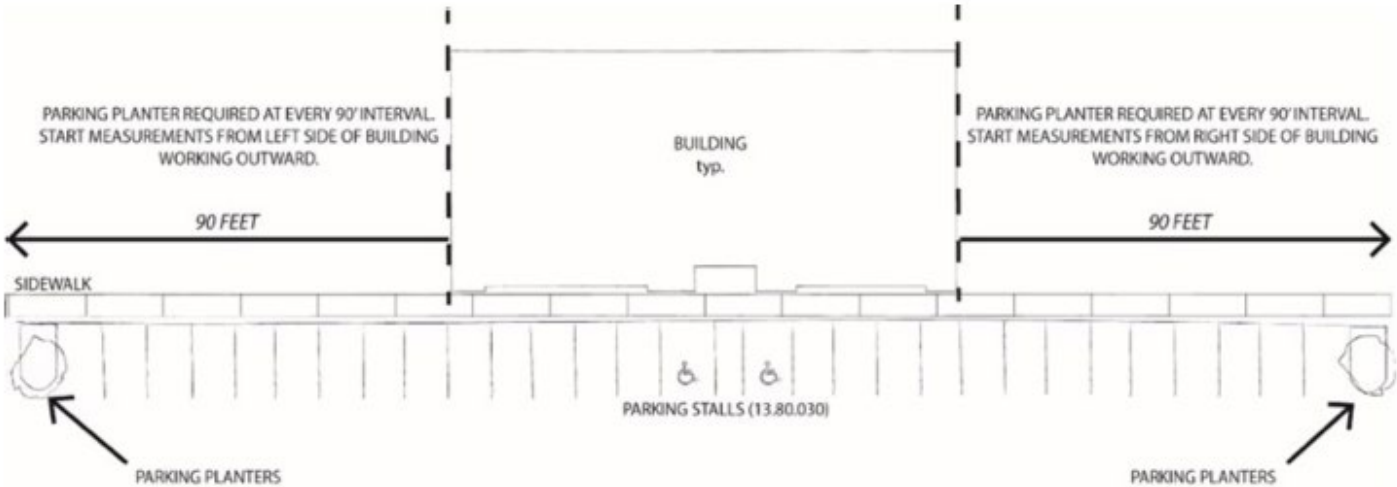


(cc). They shall be protected/wrapped by a curb that is at least a six-inches (6") high...

(dd). Drainage Channel: A one foot (1') shall be provided at the back end of, or within, a parking planter's abutment against a curb or other barrier in order to facilitate site drainage (e.g., stormwater flow across a parking lot into a drain) -- see Figure 3 above:

Exception: Any parking bank/row located immediately fronting/against any principal commercial or multiple-family residential building on a property and between the limits/span of its exterior side walls, such placement in front of the building is, and shall be, optional. In other words, if a parking bank abuts the front entry area of non-single-family residential building and extends past the outside walls of that building, then planters shall be required where any continuous ninety-foot (90') parking space intervals are found past the end/side walls (see Figure 4 hereafter):

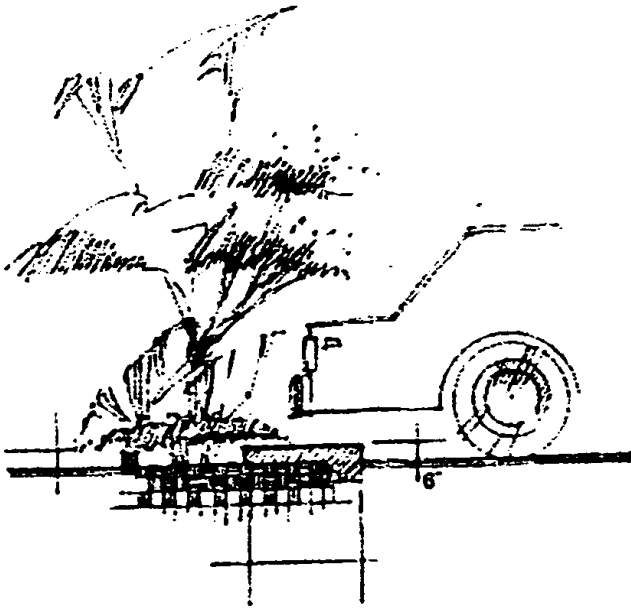
Figure 4. Planters Not to Block Building Storefront Area(s)



3. Landscape(d) areas shall be concaved [in slope] to allow storm water infiltration; and,

4. Plants used to improve any of the fore-going listed landscape areas (i.e., parking lot periphery and internal planter strips or islands) shall comply with the following requirements:
 - a. Primary plant materials used therein shall be deciduous shade trees; and,
 - b. Shade trees planted in, and around, parking lots shall be limited those species listed in the City's approved Tree Selection Guide's picklist); and,
 - c. Shade trees planted, in and around, parking lots shall be at least 2" in caliper; and,
 - d. Ornamental trees [e.g., Class I types], shrubbery, hedges, and other plants may be used to supplement the shade tree plantings in perimeter planting areas, but shall not be the only plants used in such landscaping.
 - e. When low impact development infiltration is infeasible (according to the Storm Drainage System Design and Management Manual, Chapter 11), the area of LID designs with underdrains or impermeable liners may be credited towards the required numbers of trees at the rate of two hundred (200) square feet of LID area equal to one (1) tree; up to fifty percent (50%) of the number of required trees.
 - f. Interior parking lot landscaping areas shall also be planted with ground cover at a density that will achieve thirty-five percent (35%) coverage within two (2) years.
5. All grade-level parking should be separated from the street and screened from pedestrian view by landscaping. The landscaping shall include shrubs and trees, be located on private property, and, be wide enough to maintain the plant material as well as provide a view screen.
6. All parking and landscaped areas shall be separated from the parking surface by at least a six-inch (6") high concrete, continuous curb.
7. All landscaped and pedestrian areas shall be protected from encroachment by parked cars. Accordingly, eighteen-inch (18") wide concrete wheel stops shall be emplaced at the head end of parking spaces – save those stalls that are established for parallel parking (see Figure 5 hereafter).

Figure 5. Parking Wheel Stop/Bumper Overhang



C. Parking Structures: Parking structures shall be screened with live plant material that is intended to hide or obscure the sides of the structures from public view.

D. Re-construction of a Parking Lot: When a parking lot is expanded, or torn up and then reconstructed (as opposed to being just resealed and/or striped) only the renovated portion shall be improved to comply with current landscape development code(s), including [any] engineering, water, wastewater or fire division/department improvement regulations including, but not limited to, curbing, gutter, sidewalk, storm drainage facilities, landscaping, light fixtures, etc. (Ord. 2013-22, 9-5-2013; amd. Ord. 2021-09, 4-8-2021)

CITY OF HOLLADAY

RESOLUTION No. 2021-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLADAY APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF HOLLADAY AND THE UNIFIED FIRE SERVICE AREA RELATING TO FUNDING FOR SEISMIC UPGRADES TO FIRE STATION 104

WHEREAS, the Unified Fire Service Area (“UFSA”) has been awarded Pre-Disaster Mitigation (PDM) Grant from the Federal Emergency Management Agency (FEMA) (the “FEMA PDM Grant”) to be used for completing seismic retrofit and emergency generator improvements to its fire stations; and

WHEREAS, the UFSA has allocated some of the grant funds to provide updates to Station 104, located at 2210 E. Murray Holladay Rd., Holladay, Utah, and which is owned by the City; and

WHEREAS, the City has determined it is in the best interests of its residents, in order to be able to take advantage of the FEMA PDM Grant funds, to authorize UFSA to proceed with the Project administration and completion and for the City to contribute Project costs that are beyond what is covered by the FEMA PDM Grant; and

WHEREAS, the parties desire to reduce their understanding to writing as set forth below;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Holladay as follows:

Section 1. Agreement Approved. The City Council of the City of Holladay hereby approves that certain Interlocal Cooperation Agreement with the Unified Fire Service Area, which Agreement is attached hereto and incorporated herein by reference. The Mayor of the City is hereby authorized to execute the Agreement for and in behalf of the City and the City staff is authorized to take all actions necessary to implement the terms of the Agreement.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its approval by the City Council.

PASSED AND APPROVED this ___ day of October, 2021.

**INTERLOCAL AGREEMENT
BETWEEN THE UNIFIED FIRE SERVICE AREA AND HOLLADAY CITY
FOR FUNDING SEISMIC UPGRADES
TO FIRE STATION 104**

This agreement is entered into between HOLLADAY CITY, a municipal corporation and political subdivision of the state of Utah (“City”), and UNIFIED FIRE SERVICE AREA, a local district and political subdivision of the state of Utah (“UFSA”).

A. The City and UFSA are public agencies and therefore are authorized under the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101, et seq., to enter into agreements with each other which enable them to make the most efficient collective use of their powers.

B. The UFSA and the City are both members of the Unified Fire Authority (“UFA”) and each pay member dues to the UFA in return for UFA providing fire and emergency medical services in the areas of UFA’s member areas.

C. The UFSA has been awarded a Pre-Disaster Mitigation (PDM) Grant from the Federal Emergency Management Agency (FEMA) (the “FEMA PDM Grant”) to be used for completing seismic retrofit and emergency generator improvements to its fire stations.

D. Some of the PDM Grant funds that UFSA obtained have been allocated for use on UFA fire stations that are not owned by UFSA, including the Station 104 located at 2210 E. Murray Holladay Rd., Holladay, Utah, and which is owned by the City.

E. Station 104 requires seismic retrofit improvements (the “Project”), and the City has determined it is in the best interests of its residents, in order to be able to take advantage of the FEMA PDM Grant funds, to authorize UFSA to proceed with the Project administration and completion and for the City to contribute Project costs that are beyond what is covered by the FEMA PDM Grant.

F. The UFSA has procured, consistent with its procurement rules, vendors to complete the Project.

G. The parties now desire to enter into this agreement to set forth the parties’ agreement as to the completion of and funding of the Project.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

1. The parties acknowledge that the Project costs related to Station 104 have been estimated as follows:

Station	Seismic Retrofit Cost (Non-Structural)	Engineering Design	Construction Administration	Member Total Amount	FEMA Grant Award Amount (75%)	Member Cost Share Amount (25%)
104	\$25,100	\$2,385	\$628	\$28,113	\$21,085	\$7,028

2. The City will pay a total of approximately \$7,028 to the UFSA within 15 days of receipt of an invoice from UFSA (the "Payment"). The City acknowledges that the Payment amount listed in this agreement is an estimate, and an accurate final amount will be provided in the invoice.

3. The UFSA will use the Payment to complete the Project described in the Recitals, hereby incorporated by reference.

4. Subject to completion of the requirements listed in Section 5.j., this agreement takes effect when all parties have signed it (the "Effective Date") and terminates upon performance by the parties.

5. The following provisions are also integral parts of this agreement:

- a. Binding Agreement. This agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.
- b. Counterparts. This agreement may be signed in any number of counterparts and by facsimile or any electronic means with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original.
- c. Severability. The provisions of this agreement are severable, and should any provision hereof be void, voidable, unenforceable, or invalid, such void, voidable, unenforceable, or invalid provision shall not affect the other provisions of this agreement.
- d. Amendment. This agreement may not be modified except by an instrument in writing signed by the Parties hereto.
- e. Time of Essence. Time is the essence of this agreement.
- f. No Interlocal Entity. The parties agree that they do not by this agreement create an interlocal entity.

- g. Joint Board. As required by Utah Code Ann. § 11-13-207, the parties agree that the cooperative undertaking under this agreement shall be administered by a joint board consisting of the City’s designee and the UFSA’s designee. Any real or personal property used in the Parties’ cooperative undertaking herein shall be acquired, held, and disposed of as determined by such joint board. It is not anticipated that any voting shall be required, as contemplated by Utah Code Ann. § 11-13-206(1)(g), but to the extent there is, voting will be based upon one vote per party.
- h. Financing Joint Cooperative Undertaking and Establishing Budget. There is no financing of joint or cooperative undertaking and no budget shall be established or maintained.
- i. Approval, Attorney Review, and Copies. This agreement will not take effect until: (a) it has been approved by both parties, as required by Utah Code Ann. § 11-13-202(2), (b) it has been submitted to the attorney authorized to represent each party for review as to proper form and compliance with law, as required by Utah Code Ann. § 11-13-202.5, and (c) it has been filed with the keeper of records of each party, as required by Utah Code Ann. § 11-13-209.

The UFSA and Holladay City have executed this AGREEMENT.

HOLLADAY CITY

By _____

Date: _____

ATTEST:

City Recorder

APPROVED AS TO LEGAL FORM:

City Attorney

UNIFIED FIRE SERVICE AREA

By _____
Mayor Kristie Overson, Board Chair

Date: _____

ATTEST:

Cyndee Young, District Clerk

APPROVED AS TO LEGAL FORM:

Rachel S. Anderson, UFSA legal counsel

4840-7375-5387, v. 1



c. Maximum Vacation Accrual Allowed:

Vacation time accrued cannot be carried forward from one ~~fiscal~~ calendar year to the next in excess 240 hours. Any amount over the maximum will be lost at the beginning of the new ~~fiscal~~ calendar year. No payments shall be made in lieu of taking time off, except for accrued time off with pay at the time of termination. Employees who at the time of passage of this section have acquired more than 240 hours of annual time must come into compliance with this section by ~~July 2, 2020~~ December 31, 2021 or be subject to loss of all claims of accrued annual time in excess of 240 hours.

d. Part-time regular Employees – The City shall grant annual time off with pay to its part-time regular employees at the rate of one-half (1/2) day per month (4 hours) on the same basis as full-time regular employees.

e. Temporary/Seasonal Employees – Temporary/Seasonal employees shall not receive time off with pay but may be allowed leave without pay if approved in advance by the employee's supervisor.

f. Donating Time – City employees may not voluntarily donate hours of accrued time off with pay to a fellow employee.

g. Vacation leave shall be requested from and pre-approved by the employee's supervisor.

h. Vacation accrual rates shall change after each of the qualifying years of full-time service has been completed.

i. Employees who wish to exhaust accrued vacation during the period of time immediately preceding their last day worked before retirement, resignation, or termination may do so if approved by the Department Director but shall not be eligible for accrual of leave-on-leave.

j. Employees do not accrue vacation leave while on a leave without pay status, including any pay period in which accrued leave is the only available paid leave.

k. Employees may not accrue vacation leave when the current available vacation leave is exhausted in the same pay period.

l. The City does not advance leave. Vacation leave may not be used until the pay period following its accrual.

3-02 (2) Holiday Leave – The City recognizes the following holidays for purposes of paid holiday leave:



any other form of communication conducted on the phone are public records and subject to GRAMA.

- iii. City issued cell phones are to be used by the assigned employee(s) only. Allowing family members, friends, or others to use City equipment is prohibited.

3-03 (15) Uniforms – The City will provide employee uniforms for permanent park employees including a coat, gloves, and boots to fulfill job responsibilities, which may be taxable consistent with City-wide policies. The City will provide all employees with one City shirt per year. Uniforms will be maintained and worn in accordance with City and Department policies.

3-03 (16) City Service Award Program – It is the intent of the City to recognize those employees whose loyalty and dedication to public service are reflected in their length of service to the City. The City expresses this recognition and attempts to show a measure of its appreciation through an Employee Service Awards Program. As part of the Employee Service Awards program, the City presents employees with awards based upon the total number of years of service in five-year increments.

<u>Years of Service</u>	<u>Gift Certificate Amount</u>
5 Years	\$100
10 Years	\$200
15 Years	\$300
20 Years	\$400
25 Years	\$500
30 Years	\$600

SECTION 4 EMPLOYEE CONDUCT

4.01 CODE OF CONDUCT

4-01 (1) Professionalism – The City of Holladay is a public entity whose purpose, among others, is to provide professional services to its citizens. City employees must adhere to high standards of public service that emphasize professionalism and courtesy. City employees shall conduct themselves in a way that will bring trust and respect to themselves and the City.

4-01 (2) Conflict of Interest

- a. In order to avoid potential conflicts of interest prohibited by state law and City Code, all new employees will file an “Officer and Employee Disclosure Statement” with the City Recorder.



Department Director concur that reasonable suspicion exists. Suspicion must be based upon specific contemporaneous, articulable observations concerning appearance, behavior, speech or body odors of the employee. Reasonable suspicion testing may include re-tests or follow-up tests as may be necessary to protect the integrity of the testing protocols, such as newly discovered evidence that the employee tampered with a previous drug test.

- b. **In accordance with Section 26-61a-111(2)(b) of the Utah Code, an employee with a medical cannabis card is not subject to adverse action for failing a drug test due to marijuana or tetrahydrocannabinol without evidence that the employee was impaired or otherwise adversely affected in the employee's job performance due to the use of medical cannabis.**
- c. A written record shall be made of observations leading to an alcohol or controlled substances reasonable suspicion test and signed by the supervisor or Department Director who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substance tests are released, whichever is earlier. The written record must be provided to Human Resources.
- d. Once the authorized supervisors have determined that reasonable suspicion exists, testing shall be done as soon as practical.
- e. If an employee is sent to an outside clinic for a reasonable suspicion test, the employee shall be driven to the facility by the supervisor or his or her designee.
 - i. The employee shall then be put on paid administrative leave until the results of the test are available.
 - ii. The supervisor shall make arrangements or help the employee make arrangements to get home without driving him or herself.

4-03 (7) Rehabilitation Testing – If the City returns an employee to work after he or she has enrolled in a rehabilitation program for drug or alcohol abuse and has successfully completed the rehabilitation program, such employee may be entered into a program of unannounced drug and alcohol testing for a predetermined period of time at the sole discretion of the City.

4-03 (8) Post-Incident Testing

- a. Post-incident testing will be conducted on employees involved in the following incidents:
 - i. any on-the-job accident where the employee(s) engaged in conduct that caused bodily injury to anyone or that resulted in property damage or loss;