

# Sandy City Committees



**UNTANGLING THE KNOT**

## Goals



1. **Identify internal committees to keep, reform, or replace**
2. **Identify which internal committees must meet under the Utah Open and Public Meetings Act**
3. **Establish consistency in the remaining committees**
  - Terms
  - Type (special, executive, ad-hoc, legislative, etc.)
  - Appointment authority
4. **Appoint Council Members to recommended committees**

# Internal Committees

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**WHAT IS THE PROBLEM?**

## Conflicts

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- **Committees not meeting under Open and Public Meetings Act**
- **Competing resolutions**
  - Ordinance #17-02 amends Ordinance #06-10 which was made null and void by Ordinance #15-33
- **Internal resolution inconsistencies:**
  - Ordinance #17-02 requires 7 member committees
    - × 5 Council appointments
    - × 2 Mayoral appointments
    - × With the exception of:
      - Public Safety (not operating)
      - Public Utilities Advisory Board
      - Community Development Block Grant (11 spots, only 8 filled)
      - Sister Cities (not operating and no numerical limit on appointments)

## Conflicts

- Resolutions conflicting with Code
  - Ordinance #17-02 requires 7 member committees
    - ✦ Other conflicts with Land Development Code
      - Civic Center Architectural Review Committee
        - 1 Council appt., no mayoral
      - Auto Mall Architectural Review (not operating)
        - 1 Council, 1 Mayoral
- No clear process for creation of new committees
- Some committees include staff in membership
- Some committees not operational
- Terms are confusing & administratively burdensome
- None of the committee related ordinances were ever codified

## Open and Public Meetings Act

- It is the intent of the Legislature that the state, its agencies, and its political subdivisions:
  - take their actions openly; and conduct their deliberations openly.
- Convening means the calling together of a public body by a person authorized to do so for the express purpose of **discussing** or **acting upon** a subject over which that public body has **jurisdiction** or **advisory power**.
- Public body means:
  - any administrative, **advisory**, executive, or legislative body of the state or its political subdivisions that:
    - ✦ is created by the Utah Constitution, statute, rule, ordinance, or resolution;
    - ✦ consists of two or more persons;
    - ✦ expends, disburses, or is supported in whole or in part by tax revenue; and
    - ✦ is vested with the authority to make decisions regarding the public's business;

## Open and Public Meeting Act requirements



- Meetings must be open to the public
- Meetings must be noticed 24 hours in advance
  - Agenda with reasonable specificity as to the topics discussed
  - Date
  - Time
  - Place
- Posted at City Hall
- Posted on Utah Public Notice website
- Encouraged to post on City website
- Written minutes
- Unedited audio recording
- Make minutes and recording publicly available

## Which Sandy City committees must meet OPMA requirements?



- Does the committee have jurisdiction over a subject?
- Does the committee have advisory power?
- Does the committee act upon or discuss those subjects?
- Is it created by statute, rule, ordinance, or resolution?
- Does it consist of more than 2 people?
- Does it expend or disburse funds?
- Is it supported in whole or in part by tax revenue?
- Is it vested with authority to make decisions regarding the public's business?

## Which Sandy City committees must meet OPMA requirements?



- **As currently constituted, nearly all of them.**
  - Currently 15 committees that would need to meet under the requirements of the Open and Public Meetings Act.
    - ✦ Administratively burdensome
    - ✦ Rigid committee structure excludes broad participation
    - ✦ Violations of the Act could compromise integrity of committee recommendations (to Mayor, Planning Commission, Council, etc.)
- **When the Legislative and Executive both appoint to a committee, it is difficult to argue that it is exempt from the Open and Public Meetings Act.**

## Problem Recap



- **Committees not meeting under OPMA**
  - Administrative burden of requiring compliance
- **Competing resolutions**
- **Internal resolution inconsistencies**
- **Resolutions conflicting with Code**
- **Practice deviating from policy**

**Solution**

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- **Clearly identify what is a committee and what is not**
- **3 groups**
  - 1) **Committees external to Sandy City**
  - 2) **Special committees of the City (required to meet under OPMA)**
  - 3) **Executive ad-hoc focus groups**
    - 1) **An administrative tool**
    - 2) **As needed groups of people to provide feedback**
    - 3) **Generally temporary in nature**
    - 4) **Participation is transient**
    - 5) **Broader involvement possible**

**Solution**

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<b>External Committees</b>	<b>Special Committees (OPMA required)</b>	<b>Executive Ad-hoc Focus Group</b>
The Orchestra & Chorus	Arts Guild	Healthy Sandy (on hold)
Association of Mun. Gov.	CDBG	Sandy Emp. Asc. (on hold)
Chamber of Commerce	Public Utilities Advisory	Tourism Comm. (on hold)
Council of Governments	Historic Committee	Youth Council (on hold)
Hale Centre Theatre	Civic Center Architecture	Beautification
Jordan River Commission	Auto Mall (code amend.)	Parks, Rec. and Trails
SLCo Convention Board		Sister Cities
Sandy Club		Transportation
Senior Center Advisory		Housing
ULCT Leg. Policy		
Wasatch Front Waste		