

SEP 27 2004

RICHARD GRAHAM
PUBLIC SERVICES DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC SERVICES

ROSS C. "ROCKY" ANDERSON
MAYOR

September 14, 2004

COUNCIL TRANSMITTAL

TO: Rocky Fluhart *Rocky*
Chief Administration Officer

FROM: Rick Graham, Director *RG*
Public Services Department

SUBJECT: Ordinances Repealing and Reenacting Salt Lake City Code Relating to the Youth and Family Recreation and Programs Advisory Board.

STAFF CONTACT: Rick Graham 535-7774

Janet Wolf 535-7712

DOCUMENT TYPE: Ordinance

RECOMMENDATION: That the City Council enact the ordinance.

BUDGET IMPACT: No impact.

DISCUSSION: In July 2002, the Administration submitted an ordinance amendment to the City Council that recommended several changes to the existing Recreation Advisory Board Ordinance. No action was taken at that time.

Prior to that briefing, City Council and Administration staff held a non-specific discussion about the challenge of filling positions on Advisory Boards, and opportunities that may exist to combine boards that had similar functions. During this period of discussion administrative staff from the Mayor's office and the Public Services Department began discussing the value of blending YouthCity programs administered and funded within the Mayor's office with the Youth and Family programs administered and funded within the Department of Public Services. With the support of the Youth City Government Advisory Board and the Recreation Program Advisory Board the decision was made to combine the two youth and family related programs. Since July 2003 the programs have been united within the Public Services Department. Though still independently organized both boards function by meeting together. Neither board is fully

employed, and it is difficult to conduct business when a quorum of members cannot be assembled in a meeting.

In July 2003 the Administration submitted an ordinance amendment to the City Council repealing chapter 2.70 of the City Code and amending Chapter 2.37. The amended chapter was titled Youth and Family Program Advisory Board, and its intended purpose was to combine the two youth program related boards into one board. No action was taken by the Council, but the issue was referred to a Council sub-committee for further discussion. The sub-committee included council members Jergensen, Saxton and Love. At least three meetings were held with representatives from the Public Services Department. The sub-committee recommended several changes to the proposed ordinance which were made by the Administration. The active members of both advisory boards also supported the recommendations made by the sub-committee.

The attached material contains an ordinance repealing section 2.70 of the Salt Lake City Code relating to the Youth City Government Advisory Board. It further contains an ordinance repealing Section 2.37 of the Salt Lake City Code relating to the Recreation Advisory Board and reenacting chapter 2.37 under the title, Youth and Family Recreation and Program Advisory Board. The new ordinance reflects the changes recommended by the Council sub-committee.

PUBLIC PROCESS: This ordinance has been reviewed by, and has the support of both the Recreation Advisory Board and the Youth City Government Advisory Board. No other public process has been conducted.

Attachments

cc: Janet Wolf
Toni Nelson
David Spatafore

SALT LAKE CITY ORDINANCE
No. _____ of 2004
(Youth City Government Advisory Board)

AN ORDINANCE REPEALING CHAPTER 2.70 OF THE SALT LAKE
CITY CODE, RELATING TO THE YOUTH CITY GOVERNMENT
ADVISORY BOARD.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 2.70 of the Salt Lake City Code, relating to the
Youth City Government Advisory Board be, and the same hereby is, repealed.

Chapter 2.70

~~YOUTH CITY GOVERNMENT ADVISORY BOARD~~

~~2.70.010 Purpose:~~

~~_____The city council recognizes and believes in the importance of preparing the
youth of the city to be proactive in our representative democratic form of
government and be better informed and prepared to be leaders in the American
free enterprise system. The city council declares it to be in the city's interests to
prepare young people to be future leaders, to provide positive role models and to
provide opportunities for youth to play an active role in promoting solutions to
community problems. Further, the city council declares it to be a policy of the city
that a youth city council and youth mayor be elected annually from among the~~

youth of the city to interact with the city council, neighborhood organizations, schools and citizens. (Ord. 81-95 § 1, 1995)

~~2.70.020 Creation Of Youth City Government Advisory Board:~~

~~There is created the youth city government advisory board. (Ord. 81-95 § 1, 1995)~~

~~2.70.030 Membership:~~

~~A. The board shall consist of nine (9) voting members appointed by the mayor, with the advice and consent of the council.~~

~~B. Board members shall be individuals who are actively interested in the growth and potential of the city's youth.~~

~~C. The mayor, city attorney, chief of police, and a city staff member designated by the mayor as the director of the youth city government shall all be ex officio members, without vote.~~

~~D. The term of each voting member shall be three (3) years. Voting members may serve a maximum of two (2) consecutive full three (3) year terms. Any partial term shall not be included in the determination of any person's eligibility to serve two (2) consecutive full terms. At the initial creation of the board, the mayor shall designate three (3) members to serve one year partial terms; three (3) members to serve two (2) year partial terms and three (3) members to serve full initial three (3) year terms. (Ord. 81-95 § 1, 1995)~~

~~2.70.040 Organization:~~

~~—— The board shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may not be elected to serve consecutive terms in the same office. The board shall be chaired by the director of youth city government. The board may create such committees as it deems appropriate and advisable to study, consider and make recommendations on matters within the board's authority. (Ord. 81-95 § 1, 1995)~~

~~2.70.050 Powers And Duties:~~

~~—— The board shall have the following powers and duties:~~

~~—— A. —— Create and oversee the election and operation of a youth city government whose officers are to be elected from among junior high and high school students and other students, under eighteen (18) years of age, in nontraditional educational programs residing in the city; and~~

~~—— B. —— Coordinate the youth city government programs with other governmental and private entities such as the Salt Lake City school district, the city council, neighborhood and community councils and such others as may be appropriate. (Ord. 81-95 § 1, 1995)~~

~~2.70.060 Meetings:~~

~~—— A. —— The board shall meet at least ten (10) times each calendar year.~~

~~—— B. —— The meetings shall be held in compliance with the provisions of the open and public meetings act and the records shall be maintained in compliance with the government records access and management act.~~

~~C. No business shall be conducted at a meeting of the board without at least a quorum of five (5) voting members. A simple majority of the voting members present at the meeting at which a quorum is present shall be required for any action taken. (Ord. 81-95 § 1, 1995) SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.~~

Passed by the City Council of Salt Lake City, Utah, this ____ day of

_____, 2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____

Mayor's Action: ☐ Approved ☐ Vetoed

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____

NOV 23 2004

SALT LAKE CITY ORDINANCE
No. _____ of 2004
(Youth and Family Recreation and Programs Advisory Board)

AN ORDINANCE REPEALING AND REENACTING CHAPTER 2.37, *SALT LAKE CITY CODE*, RELATING TO THE YOUTH AND FAMILY RECREATION AND PROGRAMS ADVISORY BOARD.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 2.37, *SALT LAKE CITY CODE*, pertaining to the Recreation Advisory Board be, and the same hereby is, repealed and reenacted to read as follows:

Chapter 2.37

YOUTH AND FAMILY RECREATION AND PROGRAMS ADVISORY BOARD

2.37.140 Purpose

A. The Mayor and the Salt Lake City Council declare it to be a policy of the City that the City be a provider and coordinator of youth and family recreation, programs, and facilities in Salt Lake City, under the direction of the Salt Lake City Department of Public Services, either through its own resources or by contract. The Department shall coordinate all youth and family recreation, programs, and facilities that are operationally funded by the City. In addition, the Department will cooperate with and supplement other entities providing youth and family recreation, programs, and facilities, including but not limited to Salt Lake City School District, Salt Lake County, religious, civic, and volunteer organizations.

B. The Mayor and City Council recognize and believe in the importance of preparing the youth of the City to be proactive in our representative democratic form of government and be

better informed and prepared to be leaders in the American free enterprise system. The Mayor and City Council declare it to be in the City's interests to prepare young people to be future leaders, to provide positive role models, and to provide opportunities for youth to play an active role in promoting solutions to community problems.

C. The Department may provide the following services, among others, in Salt Lake City:

1. Community events. Activities for youth and families to promote community unity and involvement. Such activities include special events, festivals, sporting events, and youth activities.

2. Recreation Programs. Facilitate youth and family recreation programs for all City residents, including leagues, clinics, tournaments, and events. Collaborate with Salt Lake County Recreation, Salt Lake City School District, and community based youth sports organizations that use City facilities. Coordinate reservations for all athletic fields owned by Salt Lake City.

3. Facilities. Own, operate, use, or lease out facilities that provide youth and family recreation and programs. Coordinate with the Salt Lake City School District on the use of the Salt Lake Sports Complex for high school swimming and other athletic programs.

4. Youth Programs. Design and provide youth and family programs after school and during the summertime. Activities may include Youth City Government, employment, performing and visual arts, technology, and sports.

D. This chapter is enacted and intended for the purpose of establishing a Salt Lake City Youth and Family Recreation and Programs Advisory Board for the general purpose of establishing criteria and guidelines for assessing the City's youth and family recreation and program needs and to recommend program priorities, as well as to monitor any joint agreements

between the City and other entities/providers. The more specific powers and duties of the board shall be as set forth in Section 2.37.250 of this chapter or its successor.

2.37.150 Definitions

"Board" means the Salt Lake City Youth and Family Recreation and Programs Advisory Board created under this chapter.

"City" means Salt Lake City, a municipal corporation of the state of Utah.

"Council" means the Salt Lake City Council.

"County" means the Parks & Recreation Division of Salt Lake County, a governmental entity organized under the laws of the state of Utah.

"Department" means the Salt Lake City Public Services Department.

"Director of Youth and Family Programs Division" means a person appointed by the Mayor with the advice and consent of the Council who is duly qualified and acting head of the Youth and Family Programs Division.

"Mayor" means the duly elected or appointed and qualified mayor of Salt Lake City.

"Member" means a person appointed by the Mayor who is duly qualified and an acting, voting member of the board.

"Person" means an individual.

"School Board" means Salt Lake City Board of Education.

2.37.160 Board Created

There is created the Salt Lake City Youth and Family Recreation and Programs Advisory Board, hereinafter referred to as "the board," which body shall consist of fourteen (14) appointed voting members. The Director of Youth and Family Programs Division, Director of Public Services, the City Attorney, and the Chief of Police shall be ex officio nonvoting members.

The voting members shall consist of the following:

- A. Seven members representing the seven Council districts, one member for each district.
- B. One member representing the Salt Lake City School Board.
- C. One member representing the Salt Lake City School District Community Education Program.
- D. One member representing the communities served by the Salt Lake City Sports Complex and Fairmont Park swimming facility.
- E. One member representing the communities served by the Northwest Community Center and the Sorenson Multi-Cultural Center.
- F. One member representing the communities served by the Central City Community Center and Kiwanis Boys and Girls Center.
- G. Two high school age members representing the youth of the City.

2.37.170 Appointment of Members—Oath of Office

A. Appointments. All appointments of members of the Youth and Family Recreation and Programs Advisory Board shall be made by the Mayor with the advice and consent of the Council. The seven Council District members shall be appointed to a term of office for four years. All other board members shall be appointed to a term of office for two years. In making initial appointments of the seven Council District members, the Mayor shall, with the advice and consent of the Council, designate three members to serve two years, two members to serve three years, and two members to serve four years. Any fraction of a year in the initial appointment shall be considered a full year. Thereafter, all of said appointments shall be made for a four-year term. In making initial appointments of the other seven board members, the Mayor shall, with

the advice and consent of the Council, designate four members to serve two years and three members to serve one year. Thereafter, all of said appointments shall be made for a two-year term. Any fraction of a year in the initial appointment shall be considered a full year. Each member's term of office shall expire on the applicable third Monday in January, but he or she shall continue to hold that office until his or her successor is appointed and qualified.

B. Compensation - Immunity from Liability. Each member shall perform service on a voluntary basis without compensation and on such basis shall be immune from liability with respect to any decision or action taken during the course of those services as provided by Utah Code Annotated, Section 63-30-1, *et seq.* (1953) as amended, or successor sections. However, this shall not restrict the payment of reasonable compensation to a member when he or she renders authorized administrative, professional, or other bona fide services to the board pursuant to written contract in a capacity other than as a board member.

C. Vacancies. Midterm vacancies occurring in the membership of the board shall be filled by appointment by the Mayor with the advice and consent of the Council for the unexpired term. In exercising his or her discretion in making appointments to the board, the Mayor shall, where advisable, take into consideration the geographic diversity within the City.

D. Oath of Office. Members shall sign the oath of office required by law to be signed by city officials and file the same in the office of the city recorder. Every member who shall fail within ten (10) days after notification of his or her appointment to file with the city recorder his or her oath of office to perform faithfully, honestly and impartially the duties of the office, shall be deemed to have refused such appointment, and thereupon another person shall be appointed in the manner prescribed in this chapter.

2.37.180 Removal from office.

Any member may be removed from office by the Mayor for cause, prior to the normal expiration of the term for which such member was appointed. If any member of the board engages in conduct that, in the opinion of the board, is prejudicial to the best interests of the board, the board may recommend removal of such member to the Mayor. Any member of the board who shall be absent for one half of the meetings of the board in any consecutive 12-month period may be removed from the board by the Mayor.

2.36.190 Members' ethics.

Members shall be subject to and bound by the provisions of the city's conflict of interest ordinance, Chapter 2.44 of this code, or its successor. Any violations of the provisions of said chapter, or its successor, shall be grounds for removal from office.

2.37.200 Eligibility for membership.

A person, to be eligible to be appointed as a member of the board, shall meet the following prerequisites:

- A. Be not less than eighteen years of age, except for the two high school student representatives referred to below;
- B. Be a resident of the state of Utah and of Salt Lake City;
- C. No person shall be eligible to serve on the board as a member while actively engaged or employed in any commercial recreational venture.
- D. The two high school student representatives shall be attending a high school in the Salt Lake City boundaries and are not held to the age restriction.

2.37.210 Meetings.

A. The Board shall convene for regular meetings to be held every other month, but not less than six (6) throughout the year. The annual meeting schedule will be set at the first regular meeting after the third Monday in January of each year. To the extent that the meetings of the board are governed by Chapter 4 of Title 52, Utah Code Annotated, 1953 as amended, or its successor, said meetings shall be conducted in compliance with said state law. Special meetings may be called by a majority of the board, the chairperson, or the Mayor. The call for a special meeting must be signed by the member calling such meeting and, unless waived in writing, each member not joining in the order for such special meeting must be given not less than 24 hours notice. Said notice shall be served personally or left at the member's residence or business office. Meetings shall be held at the City & County Building, Room 138, or at such other public place as may be designated by the board. A majority of the board positions filled board shall constitute a quorum for the transaction of business. The board may act officially by an affirmative vote of the quorum.

B. The board shall cause a written record of its proceedings to be kept which shall be available for public inspection in the office of the city recorder. The board shall record the yeas and nays on any action taken by it.

C. The board shall adopt a system of rules of procedure under which its meetings are to be held. The board may suspend the rules and procedures by unanimous vote of the members of the board who are present at the meeting. The board shall not suspend the rules of procedure beyond the duration of the meeting at which suspension of the rules occurs.

2.37.220 Election of officers.

Each year the board at its first regular meeting after the third Monday in January shall select one of its members as chairperson and another of its members as vice-chairperson, who shall perform the duties of the chairperson during the absence or disability of the chairperson. No member shall serve more than two consecutive terms as chairperson. The Youth and Family Programs Division Director shall make available a secretary to the board when required.

2.37.230 Review of action-Powers of Mayor.

All actions taken by the board shall constitute recommendations to the Mayor and shall not constitute official action. The Mayor shall have the power to review, ratify, modify or disregard any recommendation submitted by the board, or to refer the matter to the Council, if appropriate. No action shall be implemented until the board is notified in writing that it has been ratified by the Mayor, or, if referred to the Council, that the Council has adopted an ordinance implementing the recommendation of the board, or that the recommendation was modified and adopted by the Mayor or Council, as appropriate, and in such event it shall be implemented as modified.

2.37.240 Committees.

The board may designate such committee or committees as it desires to study, consider and make recommendations on matters which are presented to the board. In the event the board desires non-board members to serve on such a committee, the board may request the Director of Public Services to make such appointments. Members of such committees shall also serve without compensation.

2.37.250 Powers and duties.

The board shall have the following powers and duties:

A. Determine and establish such rules and regulations for the conduct of the board as the members shall deem advisable; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;

B. Recommend the adoption and alteration of all rules, regulations and ordinances which it shall from time to time deem in the public interest and most likely to advance, enhance, foster and promote youth and family activities, for the conduct of the business of, and the use and operation of recreation, youth and family services facilities within the City and for the purposes of carrying out the objectives of this chapter; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;

C. Recommend planning, establishment and approval of all construction and expansion projects for city recreational programs and facilities. The approval required in this section shall be in addition to all other approval of other city departments required by law or city policy;

D. Recommend broad matters of policy regarding the operation and management of City youth and family recreation, programs, and facilities, which may include, but need not be limited to, the following:

1. Construction or expansion of City recreational facilities,
 2. Timing and progress of such construction or expansion,
 3. Establishment of rate structures for services or facilities furnished by City youth and family recreation facilities to the public or to any person, firm or corporation, public or private, and for leasing of space or facilities, or for granting rights, privileges or concessions at city recreational facilities,
 4. Determination of the number and type of concessionaires, services, or facilities at city recreational facilities;
- E. Review and make recommendations annually on the budget for the Division of Youth and Family Programs within the department;
- F. Facilitate fundraising as needed to provide for the sustainability of all youth and family recreation, programs, and facilities;
- G. Coordinate with Salt Lake County, Salt Lake City School District, and other citizen boards, nonprofit groups, and other service delivery organizations that work with the City in delivering recreation programs and other youth programs;
- H. Annually recommend program evaluation, performance oversight, and use and development of facilities throughout the City.
- I. Meet and communicate with community constituency, elected officials, and any interested parties about available programs.
- J. Respond to special requests as identified by the Mayor's office or Council.
- K. Review city park use policies and practices, and make recommendations on how park resources can better support the recreation needs of the city.

L. Assist the Director of Public Services in the continuing orderly development and promotion of City youth and family recreation, programs, and facilities in order to best serve the citizens of the city.

2.37.260 Contracts

Neither the board nor any member nor officer of the board shall have power or authority to bind the City by any contract or engagement or to render it liable pecuniary for any purpose or for any amount.

2.37.270 Staff.

A. Attorney for the Board: The Salt Lake City attorney or his designee shall serve as the attorney for the board and shall be an ex officio nonvoting member.

B. Board Staff: The Division of Youth and Family Programs staff shall serve as staff of the board and shall be available to keep minutes or to provide routine services.

SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ____ day of _____, 2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____

Mayor's Action: ☐ Approved ☐ Vetoed

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____

G:\Ordinance 04\Recreation Advisory Board amendments\Youth and Family Recreation and Programs Advisory Board 11-17-04 clean

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 11/22/2004
By TV Spudis

2004-03-23

SALT LAKE CITY ORDINANCE
No. _____ of 2004
(Youth and Family Recreation and Programs Advisory Board)

AN ORDINANCE REPEALING AND REENACTING CHAPTER 2.37, *SALT LAKE CITY CODE*, RELATING TO THE YOUTH AND FAMILY RECREATION AND PROGRAMS ADVISORY BOARD.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 2.37, *SALT LAKE CITY CODE*, pertaining to the Recreation Advisory Board be, and the same hereby is, repealed and reenacted to read as follows:

Chapter 2.37

RECREATION ADVISORY BOARD

2.37.010 Purpose.

~~_____ A. _____ The mayor and the Salt Lake City council, hereinafter city council, declare it to be a policy of the city that the city be a provider of recreational services and programs in Salt Lake City, under the direction of the recreation division of the Salt Lake City department of public services. The division shall coordinate all recreational services which are operationally funded by the city's general fund. In addition, the division will cooperate with and supplement other entities providing recreation, including but not limited to Salt Lake City School District, Salt Lake County, and religious and civic organizations in providing these services and programs.~~

~~_____ B. _____ The recreation division may provide the following services, among others, in Salt Lake City:~~

~~1. Community Events. Activities which introduce recreation offerings to the public and promote community unity and involvement. Such activities include special events, festivals, sporting events, youth activities and the Corporate Games.~~

~~2. Glendale Youth Recreation Center. Direct, operate, program and maintain the Glendale Youth Recreation Center. Coordinate with the Glendale community in providing services and programs.~~

~~3. Sports. Activities which facilitate competition among participants, including programs, leagues, clinics, tournaments and events. Coordinate the reservations of all athletic fields owned by Salt Lake City. Supervise the Children's Garden, Liberty Park Tennis Center and Dee Smith Tennis Center.~~

~~4. Steiner Aquatic Center. Direct, operate, program and maintain the Steiner Aquatic Center. Coordinate with the Salt Lake City School District on the use of the Steiner Aquatic Center for high school swimming programs.~~

~~C. This chapter is enacted and intended for the purpose of establishing a Salt Lake City recreation advisory board for the general purpose of establishing criteria and guidelines for assessing the city's recreational and program needs, and to recommend recreational priorities, as well as to monitor any joint recreational agreements between the city and other entities. The more specific powers and duties of the board shall be as set forth in Section 2.37.120 of this chapter, or its successor.~~

2.37.020 Definitions.

~~"Board" means the Salt Lake City recreation advisory board created under this chapter.~~

~~"Council" means the Salt Lake City council.~~

~~"City" means and refers to Salt Lake City, a municipal corporation of the state of Utah.~~

~~_____ "Director of the department of public services" means a person appointed by the mayor with the advice and consent of the council who is duly qualified and acting head of the department of public services.~~

~~_____ "Mayor" means the duly elected or appointed, and qualified mayor of Salt Lake City.~~

~~_____ "Member" means a person appointed by the mayor who is duly qualified and an acting, voting member of the board.~~

~~_____ "Person" means an individual.~~

~~_____ "Recreation director" means a person appointed by the director of the department of public services to serve as the director of the division of recreation within the department of public services.~~

2.37.030 Board created.

~~_____ There is created the Salt Lake City recreation advisory board, hereinafter referred to as "board," which body shall consist of nine appointed voting members. The mayor, the recreation director, the city attorney, the city engineer, and a representative of the Salt Lake City School District shall be ex-officio nonvoting members.~~

2.37.040 Appointment of members Oath of office.

~~_____ All appointments of members of the recreation advisory board shall be made by the mayor with the advice and consent of the city council. In making initial appointments, the mayor shall, with the advice and consent of the council, designate three members to serve two years, three members to serve three years, and three members to serve four years. Any fraction of a year in the initial appointment shall be considered a full year. Thereafter, all appointments shall be made for a four-year term. Each member's term of office shall expire on the applicable third Monday in January. Each member shall perform service on a voluntary basis without~~

~~compensation and on such basis shall be immune from liability with respect to any decision or action taken during the course of those services as provided by Utah Code Annotated, Section 63-30-1, et seq. (1953) as amended, or successor sections. Vacancies occurring in the membership of the board shall be filled by appointment by the mayor with the advice and consent of the city council for the unexpired term.~~

~~2.37.050 Removal from office.~~

~~Any member may be removed from office by the mayor for cause, prior to the normal expiration of the term for which such member was appointed.~~

~~2.37.060 Members' ethics.~~

~~Members shall be subject to and bound by the provisions of the city's conflict of interest ordinance, Chapter 2.44 of this code, or its successor. Any violations of the provisions of said chapter, or its successor, shall be grounds for removal from office.~~

~~2.37.070 Eligibility for membership.~~

~~A person, to be eligible to be appointed as a member of the board, shall meet the following prerequisites:~~

~~A. Be not less than twenty-one years of age;~~

~~B. Be a resident of the state of Utah and of Salt Lake City;~~

~~C. No person shall be eligible to serve on the board as a member while actively engaged or employed in any commercial recreational venture.~~

~~2.37.080 Meetings.~~

~~A. The board shall convene for regular meetings to be held not less than monthly throughout the year. To the extent that the meetings of the board are governed by Chapter 4 of Title 52, Utah Code Annotated, 1953 as amended, or its successor, said meetings shall be~~

~~conducted in compliance with said state law. Special meetings may be called by a majority of the board, the chairperson, or the mayor. The call for a special meeting must be signed by the member calling such meeting and, unless waived in writing, each member not joining in the order for such special meeting must be given not less than three hours notice. Said notice shall be served personally or left at the member's residence or business office. Meetings shall be held at the parks and recreation building, or at such other public place as may be designated by the board. Six members of the board shall constitute a quorum for the transaction of business. The board may act officially by an affirmative vote of any six of the members.~~

~~—— B. —— The board shall cause a written record of its proceedings to be kept which shall be available for public inspection in the office of the city recorder. The board shall record the yeas and nays votes on any action taken by it.~~

~~—— C. —— The board shall adopt a system of rules of procedure under which its meetings are to be held. The board may suspend the rules and procedures by unanimous vote of the members of the board who are present at the meeting. The board shall not suspend the rules of procedure beyond the duration of the meeting at which suspension of the rules occurs.~~

~~2.37.090 Election of officers.~~

~~—— Each year the board at its first regular meeting after the third Monday in January shall select one of its members as chairperson and another of its members as vice chairperson, who shall perform the duties of the chairperson during the absence or disability of the chairperson. No member shall serve more than two consecutive terms as chairperson. The recreation director shall make available a secretary to the board when required.~~

~~2.37.100 Review of action-Powers of mayor.~~

~~—— All actions taken by the board shall constitute recommendations to the recreation director and shall not constitute official action. The mayor shall have the power to review, ratify, modify or disregard any recommendation submitted by the board, or refer the matter to the city council, if appropriate. No action shall be implemented until the board is notified in writing that it has been ratified by the mayor, or, if referred to the council, that the council has adopted an ordinance implementing the recommendation of the board, or that the recommendation was modified and adopted by the mayor or council, as appropriate, and in such event it shall be implemented as modified.~~

~~2.37.110 Committees.~~

~~—— The board may designate such committee or committees as it desires to study, consider and make recommendations on matters which are presented to the board. In the event the board desires non-board members to serve on such a committee, the board may request the recreation director to make such appointments. Members of such committees shall also serve without compensation.~~

~~2.37.120 Powers and duties.~~

~~—— The board shall have the following powers and duties except with respect to the John W. Gallivan Utah Center:~~

~~—— A. —— Determine and establish such rules and regulations for the conduct of the board as the members shall deem advisable; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;~~

~~—— B. —— Recommend the adoption and alteration of all rules, regulations and ordinances which it shall from time to time deem in the public interest and most likely to advance, enhance, foster and promote recreational activities, for the conduct of the business or, and the use and~~

operation of recreational facilities within Salt Lake City and for the purposes of carrying out the objects of this chapter; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;

C. Recommend planning, establishment and approval of all construction and expansion projects for city recreational programs and facilities. The approval required in this section shall be in addition to all other approval of other city departments required by law or city policy;

D. Recommend broad matters of policy regarding the operation and management of city recreational programs and facilities, which may include, but need not be limited to, the following:

1. Expansion of city recreational facilities;

2. Timing of such expansion;

3. Establishing rate structures for services or facilities furnished by city

recreational facilities to the public or to any person, firm or corporation, public or private, and for leasing of space or facilities, or for granting rights, privileges or concessions at city recreational facilities;

4. Determination of the number or type of concessionaires, services, or facilities at city recreational facilities;

E. Review and make recommendations annually on the budget for the division of recreation within the department of public services;

F. Assist the recreation director in the continuing orderly development and promotion of city recreational facilities in order to best serve the citizens of Salt Lake City.

2.37.130 Attorney Engineer.

~~The city attorney and the city engineer shall be the attorney and engineer, respectively, for the board.~~

Chapter 2.37

YOUTH AND FAMILY RECREATION AND PROGRAMS ADVISORY BOARD

2.37.140 Purpose

A. The Mayor and the Salt Lake City Council declare it to be a policy of the City that the City be a provider and coordinator of youth and family recreation, programs, and facilities in Salt Lake City, under the direction of the Salt Lake City Department of Public Services, either through its own resources or by contract. The Department shall coordinate all youth and family recreation, programs, and facilities that are operationally funded by the City. In addition, the Department will cooperate with and supplement other entities providing youth and family recreation, programs, and facilities, including but not limited to Salt Lake City School District, Salt Lake County, religious, civic, and volunteer organizations.

B. The Mayor and City Council recognize and believe in the importance of preparing the youth of the City to be proactive in our representative democratic form of government and be better informed and prepared to be leaders in the American free enterprise system. The Mayor and City Council declare it to be in the City's interests to prepare young people to be future leaders, to provide positive role models, and to provide opportunities for youth to play an active role in promoting solutions to community problems.

C. The Department may provide the following services, among others, in Salt Lake City:

1. Community events. Activities for youth and families to promote community unity and involvement. Such activities include special events, festivals, sporting events, and youth activities.

2. Recreation Programs. Facilitate youth and family recreation programs for all City residents, including leagues, clinics, tournaments, and events. Collaborate with Salt Lake County Recreation, Salt Lake City School District, and community based youth sports organizations that use City facilities. Coordinate reservations for all athletic fields owned by Salt Lake City.

3. Facilities. Own, operate, use, or lease out facilities that provide youth and family recreation and programs. Coordinate with the Salt Lake City School District on the use of the Salt Lake Sports Complex for high school swimming and other athletic programs.

4. Youth Programs. Design and provide youth and family programs after school and during the summertime. Activities may include Youth City Government, employment, performing and visual arts, technology, and sports.

D. This chapter is enacted and intended for the purpose of establishing a Salt Lake City Youth and Family Recreation and Programs Advisory Board for the general purpose of establishing criteria and guidelines for assessing the City's youth and family recreation and program needs and to recommend program priorities, as well as to monitor any joint agreements between the City and other entities/providers. The more specific powers and duties of the board shall be as set forth in Section 2.37.250 of this chapter or its successor.

2.37.150 Definitions

"Board" means the Salt Lake City Youth and Family Recreation and Programs Advisory Board created under this chapter.

"City" means Salt Lake City, a municipal corporation of the state of Utah.

"Council" means the Salt Lake City Council.

"County" means the Parks & Recreation Division of Salt Lake County, a governmental entity organized under the laws of the state of Utah.

"Department" means the Salt Lake City Public Services Department.

"Director of Youth and Family Programs Division" means a person appointed by the Mayor with the advice and consent of the Council who is duly qualified and acting head of the Youth and Family Programs Division.

"Mayor" means the duly elected or appointed and qualified mayor of Salt Lake City.

"Member" means a person appointed by the Mayor who is duly qualified and an acting, voting member of the board.

"Person" means an individual.

"School Board" means Salt Lake City Board of Education.

2.37.160 Board Created

There is created the Salt Lake City Youth and Family Recreation and Programs Advisory Board, hereinafter referred to as "the board," which body shall consist of fourteen (14) appointed voting members. The Director of Youth and Family Programs Division, Director of Public Services, the City Attorney, and the Chief of Police shall be ex officio nonvoting members.

The voting members shall consist of the following:

A. Seven members representing the seven Council districts, one member for each district.

B. One member representing the Salt Lake City School Board.

C. One member representing the Salt Lake City School District Community Education Program.

D. One member representing the communities served by the Salt Lake City Sports Complex and Fairmont Park swimming facility.

E. One member representing the communities served by the Northwest Community Center and the Sorenson Multi-Cultural Center.

F. One member representing the communities served by the Central City Community Center and Kiwanis Boys and Girls Center.

G. Two high school age members representing the youth of the City.

2.37.170 Appointment of Members—Oath of Office

A. Appointments. All appointments of members of the Youth and Family Recreation and Programs Advisory Board shall be made by the Mayor with the advice and consent of the Council. The seven Council District members shall be appointed to a term of office for four years. All other board members shall be appointed to a term of office for two years. In making initial appointments of the seven Council District members, the Mayor shall, with the advice and consent of the Council, designate three members to serve two years, two members to serve three years, and two members to serve four years. Any fraction of a year in the initial appointment shall be considered a full year. Thereafter, all of said appointments shall be made for a four-year term. In making initial appointments of the other seven board members, the Mayor shall, with the advice and consent of the Council, designate four members to serve two years and three members to serve one year. Thereafter, all of said appointments shall be made for a two-year term. Any fraction of a year in the initial appointment shall be considered a full year. Each member's term of office shall expire on the applicable third Monday in January, but he or she shall continue to hold that office until his or her successor is appointed and qualified.

B. Compensation - Immunity from Liability. Each member shall perform service on a voluntary basis without compensation and on such basis shall be immune from liability with respect to any decision or action taken during the course of those services as provided by Utah Code Annotated, Section 63-30-1, et seq. (1953) as amended, or successor sections. However, this shall not restrict the payment of reasonable compensation to a member when he or she renders authorized administrative, professional, or other bona fide services to the board pursuant to written contract in a capacity other than as a board member.

C. Vacancies. Midterm vacancies occurring in the membership of the board shall be filled by appointment by the Mayor with the advice and consent of the Council for the unexpired term. In exercising his or her discretion in making appointments to the board, the Mayor shall, where advisable, take into consideration the geographic diversity within the City.

D. Oath of Office. Members shall sign the oath of office required by law to be signed by city officials and file the same in the office of the city recorder. Every member who shall fail within ten (10) days after notification of his or her appointment to file with the city recorder his or her oath of office to perform faithfully, honestly and impartially the duties of the office, shall be deemed to have refused such appointment, and thereupon another person shall be appointed in the manner prescribed in this chapter.

2.37.180 Removal from office.

Any member may be removed from office by the Mayor for cause, prior to the normal expiration of the term for which such member was appointed. If any member of the board engages in conduct that, in the opinion of the board, is prejudicial to the best interests of the board, the board may recommend removal of such member to the Mayor. Any member of the

board who shall be absent for one half of the meetings of the board in any consecutive 12-month period may be removed from the board by the Mayor.

2.36.190 Members' ethics.

Members shall be subject to and bound by the provisions of the city's conflict of interest ordinance, Chapter 2.44 of this code, or its successor. Any violations of the provisions of said chapter, or its successor, shall be grounds for removal from office.

2.37.200 Eligibility for membership.

A person, to be eligible to be appointed as a member of the board, shall meet the following prerequisites:

A. Be not less than eighteen years of age, except for the two high school student representatives referred to below;

B. Be a resident of the state of Utah and of Salt Lake City;

C. No person shall be eligible to serve on the board as a member while actively engaged or employed in any commercial recreational venture.

D. The two high school student representatives shall be attending a high school in the Salt Lake City boundaries and are not held to the age restriction.

2.37.210 Meetings.

A. The Board shall convene for regular meetings to be held every other month, but not less than six (6) throughout the year. The annual meeting schedule will be set at the first regular meeting after the third Monday in January of each year. To the extent that the meetings of the board are governed by Chapter 4 of Title 52, Utah Code Annotated, 1953 as amended, or its successor, said meetings shall be conducted in compliance with said state law. Special meetings may be called by a majority of the board, the chairperson, or the Mayor. The call for a

special meeting must be signed by the member calling such meeting and, unless waived in writing, each member not joining in the order for such special meeting must be given not less than 24 hours notice. Said notice shall be served personally or left at the member's residence or business office. Meetings shall be held at the City & County Building, Room 138, or at such other public place as may be designated by the board. A majority of the board positions filled board shall constitute a quorum for the transaction of business. The board may act officially by an affirmative vote of the quorum.

B. The board shall cause a written record of its proceedings to be kept which shall be available for public inspection in the office of the city recorder. The board shall record the yeas and nay votes on any action taken by it.

C. The board shall adopt a system of rules of procedure under which its meetings are to be held. The board may suspend the rules and procedures by unanimous vote of the members of the board who are present at the meeting. The board shall not suspend the rules of procedure beyond the duration of the meeting at which suspension of the rules occurs.

2.37.220 Election of officers.

Each year the board at its first regular meeting after the third Monday in January shall select one of its members as chairperson and another of its members as vice-chairperson, who shall perform the duties of the chairperson during the absence or disability of the chairperson. No member shall serve more than two consecutive terms as chairperson. The Youth and Family Programs Division Director shall make available a secretary to the board when required.

2.37.230 Review of action-Powers of Mayor.

All actions taken by the board shall constitute recommendations to the Mayor and shall not constitute official action. The Mayor shall have the power to review, ratify, modify or

disregard any recommendation submitted by the board, or to refer the matter to the Council, if appropriate. No action shall be implemented until the board is notified in writing that it has been ratified by the Mayor, or, if referred to the Council, that the Council has adopted an ordinance implementing the recommendation of the board, or that the recommendation was modified and adopted by the Mayor or Council, as appropriate, and in such event it shall be implemented as modified.

2.37.240 Committees.

The board may designate such committee or committees as it desires to study, consider and make recommendations on matters which are presented to the board. In the event the board desires non-board members to serve on such a committee, the board may request the Director of Public Services to make such appointments. Members of such committees shall also serve without compensation.

2.37.250 Powers and duties.

The board shall have the following powers and duties:

A. Determine and establish such rules and regulations for the conduct of the board as the members shall deem advisable; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;

B. Recommend the adoption and alteration of all rules, regulations and ordinances which it shall from time to time deem in the public interest and most likely to advance, enhance, foster and promote youth and family activities, for the conduct of the business of, and the use and operation of recreation, youth and family services facilities within the City and for the purposes of carrying out the objectives of this chapter; provided, however, that such rules and regulations shall not be in conflict with this chapter or its successor, or other city, state or federal law;

C. Recommend planning, establishment and approval of all construction and expansion projects for city recreational programs and facilities. The approval required in this section shall be in addition to all other approval of other city departments required by law or city policy;

D. Recommend broad matters of policy regarding the operation and management of City youth and family recreation, programs, and facilities, which may include, but need not be limited to, the following:

1. Construction or expansion of City recreational facilities,
2. Timing and progress of such construction or expansion,
3. Establishment of rate structures for services or facilities furnished by City youth and family recreation facilities to the public or to any person, firm or corporation, public or private, and for leasing of space or facilities, or for granting rights, privileges or concessions at city recreational facilities,
4. Determination of the number and type of concessionaires, services, or facilities at city recreational facilities;

E. Review and make recommendations annually on the budget for the Division of Youth and Family Programs within the department;

F. Facilitate fundraising as needed to provide for the sustainability of all youth and family recreation, programs, and facilities;

G. Coordinate with Salt Lake County, Salt Lake City School District, and other citizen boards, nonprofit groups, and other service delivery organizations that work with the City in delivering recreation programs and other youth programs;

H. Annually recommend program evaluation, performance oversight, and use and development of facilities throughout the City.

I. Meet and communicate with community constituency, elected officials, and any interested parties about available programs.

J. Respond to special requests as identified by the Mayor's office or Council.

K. Review city park use policies and practices, and make recommendations on how park resources can better support the recreation needs of the city.

L. Assist the Director of Public Services in the continuing orderly development and promotion of City youth and family recreation, programs, and facilities in order to best serve the citizens of the city.

2.37.260 Contracts

Neither the board nor any member nor officer of the board shall have power or authority to bind the City by any contract or engagement or to render it liable pecuniary for any purpose or for any amount.

2.37.270 Staff.

A. Attorney for the Board: The Salt Lake City attorney or his designee shall serve as the attorney for the board and shall be an ex officio nonvoting member.

B. Board Staff: The Division of Youth and Family Programs staff shall serve as staff of the board and shall be available to keep minutes or to provide routine services.

SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ____ day of _____,
2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____
Mayor's Action: ☐ Approved ☐ Vetoed

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____