

COTTONWOOD HEIGHTS

ORDINANCE NO. 231

AN ORDINANCE AMENDING SECTIONS 2.140.104 AND 2.140.602, COTTONWOOD HEIGHTS CODE OF ORDINANCES, CONCERNING TERM LIMITS FOR CITY ADVISORY COMMITTEES

WHEREAS, effective 14 January 2005, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") adopted a code of ordinances (the "*Code*") for the City; and

WHEREAS, the Code includes Chapter 140, entitled "Standing Advisory Committees; Volunteers," which governs the City's use of volunteers to staff its advisory committees (the "*Committees*") and other functions; and

WHEREAS, pursuant to Sections 2.140.104 and 2.140.602 (collectively, the "*Sections*") of the Code, appointees to the Committees currently are limited to two consecutive terms of service; and

WHEREAS, the City's manager (the "*Manager*") desires more flexibility in staffing the Committees, and has suggested that the Sections be amended to allow meritorious members of the Committees to be appointed to more than two consecutive terms; and

WHEREAS, the Council met in regular session on 28 October 2014 to consider, among other things, amending the Sections to allow meritorious members of the Committees to be appointed by the Manager, with advice and consent of the Council, to more than two consecutive terms; and

WHEREAS, the Council has reviewed and analyzed the proposed amendments to the Sections which are shown on the attachment to this ordinance (this "*Ordinance*"); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so approve such proposed amendments to the Sections;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. ***Approval of Amended Sections.*** The proposed amendments to the Sections that are shown on the attachment to this Ordinance are hereby approved and adopted.

Section 2. ***Action of Officers.*** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. ***Severability.*** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or

provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. ***Repealer.*** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. ***Effective Date.*** This Ordinance, assigned no. 231, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 28th day of October 2014.

ATTEST:



By: Kory Solorio
Kory Solorio, Recorder

COTTONWOOD HEIGHTS CITY COUNCIL

By: J. Scott Bracken
J. Scott Bracken, Mayor Pro Tempore

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>
Michael L. Shelton	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
J. Scott Bracken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Michael J. Peterson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Tee W. Tyler	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

DEPOSITED in the Recorder's office this 28th day of October 2014.

POSTED this 29 day of October 2014.

2.140.104 Appointment.

A. Membership on a body authorized by this chapter shall be limited to the city residents or qualified individuals who have a vested interest in promoting the welfare of the city.

B. Members shall be appointed to the committee by the city manager, with advice and consent of the city council.

C. Unless otherwise specified in this chapter, each committee, board or the like shall consist of up to 11 members.

D. The appointment to the committee shall be for a three-year term or the length of the special purpose committee, whichever is less. A member may not serve more than two consecutive terms. If a member is appointed to complete an unexpired term, that member may be reappointed for two additional consecutive full terms. Terms of the initial membership of the committee, board or the like shall be staggered as necessary so that the terms of office of approximately one-third of the members shall expire each year, and (notwithstanding anything herein to the contrary) those members with initial terms of less than three years may be appointed to three consecutive terms. Notwithstanding the foregoing, however, a member may be re-appointed to additional successive terms beyond the foregoing limits if the city manager, with advice and consent of the city council, determines that such member serves a vital function on the committee that cannot otherwise be met without difficulty; that such member has attended at least 75% of the committee's meetings throughout the member's tenure and otherwise has provided meritorious service to the committee; and that re-appointment of such member to the successive term is in the best interests of both the committee and the city.

E. No member shall be compensated for service on an advisory body.

2.140.602 Creation of committee.

A committee, to be called the "Cottonwood Heights Historic Committee," is hereby established by the city as follows:

A. The committee shall consist of a minimum of five members and a maximum of 11 members who are city residents with a demonstrated interest, competence, or knowledge in history or historic preservation, appointed for staggered three-year terms. A member may not serve more than two consecutive terms, except that if the member's initial term is less than three years, that member may be reappointed for two additional consecutive terms. Notwithstanding the foregoing, however, a member may be re-appointed to additional successive terms beyond the foregoing limits if the city manager, with advice and consent of the city council, determines that such member serves a vital function on the committee that cannot otherwise be met without difficulty; that such member has attended at least 75% of the committee's meetings throughout the member's tenure and otherwise has provided meritorious service to the committee; and that re-appointment of such member to the successive term is in the best interests of both the committee and the city.

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

C. The committee shall meet at least once each calendar quarter and conduct business in accordance with the applicable open public meeting laws.

D. Written minutes of each committee meeting shall be prepared and made available for public inspection.