

ORDINANCE NO. 05-07

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>	absent	
G. WAYNE ANDERSEN <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
STEVE LEIFSON <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>	absent	

I MOVE this ordinance be adopted: Leifson

I SECOND the foregoing motion: Sorensen

ORDINANCE No. 05-07

**AN ORDINANCE DEFINING THE BOARDS, COMMISSIONS,
AND COMMITTEES OF THE CITY, OUTLINING THEIR
RESPONSIBILITIES, AND ESTABLISHING TERMS**

WHEREAS, Spanish Fork City has numerous boards, commissions, and committees designed to provide information and recommendations to the governing body to assist the governing body in carrying out its responsibilities; and

WHEREAS, the boards, committees, and commissions of the City provide an important function for the City, and, given the number, should be identified with their roles defined and terms of office set forth; and

WHEREAS, some, but not all of the boards, commissions, and committees have been

created by ordinance, while others have not, creating confusion as to functions, roles, and responsibilities ;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

The following sections of the Spanish Fork Municipal Code are hereby repealed:
4.08.050, 4.08.060, 4.08.070, 4.08.080, 4.08.090, 7.08.010, 7.08.020, 7.12.040,
12.08.030, 13.48.010, 13.48.020, 13.48.030, 13.48.040, 13.48.050, 13.48.060, 13.48.070,
13.48.080, and 13.48.090.

II.

Spanish Fork Municipal Code §7.08.030 is hereby amended to repeal the first two paragraphs, leaving the third paragraph intact and renaming the section: “Fiscal Matters - Donations.”

III.

Title 7, Chapter 28 of the Spanish Fork Municipal Code is hereby created, to be entitled “Boards, Commissions, and Committees,” and shall read as follows:

Chapter 7.28 Boards, Commissions, & Committees

7.28.010 Boards, Commissions, and Committees Authorized.

The City Council hereby authorizes the creation of boards, commissions, and committees to assist the Council in carrying out the work of the City in an efficient and cost effective manner. Unless otherwise indicated, all boards, commissions, or committees are not vested with the authority to make decisions regarding the public’s business, but are advisory bodies whose purpose is to research issues, provide information, and make recommendations to the City Council. They are also to implement policies and decisions of the Council.

Members shall be appointed by the Mayor with the consent of a majority of the Council. Vacancies on any board, commission, or committee shall be filled for the unexpired term in the same manner as original appointments. Unless otherwise set forth herein, or unless membership is based upon a position, all terms shall commence on January 1st and end on December 31st. Unless otherwise indicated herein, members of boards, commissions, or committees may serve successive terms. Unless otherwise set forth by ordinance, each board, commission, or committee shall meet after the annual appointments have been made and designate a chairperson to conduct the meetings during the coming year. Additional officers, such as a vice chair or secretary, may be designated, as needed. A majority of the members of a board, commission, or committee is necessary to constitute a quorum in order to conduct business.

No member of a board, commission, or committee shall receive any compensation for so

serving, but may be reimbursed for their authorized and reasonable expenses.

7.28.020 Planning Commission

A. A planning commission is created to address land use issues as set forth in Title 15, Part 3 Chapter 8 of the Spanish Fork Municipal Code. The planning commission, in those limited instances identified in Title 15 where it is the land use authority, is vested with the authority to make decisions regarding the public's business.

B. The term of the planning commission members shall commence on the first day of July and terminate on the thirtieth day of June three years later. No more than two successive terms may be served.

7.28.030 Development Review Committee

A. A development review committee is created to address the technical aspects of land use issues as set forth in Title 15, Part 3, Chapter 8 of the Spanish Fork Municipal Code. The development review committee is authorized to make decisions regarding the public's business in those limited instances identified in Title 15 where it is the land use authority.

7.28.040 Personnel Appeal Board

A. A personnel appeal board is created as set forth in Spanish Fork Municipal Code §4.04.045 to handle appeals of personnel matters authorized by statute or ordinance.

7.28.050 Personnel Committee

A. A personnel committee is created, consisting of the Mayor, two council members, the City Manager, the assistant city manager, two employees elected by other employees, and two citizens with human resource backgrounds. The personnel committee is to make recommendations to the council concerning compensation and benefits of all employees. The committee may also make recommendations concerning the city's personnel policy and other personnel matters.

B. The employee members shall serve for four year terms. One member shall be up for election every two years. The council members shall be appointed for one year terms. The citizen members shall serve one year terms.

7.28.060 Library Board

A. A library board is created, consisting of nine citizens, one of whom shall be a council member. The library board shall make recommendations concerning use of the library, the amount of fines and fees, and the operation and care of the library. The board may make rules and regulations concerning day to day use of the library and materials to be made available,

which do not need specific council approval, but are consistent with the policies made by the council.

B. The term of each board member shall be for three years, which terms are staggered, such that three appointments are available each year. Board members shall not serve more than two full terms in succession.

7.28.070 Airport Board

A. A joint City Airport Board is created which shall consist of seven members who shall be citizens of Spanish Fork and Springville, to include an elected official from both cities, the airport manager, and two citizens from each city.

B. The citizen members of the board shall be appointed for a term of three (3) years.

C. The city councils of Spanish Fork and Springville may remove their respective members at any time without cause.

D. The joint City Airport Board, by majority vote, shall elect from its members a chairperson who shall preside over the meetings of the Board and a vice chairperson who shall sit for the chairperson during his/her absence.

The election of the officers of the Board shall be held at the first regular meeting at which a quorum is present following January 1st of each even numbered year.

The Board shall adopt rules for the conduct of its meetings. No action shall be taken by the Board except by the affirmative vote of at least the majority vote of the quorum.

Four members of the joint City Airport Board shall constitute a quorum.

E. The joint city airport board shall meet not less than four (4) times a year at times and places to be designated by said board.

F. The joint city airport board shall have authority to recommend to the mayors and City Councils of Spanish Fork and Springville the needs and requirements of the airport and its facilities. It shall study city, state and federal budget money, appraise development that is desirable for the airport, and shall study and appraise an overall plan for the joint municipal airport, together with such other duties and responsibilities as may be delegated to said board from time to time.

7.28.080 Arts Council Committee

A. An arts council committee is created, consisting of a minimum of three and a maximum of fifteen members, one of whom shall be an elected official. The arts council committee shall foster an appreciation of the arts within the City, make recommendations to the City Council concerning cultural events to be sponsored by the City, and encourage privately sponsored cultural events to take place within the City.

B. The terms of each committee member shall be three years, which terms shall be staggered, such that one-third of the appointments are available each year. No more than two successive terms may be served.

7.28.090 Historic Preservation Committee

A. An Historic Preservation Committee is created with the duties set forth in Spanish Fork Municipal Code §7.20.030.

B. The Committee shall consist of five members, one of whom shall be an elected official. Members should have a demonstrated interest, competence, or knowledge in historic preservation. The members shall be appointed for terms of five years. The initial appointments shall be for one, two, three, four, and five year terms. Thereafter, appointments shall be for the full five year term. No member shall serve more than two consecutive terms.

C. To the extent available in the community, two Committee members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, archaeology, planning, architecture, or architectural history.

7.28.100 Shade Tree Commission

A. There is created a City Shade Tree Commission consisting of seven members who are residents of the City. If no professionals are available within the City, one non-resident professional may serve on the Commission. The Commission shall make recommendations to the City Council concerning the use and planting of trees on public property, together with the recommendation for their care and maintenance, and recommendations concerning urban forestry for the benefit of the residents of the City. Recommendations for the benefit of residents may be made available in newsletters, pamphlets, or similar media.

B. The term of each Commission member shall be for three years. Terms shall be staggered such that two members will be appointed every year and three members will be appointed every three years.

7.28.110 Fire and Ambulance Retirement Board

A. There is created a Fire and Ambulance Retirement Board consisting of the mayor, public safety director, city finance director, a citizen at large, the fire association president, past president, life member, two active members of the ambulance division, and one retired member from the ambulance division.

B. The Board shall advise the Council concerning the funding of the retirement fund and shall advise the Council as to which firefighters and ambulance crew members are eligible or are nearing eligibility for retirement benefits.

C. The fire association president, past president, and life member shall serve on the retirement board for the term of their appointment as association officers. The ambulance representatives shall be appointed by the ambulance members and shall serve for four years. The citizen at large shall be recommended by the retirement board and appointed by the mayor, with approval by the City Council and shall serve four years.

7.28.120 Finance Committee

A. A finance committee is created consisting of two council members, the City Manager, the City Finance Director, and three citizens. The committee shall make

recommendations to the City Council concerning the budget, bonding issues, and the financial affairs of the City.

B. The citizen members shall be appointed for three year terms, with one member appointed every year. Council members are appointed annually by the Mayor. Other members serve during their affiliation with the City in the position identified.

7.28.130 Utility Board

A. A utility board is created consisting of six members. The board shall include one member of the City Council, the public works director, together with four other citizens. The utility board shall review and recommend action on proposed policy for the operation of city water (culinary and pressure irrigation), sewer, storm drain, energy (electrical and communications), and garbage collection systems to the city council. "Policy" includes any act or resolution which establishes general principles by which the systems shall be operated including, but not limited to, the establishment of rates and rate classifications; plans for overall system construction, improvement, modification or expansion; and general development and connection requirements.

B. The Council may request an advisory opinion from the utility board prior to setting policy. In the event any such request is made, the board shall have thirty days in which to respond. In the event that a request for an advisory opinion is given, the Council shall not make a ruling on said request until the opinion is given or thirty days has elapsed, whichever occurs sooner. The Council shall not be required to request an advisory opinion before setting policy. The Council, after submitting policy questions to the board in accordance with this chapter, may adopt, reject, or modify, in whole or in part, any such recommended policy.

C. Citizen board members are appointed for four year terms, with one appointment due each year.

7.28.140 Risk Management Committee

A. A risk management committee is created, consisting of two council members, the City Manager, the Assistant City Manager, City Attorney, Public Works Director, Public Safety Director, Parks and Recreation Director, and Finance Director. The risk management committee shall review claims against the City, cooperate with the City insurer to reduce and minimize claims, and make recommendations to the Council concerning policies to reduce liability to the City, and, in appropriate cases, recommend settlement possibilities to the Council.

B. The council members may be appointed by the Mayor on an annual basis.

7.28.150 Waste Water Treatment Plant Advisory Committee

A. A waste water treatment plant advisory committee is created, consisting of an elected official, the City Manager, the Public Works Director, and the POTW Supervisor. The committee shall make recommendations to the Council concerning the maintenance of the waste water plant, the capacities of the plant, and measures needed to extend the life and/or capacity of

the waste water treatment plant.

- B. The elected official is appointed by the Mayor on an annual basis.

7.28.160 Fiesta Days Committee

A. A Fiesta Days Committee is created consisting of five members, including an elected official, a representative from the public safety department, the City special events coordinator, and two citizens. One of the citizen appointees will be appointed as chair of the committee. The committee shall make recommendations to the Council concerning the annual City celebration known as Fiesta Days. The committee may create any number of subcommittees to assist it with the Fiesta Days celebration, which subcommittees shall act as ad hoc committees.

- B. The terms of the citizens members shall be for two years.

7.28.170 Rodeo Committee

A. A rodeo committee is created consisting of an elected official, the City Manager, a city employee, and the president and past president from the Diamond Fork Riding Club. The committee shall contract for all the necessary items for the production and operation of the Fiesta Days rodeo. The committee will enforce the contract with the Riding Club.

7.28.180 Parks and Recreation Committee

A. A parks and recreation committee is created consisting of an elected official, the Parks and Recreation Director, and eight citizens. The parks and recreation committee shall make recommendations to the City Council concerning recreation facilities, programs, and participation fees.

- B. The terms of each citizen member shall be for three years, which terms shall be staggered such that three appointments are available for two years and two appointments are available for the third year.

7.28.190 Seniors Board

A. A seniors board is created consisting of an elected official, the Senior's Director, and nine citizens. The board shall make recommendations to the council concerning Senior facilities, programs and charges.

- B. The terms of the citizen members shall be for three years and shall be staggered such that three appointments are due each year.

7.28.200 Miss Spanish Fork Pageant Committee

A. There is created a Miss Spanish Fork Pageant committee consisting of five members, one of whom shall be an elected official. The committee shall make recommendations to the City Council concerning the Miss Spanish Fork pageant and related awards. The

committee shall organize the pageant, including arranging for facilities and programs.

B. The terms of each member shall be two years and shall be staggered such that two openings are available one year and three the next.

7.28.210 Economic Development Committee

A. There is created an economic development committee. The committee shall make recommendations to the Council concerning economic development within the City. The committee may meet with businesses to encourage them to locate in Spanish Fork City. The members shall consist of the Mayor, two council members, City Manager, City Planner, City Finance Director, City Attorney, the president of the Chamber of Commerce, and the number of citizens as approved from time to time by the Mayor and City Council. The committee may divide into sub-committees to work on any given project. A recommendation may be made by a majority vote of a quorum of a sub-committee.

7.28.220 Ad Hoc Committees

A. Ad hoc committees may be created from time to time to assist and advise the Council concerning a specific purpose or project. The number on the committee may vary from project to project as determined by the Mayor and City Council

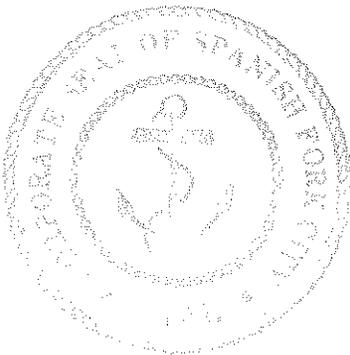
B. Ad hoc committee members shall serve until the purpose for which the committee was created is fulfilled, at which point the committee shall be disbanded.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 20th day of February, 2007.



Matthew D. Barber, Mayor Pro tem

ATTEST:


KENT R. CLARK, City Recorder

Proof of Publication

THE SPANISH FORK PRESS, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

for consecutive 1 weeks,

the first publication on the 5 day

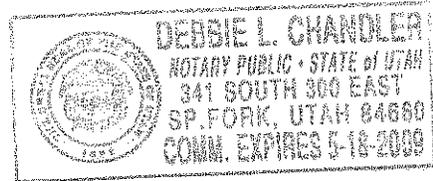
of April 2007

And the last on the 5 day

of April 2007

Erica Savage

Public Notice ORDINANCE 05-07, The Spanish Fork City Council has created an ordinance defining the Boards, Commissions, and Commit-	tees of the City, outlining their responsibilities, and establishing terms. Adopted the 20th day of February, 2007. A complete copy of this ordinance is	available for inspection at the Spanish Fork City Office, 40 South Main, Spanish Fork. Published in the Spanish Fork Press on April 5, 2007.
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Subscribed and sworn to before me this 6th day of April 2007

Debbie L. Chandler
Notary Public