

# Ethics Training

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# Nazare, Portugal





The two goals of big-wave surfing.





# Utah may not have an ocean, . . . but there is plenty of deep water.

## UTA trustee calls for review of \$10,000 campaign contribution to board vice chair

by Lisa Riley Roache [@lisarileyroache](#)  
Published: July 31, 2017 6:43 pm  
Updated: July 31, 2017 6:42 p.m.

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Draper halts a new hillside subdivision while it probes allegations of undue influence by the developer



## UTA letters raised concerns about potential conflict of interest with Greg Hughes

House speaker denies conflict; he withdrew and was replaced with his business partner

by Katie McKellar [@KatieMcKellar1](#)  
Published: July 18, 2018 6:00 am

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Wednesday, A proposed hillside development called of undue influence of two Draper City Council members

## Two former Salt Lake City em taxpayer dollars

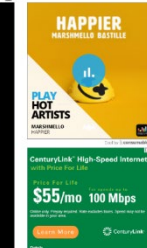
by Daniel Woodruff, KUTV | Friday, May 5th 2017

Politically connected Utah developer, former UTA official Terry Diehl allegedly concealed \$1M in FrontRunner project earnings



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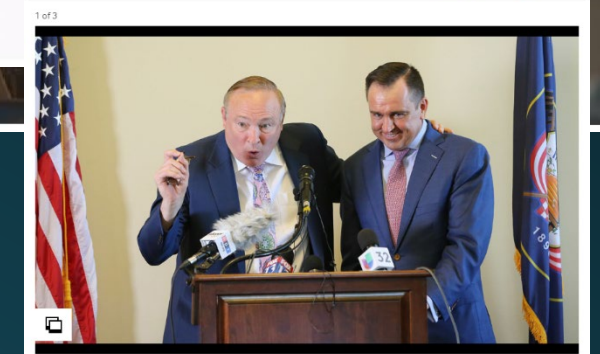
'Backroom plotting'? Salt Lake City mayor, inland port opponents deride whispers from port board members caught on tape



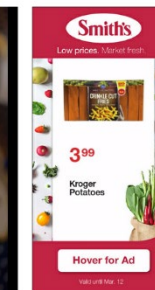
## Inland port's conflict-of-interest squabble fuels cynicism

by Jay Evensen [@jayeversen](#)  
Published: June 20, 2018 9:00 am


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Lt. Gov. Spencer Cox and Supreme Court Justice Thomas Lee say they broke no ethics rules by using Utah Jazz owner's front-row seats







# Municipal Officers' and Employees' Ethics Act

U.C.A. 10-3-1301 et seq.



# The six waves you must know how to surf

1. Use of office for personal benefit
2. \$\$\$ for assistance with a transaction
3. Business regulated by City
4. Business doing business with the City
5. Investment creating conflict of interest
6. Inducing violation of the Act



# 1. Use of office for personal benefit

- Disclose or improperly use private, controlled, or protected information; or
- Use or attempt to use official position:
- To further officer's economic interests, or
- To secure special privileges for himself / herself or others

## Two former Salt Lake City employees charged with misusing taxpayer dollars

by Daniel Woodruff, KUTV | Friday, May 5th 2017

AA



# 1. Use of office for personal benefit

- knowingly receive, take, seek or solicit a gift of substantial value or substantial economic benefit tantamount to a gift that:
  - would tend to influence to depart from faithful and impartial discharge of duties; or
  - knows or should know that gift is primarily a reward for official action

## UTA board member resigns after controversial Swiss trip

*Fallout • Resignation follows the controversy over a trip to Switzerland; two more members are expected to quit.*





# Exceptions to the rule against gifts

- Occasional non-pecuniary gift < \$50
- Award presented for public service
- Bona fide loan - ordinary course
- Political campaign contribution

## UTA trustee calls for review of \$10,000 campaign contribution to board vice chair

By [Lisa Riley Roche](#) [@dnewspolitics](#)

Published: July 31, 2017 6:40 pm

Updated: July 31, 2017 6:42 p.m.

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# Point of caution

Appearances matter –  
there may be  
consequences even if  
you adhere to the law.

Lt. Gov. Spencer Cox and Supreme Court Justice Thomas Lee say they broke no ethics rules by using Utah Jazz owner's front-row seats





## 2. Compensation for transaction involving city

- It is an offense for an elected or appointed officer or an employee to receive or agree to receive \$ for assisting in a transaction involving the city unless . .

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## Draper halts a new hillside subdivision while it probes allegations of undue influence by the developer



(Trent Nelson | The Salt Lake Tribune) A view of Traverse Ridge Road and SunCrest Drive in Draper on Wednesday. A proposed hillside development called Mountain Ridge Estates on Traverse Ridge has been put on hold, pending an investigation into allegations of undue influence of two Draper City Council members by the developer, Shaun Michel.

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# ... Disclosure rules if compensated for transaction involving city

## File a sworn statement

- Elected/Appointed Official – with the Mayor & discloses in an open meeting
- Employee – with supervisor & anyone involved in evaluation or approval
- Contents: name & address (of employee and subject of conflict), description of transaction, and nature of service to be performed.

## Timing of disclosure

- Ten days before agreement; or
- Ten days before receipt of compensation

WHICHEVER IS SOONER!!!



### 3. Interest in business regulated by city

- Officer, director, agent, employee or owner of substantial interest in any regulated business
- Disclosure required: position held; nature and value of interest; increase in value or ownership
- Disclosure by sworn statement to Mayor, which Mayor delivers to Council

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By Jay Evensen [@jayeversen](#)  
Published: June 20, 2018 9:00 am

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#### 4. Interest in business doing business with city

- Disclosure by officer, director, agent, employee or owner
- Substantial interest in business that does or anticipates doing business with city
- Disclosure entered in minutes

Politically connected Utah developer, former UTA official Terry Diehl allegedly concealed \$1M in FrontRunner project earnings



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## 5. Conflict of interest involving duties

- “any personal interest or investment” by elected or appointed official
- which creates a conflict
- disclosure in open meeting

## UTA letters raised concerns about potential conflict of interest with Greg Hughes

House speaker denies conflict; he withdrew and was replaced with his business partner

By [Katie McKellar](#) [@KatieMcKellar1](#)

Published: July 18, 2018 6:00 am

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# Penalties

- Criminal penalties based on the \$ value of the compensation, conflict or assistance;
- “Shall be” dismissed from employment or removed from office;
- Transaction rescinded



# Discussion

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