



AMENDED
CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
April 29, 2014

*This meeting may be held electronically
to allow a Councilmember to participate.*

3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

1. **DISCUSSION – CARE Grant Allocations**
2. **PRESENTATION – FY 2015 Budget – Part 1**

5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

PREVIEW UPCOMING AGENDA ITEMS

3. **Staff will present to the City Council a preview of upcoming agenda items.**

AGENDA REVIEW

4. **The City Council will review the items on the agenda.**

CITY COUNCIL - NEW BUSINESS

5. **This is an opportunity for members of the City Council to raise issues of information or concern.**

6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: McKay Meeves

APPROVAL OF MINUTES

6. **MINUTES of City Council Meeting – April 15, 2014**
7. **MINUTES of City Council Meeting – April 17, 2014, Joint Meeting w/ Provo**

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Study Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 229-7074)

This agenda is also available on the City's Internet webpage at orem.org

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

- 8. **UPCOMING EVENTS**
- 9. **UPCOMING AGENDA ITEMS**
- 10. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - CDBG Advisory Commission1 vacancy
 - Library Advisory Commission1 vacancy
 - Orem Arts Council.....2 vacancies
 - Recreation Advisory Commission.....2 reappointments
 - Summerfest Advisory Commission.....1 vacancy
- 11. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
- 12. **INTRODUCTION – Miss Orem Royalty**
- 13. **PROCLAMATION – National Drinking Water Week**

CITY MANAGER’S APPOINTMENTS

- 14. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - The City Manager does not have any appointments.

PERSONAL APPEARANCES – 15 MINUTES

- 15. **Time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. Those wishing to speak should have signed in before the beginning of the meeting. (*Please limit your comments to 3 minutes or less.*)**

CONSENT ITEMS

- 16. **There are no consent items.**

SCHEDULED ITEMS

- 6:20 P.M. PUBLIC HEARING**
- 17. **RESOLUTION – Adopt Community Development Block Grant (CDBG) Final Statement of Projected Uses of Funds – 2014-2015**

REQUEST: The Community & Neighborhood Services Manager requests the City Council, by resolution, adopt the updated Final Statement of Projected Uses of Funds for Orem’s 2014-2015 Community Development Block Grant.

PRESENTER: Charlene Crozier

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: During the past few months, the CDBG Citizen Advisory Commission heard funding proposals from various applicants who wish to receive CDBG funding. The

Commission presented its recommendations to the City Council in the first of two public hearings on March 25, 2014. Tonight's public hearing is the final opportunity for public comment on the recommendations before the City Council officially adopts the Final Statement of Projected Uses of Funds for Orem's 2014-2015 Community Development Block Grant. Please see the allocation recommendations below:

Public Services – limited by HUD to 15% of new entitlement funding

- Family Support & Treatment - \$10,000
- Project Read - \$3,000
- PERC - \$2,000
- Center for Women & Children in Crisis - \$10,000
- Community Actions Services - \$16,500
- Mountainland Community Health - \$5,000
- House of Hope- \$5,000
- Big Brothers Big Sisters - \$1,000
- Literacy Resources - \$2,000
- RAH - \$7,000
- Utah County Drug and Alcohol Prevention - \$0 (withdrew application)
- Friends of the Children's Justice Center - \$10,960
- Friends of the Food and Care Coalition - \$7,000
- Utah County 4-H - \$2,000
- Community Health Connect - \$4,000
- Kids on the Move - \$6,000

Other

- Habitat for Humanity - \$35,000
- Code Enforcement - \$120,000
- Infrastructure - \$258,338
- Administration - \$115,000
- Section 108 Loan Repayment - \$105,000

RECOMMENDATION: The Community & Neighborhood Services Manager recommends the City Council, by resolution, adopt the updated Final Statement of Projected Uses of Funds for Orem's 2014-2015 Community Development Block Grant.

18. ORDINANCE - Enacting Article 13-5 of the Orem City Code

PRESENTERS: Heather Schriever & Brenn Bybee

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: This is a continued agenda item from the City Council meeting held on April 15, 2014. The City of Orem is responsible for maintaining, operating and providing access to all City recreation areas. Historically, a number of organizations known as co-sponsored or self-determining groups have provided athletic and sport opportunities for the public. Additionally, other non-profit or for-profit groups have offered athletic and sport opportunities to the public at varying costs and skill levels. Due to increasing demand for

access to the City's recreation areas, the continued increase in the cost of preparing, maintaining, and operating the recreation areas, and the need for a fair and equitable system that will provide the public with access to the City's recreation areas, it is now necessary for the City to consider implementing a system of competitive selection and prioritization that will provide organizations and groups access to the City's recreation areas.

This proposed ordinance will give the Recreation Director the authority to create a policy that will accomplish the following:

1. Establish guidelines and policies for access to the City's recreation areas;
2. Create a priority system for groups or organizations that wish to use the City's recreation areas with priority given to City run programs and those groups and organizations that provide all-access, recreation programs to the residents of the City.
3. Establish criteria for selecting groups that will be given priority status and create a competitive process for this selection program.
4. Propose fees to help cover the cost of preparing, maintaining, and operating the City's recreation areas.
5. Enter into recreation area use agreements with groups and organizations that request use of the City's recreation areas.

Additionally, the ordinance establishes a Recreation Area Allocation Committee (RAAC) that will be responsible for recommending to the Recreation Director the organizations that should be granted priority use status. The RAAC will be composed of three (3) current members of the Recreation Advisory Commission, three (3) residents of the City, and one (1) City employee. The RAAC members will be appointed by the Mayor with the advice and consent of the City Council.

Historically, the City has also maintained and managed athletic programs through the City's Recreation Department (*e.g.* youth softball, basketball, swimming, flag football, lacrosse). The City has partnered with non-profit parent and community led organizations to provide a number of athletic programs to the public (*e.g.* Orem Youth Baseball and Orem Youth Soccer). A number of groups providing competitive (non-recreational) level sports have also been granted permission to use the City's recreation areas (*e.g.* Utah Celtic FC, Utah Valley Football Association). In recent years, new groups and organizations have approached the City about using its recreation areas to provide new athletic opportunities to the public. The Recreation Director thinks it is necessary at this point to establish a policy that provides groups fair and equitable access to the City's recreation areas based on objective criteria that will provide those groups and organizations whose program philosophy provides recreational sporting opportunities to the public with priority access to the City's recreation areas yet still providing other groups access to these areas.

RECOMMENDATION: The Recreation Director recommends that the City Council, by ordinance, enact Article 13-5 the Orem City Code.

COMMUNICATION ITEMS

- 19. There are no communication items.**

CITY MANAGER INFORMATION ITEMS

- 20. This is an opportunity for the City Manager to provide information to the City Council. These items are for information and do not require action by the City Council.**

ADJOURN TO SPECIAL JOINT OREM / LINDON / PAYSON / CITY COUNCIL MEETING

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
April 15, 2014

3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

CONDUCTING Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director; Greg Stephens, City Attorney; Karl Hirst, recreation director; Bill Bell, Development Services Director; Jason Bench, Planning Division Manager; Chris Tschirki, Public Works Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Steve Earl, Deputy City Attorney; Heather Schriever, Assistant City Attorney; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

PRESENTATION – CARE Grant – Facilities and Major Applicants

Steven Downs, Assistant to the City Manager, introduced the organizations seeking major grant funds from CARE. Each applicant provided the City Council with a presentation giving an overview of their individual program and what they were seeking CARE grants for.

Utah Valley Symphony

Lance Jensen, General Manager of the Utah Valley Symphony and Bryce Ritting, Conductor of the Symphony presented to Council and gave the following information:

- The Symphony was in its 55th season.
- Two concerts were planned to be held at the Covey Center in Provo. The symphony did not have a venue to perform in Orem.
- Attendance at the symphony concerts ranged from 150-200 patrons.
- Requested \$8,500 in grant funds for the 2014-2015 CARE year.
- Planned to provide school outreach concerts, one called a “Musical Instrument Petting Zoo” to get kids interested in playing instruments.

Mr. Seastrand asked how many symphony members were Orem residents. Mr. Ritting said about a third were residents of Orem, a third were from Provo, and the last third was a mix of people ranging from Alpine to Payson. Mr. Ritting added that the symphony was not seeking funding from other cities.

Mr. Seastrand asked if the Utah Valley Symphony would be able to provide its programs if no

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1 CARE funds were granted. Mr. Ritting said they would be less likely to carry out the programs
2 they had planned in Orem due to lack of resources.

3
4 Mr. Sumner asked about performances at the SCERA Shell. Mr. Ritting said there were no plans
5 in place for an open air summer concert, but they were still in the process of scheduling for the
6 2014-2015 concert year.

7 8 Hale Center Theater Orem

9 Jim Murphy, Director of HCT Foundation, said the mission of the Hale Center Theater Orem
10 (HTCO) was to provide a high quality, intimate theatrical experience while maintaining
11 affordable ticket prices, furnish an excellent venue for artists to express their talents and gain
12 valuable experience, and invest in people by providing a positive place for children and adults to
13 learn and perform.

14
15 Linda Hale provided an overview of the educational programs the HTCO provided:

- 16 • Voice Lessons
- 17 • Stage Right (Beginning Theater Technique)
- 18 • Stage Left (Advanced Theater Technique)
- 19 • Youth Productions
 - 20 ○ The Adventures of Tom Sawyer
 - 21 ○ Willy Wonka
 - 22 ○ Disney's Cinderella
 - 23 ○ High School Musical 2
 - 24 ○ A Christmas Carol – Youth Edition
- 25 • Summer Youth Camps
 - 26 ○ Shakespeare
 - 27 ○ Stage Combat
 - 28 ○ Mini-Musical Week
 - 29 ○ Improvisation
 - 30 ○ Youth Acting 101
 - 31 ○ Acting in Musical Theater
 - 32 ○ Advanced Musical Theater
- 33 • H.O.S.T Program
- 34 • Theater Education Programs/Tours
- 35 • Student Matinees
- 36 • Study Guides

37
38 Ann Swenson and Cody Swenson gave an overview of the benefits the HTCO provided to Orem
39 City:

- 40 • 350 performances per year
- 41 • Semi-professional theater
- 42 • Equity contracts (2 per show brought in)
- 43 • Regional premiers, find new and old work to share
- 44 • 100,000 people attended a performance at the Hale Center Theater
 - 45 ○ 1 in 4 was an Orem resident
 - 46 ○ Bring customers to Orem businesses
 - 47 ■ 75,000 people came from outside Orem

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- 1 ▪ Dinner, Desserts, and shopping were some of the activities people
- 2 participated in because they went to the Hale Center Theater.
- 3 • Top-quality productions that received State, Regional and National exposure
- 4 • Established Orem as an Arts destination

5

6 Mr. Murphy said the HCTO and the Hale Center Theater Foundation had grown due to CARE

7 funds. If funds were not maintained, the level of performance would not be the same. Mr.

8 Murphy said the HCTO would continue but would not be as great as it could be. Over 30,000

9 children were being touched by the programs the HCTO provided, and more than half were

10 children who resided in Orem.

11

12 Mr. Macdonald suggested these groups and organizations not ask for more money than could

13 possibly be given.

14

15 Mrs. Black said applicants understood fully that they were not going to get the amount of money

16 they requested. There was only so much to go around. The actual awarded amounts were

17 typically much lower than applicant requests.

18

19 Mr. Swenson reported the HCTO applied for what the organization qualified for. Mr. Macdonald

20 said he was not a fan of that approach for budgeting.

21

22 Mr. Sumner asked about the Clear Horizons Academy, and the money which was given two

23 years ago. He said he had received feedback that the HCTO did not hold up its end of that

24 bargain.

25

26 Mr. Murphy replied the HCTO had provided an individual to oversee the Horizons program

27 which successfully transitioned to Clear Horizons. That individual encouraged and offered help

28 to the program.

29

30 Mr. Sumner asked what the dollar amount was for the money given to that program. Mr. Murphy

31 said the HCTO was no longer involved with Clear Horizon but previous involvement was based

32 off a one-year grant.

33

34 Utah Lyric Opera

35 Christopher Holmes, General and Artistic Director, and Brian Tanner, Business manager and

36 development coordinator, presented to the City Council an overview of programs carried out

37 over the previous year:

- 38 • Carmen for Children
- 39 ○ October 2013
- 40 ○ Guest Artist: Carla Rae Cook, Dramatic mezzo-soprano
- 41 • Evenings of Art Songs
- 42 ○ November 2013
- 43 ○ Guest Artists: Michelle Broadbent and Hyrum Weibell
- 44 • Vocal Workshop
- 45 ○ January 2014
- 46 ○ Guest Artist: Jennifer Welch-Babidge, internationally credited participant of the
- 47 Metropolitan Opera

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- 1 • Easter Messiah Sing-Along
- 2 ○ April 2014
- 3 ○ Featured nationally recognized soloists
- 4 ○ Chamber orchestra
- 5 ○ Narrated by author Tim Slover

6
7 Mr. Tanner provided information on extra programming planned for Orem City:

- 8 • April: “Opera’s Greatest Hits”
- 9 ○ With Utah Valley Symphony at Timpanogos High School
- 10 • June: Summerfest Concert
- 11 ○ Performances from local professional singers
- 12 • July: “Death By Aria”
- 13 ○ Summer Opera Workshop at the OPL
- 14 • August: Stage at City Center Park Concert
- 15 ○ Operatic selections featuring emerging professionals

16
17 Mr. Tanner reviewed previous programs and detailed proposed expanded programs for the 2014-
18 2015 CARE year:

- 19 • Touring opera program for schools in Orem
- 20 ○ “What’s Opera, Doc?”
- 21 ■ Interactive Program presenting the basics of opera
- 22 ■ Touring efforts during the 2013-2014 CARE year included visits to twelve
- 23 schools in Utah Valley, including three schools in Orem
- 24 ■ Tour Operations for 2013-2014
- 25 • 2-3 Opera Singers and pianist
- 26 • Narrator/Education Specialist
- 27 • No costumes or props
- 28 ■ Tour Limitations for 2013-2014
- 29 • Inflexibility of singer’s schedules
- 30 • Lack of variety for schools
- 31 ■ Proposed Tour operations for 2014-2015
- 32 • Pool of 6-10 singers and one pianist
- 33 • Narrator/Education Specialist
- 34 • Costumes and props
- 35 ■ Proposed Advantages for 2014-2015
- 36 • Added scheduling flexibility
- 37 • Added variety for return visits to schools
- 38 • Preview Performance - Main-stage Opera
- 39 ○ Free ticket vouchers for main-stage opera performances for every student and
- 40 family members for all 40 Orem schools
- 41 • Orem Public Library Concert Series
- 42 ○ 2013-2014 Season: 5 concerts held
- 43 ○ 2014-2015 Season: 8 concerts proposed
- 44 • Proposed Orem Public Library Events
- 45 ○ September: “What’s Opera, Doc?”
- 46 ○ November: One-Act Opera

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- 1 ○ January: Operatic Guest Artist
- 2 ○ January: Vocal Workshop
- 3 ○ April: *Messiah* Sing-Along

4
5 Mr. Tanner said Orem residents deserved high quality opera. The CARE grant would assist with
6 funding those events and would give Orem audiences easier access to internationally and
7 nationally recognized artists. Utah Lyric Opera would go beyond normal operation by involving
8 artists of an ever higher caliber and allow creative interaction between them and Orem residents.
9 CARE funds would be spent covering artist fees and expenses. Matches from the State of Utah
10 and other corporate sponsors would help cover administrative costs.

11
12 Return on Investment to Orem from CARE funds:

- 13 • \$50,000 of the budget for the coming year was for programs in Orem
- 14 • Utah Lyric Opera was asking for a CARE grant of \$17,500
- 15 • Return on investment would be 185 percent

16
17 Mrs. Black said that, hopefully, the Utah Lyric Opera staff understood the City Council might
18 not fund as much as they were asking for.

19 20 *Orem recreation Facilities*

21 Karl Hirst, recreation director, gave a presentation to the City Council asking for CARE funds of
22 \$123,000 of new CARE money to finish the pool remodel, and allocating \$100,000 to address
23 parking at Lakeside Park, for a total of \$223,000 of the new CARE money. In granting the
24 request, the City would be able to start fresh with new CARE money to be allocated to the arts
25 and recreation as deemed fit, as the old projects would be completed and out of the way.

26 27 *Center for Story – Orem Public Library*

28 Charlene Crozier, Library Director, presented to Council a facility grant application for the
29 Center for Story, a proposed facility to be built adjacent to the Orem Public Library. This facility
30 would include an auditorium space with 290 seats on the floor, 95 in balcony, a recording space
31 for personal and family stories, a gift shop to help sell merchandise, an administrative office
32 space, a catering kitchen, and a multifunctional lobby.

33
34 The City had been actively fundraising the money needed to build the facility. To this point the
35 City was less than \$350,000 short of original \$4.4 million dollar goal. Mrs. Crozier said
36 continued fundraising would need to take place, and the City was seeking donations through
37 private donors. The Center for Story was ranked number one in priority as it was a needed
38 facility.

39
40 Library program attendance continued to be very strong. Providing programming in the existing
41 library had proven difficult due to tight spaces to accommodate the number of attendees. The
42 proposed Center for Story would serve a wide variety of uses, including dance, theater,
43 storytelling, and other purposes.

44
45 Mrs. Black asked for numbers on programs and attendees from last year. Mrs. Crozier said over
46 58,000 people came to the library to participate in library programs. The number did not include
47 attendance at the Timpanogos Storytelling Festival. The library provided free programs rotating

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1 through a wide variety of topics and catered to a wide age range. Mrs. Crozier emphasized the
2 educational and cultural component to everything the library did.

3 4 Utah Regional Ballet

5 Michelle Moon, past president of Utah Regional Ballet, Ellen Christensen, current president,
6 Danielle Adams, director of grants, and Jill Moulten, hospitality director each shared in
7 presenting a CARE grant application to the City Council.

8
9 The following information on the Utah Regional Ballet (URB) was presented:

- 10 • URB provided world class ballet to the community.
- 11 • Uses students from all around the valley and most are able to perform with the
12 professional companies.
 - 13 ○ *Peter Pan* was a free performance done for families affected by autism.
- 14 • Signature piece is *Legend of Timpanogos*.
 - 15 ○ Tells the story of Utah Valley.
 - 16 ○ URB had performed this all over the U.S. and the world.
 - 17 ○ Choreographed and conceived by Utah Regional Ballet's arts director.
 - 18 ○ During the years that Legend is performed, some of the dancers go around to
19 present to fourth graders.
- 20 • Grants provided were used to drastically reduce admission costs to the URB
21 performances.
- 22 • URB holds a choreography design competition.
- 23 • Children performing arts series was tentatively scheduled for May 2015.

24
25 Mrs. Adams indicated CARE grants awarded to the URP would serve the community in the
26 following ways:

- 27 • Matinees provided through CARE grant funds would fill a theater of 1,400 students
28 brought in from Orem schools.
- 29 • Secondary student preview performances would be made possible.
- 30 • Free performance would be provided to benefit families affected by Autism.

31
32 Mrs. Black asked what the URB would be able to do if it was not fully funded. Mrs. Adams said
33 that school events would have to be cut back. Further funding would allow matinees to become
34 free. Mrs. Adams said they intended to use funds to allow an Orem elementary school in a lower
35 income area to attend a performance for free.

36 37 SCERA

38 Adam Robertson presented the SCERA's CARE grant presentation to the Council. The SCERA
39 Provide facilities and programs for families in an affordable way. Mr. Robertson provided the
40 Council with a statistical report for the 2013-2014 fiscal year. Mr. Robertson detailed some of
41 the programs the SCERA offered, which included the following:

- 42 • SCERA Park Elementary Arts Education
 - 43 ○ Children go to the SCERA once a month for an arts experience throughout the
44 course of the school year.
- 45 • Gallery 101 place for exhibits.
- 46 • SCERA puppetry program.
- 47 • Theater productions are on a volunteer basis.

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- 1 • The SCERA is a community center. Last year 360 groups used the SCERA to hold
- 2 meetings, luncheons, and other events.
- 3 • Senior fairs were held at the SCERA.
- 4 • Senior oil painting class held every Friday.
- 5 • The SCERA hoped to add a Senior Theater program.
- 6 • Seasonal Cinema Classics
 - 7 ○ Admission fee of \$2 includes popcorn.
 - 8 ○ Different cinema classics selection for each season of the year.
- 9 • Worked with LDS film festival in showing films.
- 10 • SCERA hosted the Orem Heritage Museum.
- 11 • Scenery Building at the SCERA shops.
- 12 • Homeschool program grew 1200%.
- 13 • Summer Camps
- 14 • Indoor Season
- 15 • Freedom Festival
- 16 • SCERA belongs to the American Association of Theaters.

17
18 Mr. Robertson estimated that the SCERA provided 60 percent of all the cultural arts
19 opportunities in the City of Orem.

20
21 Mr. Andersen asked if the SCERA could provide space for programming envisioned for the
22 Center for Story Mr. Robertson said the SCERA's main purpose was to hold events which
23 required some type of admission fee. The library's main focus was to offer free events and
24 programs. Because of that, it would be difficult for the SCERA to provide a venue for library
25 programming.

26
27 Mr. Seastrand asked about the movie industry changing to digital projection only and how was
28 the SCERA going address the change. Mr. Robertson said there was an estimated cost of \$4.4
29 million to finish the grand theater. Fundraising would not be easy. This figure also did not
30 include funds to update the film to digital. The SCERA was actively fundraising to raise money
31 for a digital projector, and the cost for a used project was \$75,000.

32 33 **5:00 P.M. STUDY SESSION**

34
35 CONDUCTING

Mayor Richard F. Brunst, Jr.

36
37 ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom
Macdonald, Mark E. Seastrand, David Spencer, and Brent
Sumner

38
39
40
41 APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant
City Manager; Richard Manning, Administrative Services
Director, Greg Stephens, City Attorney; Karl Hirst,
recreation director; Bill Bell, Development Services
Director; Jason Bench, Planning Division Manager; Chris
Tschirki, Public Works Director; Scott Gurney, Interim
Public Safety Director; Charlene Crozier, Interim Library

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Director; Steve Earl, Deputy City Attorney; Heather Schriever, Assistant City Attorney; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

DISCUSSION – Open Meetings Training / Ethics Commission

Due to lack of time, this discussion was postponed indefinitely.

DISCUSSION – Citizen Commissions and Committees

This item was postponed to be visited in the regular scheduled meeting.

Preview of Upcoming Agenda Items

Staff presented a preview of upcoming agenda items to the Council.

Review Agenda Items

The Council and staff reviewed the agenda items.

City Council New Business

There was no new City Council new business.

The Council adjourned at 5:58 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Karl Hirst, recreation director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Interim Library Director; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

Kathleen Gunderson

PLEDGE OF ALLEGIANCE

Matt Emley

1 **APPROVAL OF MINUTES**

2
3 Mr. Macdonald **moved** to approve the minutes from the March 25, 2014, City Council Meeting.
4 Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard
5 F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion
6 **passed, 7-0.**

7
8 **MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL**

9
10 Upcoming Events

11 The Mayor referred the Council to the upcoming events listed in the agenda packet.

12
13 Appointments to Boards and Commissions

14 There were no new appointments.

15
16 Recognition of New Neighborhoods in Action Officers

17 No new Neighborhood in Action officers were recognized.

18
19 Proclamation – Arbor Day 2014

20 Mr. Seastrand read a proclamation recognizing the 2014 Arbor Day. Mrs. Black **moved** to
21 approve the proclamation. Mr. Sumner **seconded** the motion. Those voting aye: Hans Andersen,
22 Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and
23 Brent Sumner. The motion **passed, 7-0.**

24
25 Recognition – UVU Men’s Basketball, Regular Season WAC Champions

26 Mayor Brunst invited the members of the UVU Men’s Basketball team forward to be recognized
27 for their accomplishment in being the WAC regular season champions.

28
29 **CITY MANAGER APPOINTMENTS**

30
31 There were no City Manager appointments.

32
33 **PERSONAL APPEARANCES**

34
35 Time was allotted for the public to express their ideas, concerns, and comments on items not on
36 the agenda. Those wishing to speak should have signed in prior to the meeting, and comments
37 were limited to three minutes or less.

38
39 Karl Moore expressed concerns about what was going on with Orem youth Soccer. He asked that
40 the City not consolidate power to one entity.

41
42 Rebecca Daley quoted a talk given by LDS Church President Thomas S. Monson regarding debt-
43 free living. She suggested Orem was the doing the opposite and said Orem was failing to live
44 within its means.

1 **CONSENT ITEMS**

2
3 There were no consent times.

4
5 **SCHEDULED ITEMS**

6
7 Ordinance – Enacting Article 13-5 of the Orem City Code

8
9 Heather Schriever, Assistant City Attorney, and Bren Bybee, Assistant City Manager, presented
10 to Council a request to grant the recreation director the authority to establish a framework that
11 would fairly, equitably, and objectively allocate the City’s recreation areas for the public use.

12
13 In recent years there had been an increased demand for the use of the City’s recreation areas.
14 New program providers and new sporting organizations have approached staff asking how to
15 gain access to the City’s recreation areas in order to provide programs to the Orem residents.
16 Orem did not have sufficient recreation areas to accommodate all of the groups. As a result, the
17 City needed to develop a framework to deal with those organizations.

18
19 Before bringing forth this proposed ordinance, the recreation director had complete and total
20 discretion to determine who was using the City’s recreation areas. To this point, there was
21 nothing in the Orem City Code that provided the recreation director with any guidelines on how
22 to resolve problems that occurred when more than one group wanted to use the City’s limited
23 recreational resources.

24
25 As drafted, the proposed ordinance instructed the recreation director on how to establish a
26 system based on specific criteria outlined in the ordinance. This system would give equal access
27 to all the different recreation programs operating in Orem.

28
29 If the City Council were to approve the request, Article 13-5, as proposed, gave instruction to the
30 recreation director to do seven things:

- 31 1. Create a fair, equitable, competitive and customer-friendly usage and reservation system
32 for the City’s recreation areas.
33 2. Establish a priority system that ensures that recreational, community-based programming
34 needs are satisfied first (recreation Programs).
35 3. Establish additional priority classifications giving greater recreation area access to
36 entities that demonstrate the following traits:
37 a. Nonprofit financial structure and financial viability.
38 b. Provision of quality programming.
39 c. Provision of services primarily to the residents of Orem.
40 d. Demonstrated service to residents of Orem.
41 4. Create the recreation Area Allocation Committee (RAAC).
42 5. Propose fees for use of the City’s recreation area.
43 6. Create policies and procedures to implement the purposes set forth in the ordinance.
44 7. Enter into recreation area usage agreements with entities requesting access.

45
46 The RAAC would be the board reviewing applications and determining what priority best fit
47 applicant requests. The RAAC would then recommend the applicants to the recreation director.

DRAFT

1 As proposed, there would be four members of the recreation Advisory Commission as well as
2 two City employees serving on the RAAC.

3
4 Mrs. Schriever said passing the ordinance would allow the recreation director to draft,
5 implement, and administer a policy that would provide all potential recreational users a fair and
6 equitable opportunity to gain access to those public areas. Previous to this request, there was
7 nothing in place that would permit this process.

8
9 The City Council and many of the recreation organizations, which were using the City's
10 recreation facilities, were given the opportunity to review a draft policy proposed by the
11 recreation director. That draft policy would not be approved or addressed at the meeting. The
12 recreation director was only seeking approval from the City Council to begin creating a system
13 that would allow athletic organizations the opportunity to apply for access to use City
14 recreational resources, namely fields, baseball diamonds, and swimming pools.

15
16 Mrs. Schriever said there were a number of recreation organizations that had been granted almost
17 unfettered access to the City's recreational resources. That had led to competing programs
18 wanting equal access to Orem's recreational facilities. Mrs. Schriever stressed that the City
19 needed to have a mechanism in place which fairly and equitably determined who was given
20 priority to use the City's resources in these circumstances.

21
22 Mr. Bybee said the ordinance was intended for all athletic uses, to make an equal and level
23 playing field for all the interested sports groups in Orem seeking to use the City's recreational
24 areas.

25
26 Mayor Brunst invited questions from the City Council.

27
28 Mr. Sumner asked those presenting to address the usage of Alpine School District field areas and
29 how that had tightened up the use of recreation facilities in Orem.

30
31 Mrs. Schriever said that many neighboring cities had established policies and procedures which
32 determined who had access to recreational resources. Determining who would use the resources
33 was a statewide problem, and each city had chosen its own way to address it.

34
35 Mr. Davidson added that a number of communities had opted to provide access on a first-come,
36 first-served basis. This mechanism was met with some opposition. Other organizations had
37 priorities based on recreational use, similar to what Orem was proposing at this meeting. The
38 Alpine School District was dealing with similar requests from outside. The district had adjusted
39 its fees quite significantly to address the increased use of its resources. Mr. Davidson said Orem
40 was not the first to bring such a proposal forward to establish a framework to address
41 recreational area usage requests.

42
43 Mr. Seastrand asked for clarification on the Alpine School District policy with regard to fees.
44 Mr. Davidson said there were stringent guidelines which had to be followed in order to gain
45 access to facilities. Priority was given to school programs before outside use was permitted of
46 Alpine School District facilities.

DRAFT

1 Mr. Macdonald said he had received many emails on the subject. It was his understanding that
2 some people asked for all-day field use on Saturdays. That was difficult to accommodate. Mr.
3 Macdonald said he understood the proposed ordinance would assign citizens and employees to
4 work with the recreation director to establish the policy. Without the change, the recreation
5 director could act on his own. Mr. Macdonald said the emails he had received assumed the
6 opposite: that the ordinance would allow the recreation director to act solely on his own. The
7 ordinance would not empower the recreation director but, rather, would empower the recreation
8 director, with the assistance of the conceptualized RAAC committee, to determine a priority
9 system.

10
11 Mrs. Schriever said the proposed ordinance would give the recreation director the opportunity to
12 draft and propose a policy that would define when the certain groups could use City recreation
13 resources. The Council would entrust the recreation director to start putting together a policy that
14 would help the City fairly and equitably allocate the recreational use areas. The policy would
15 involve both the recreation director and the RAAC. Essentially, the proposed ordinance would
16 take the recreation director's discretion away.

17
18 Mr. Spencer asked if there was a list of the individuals asking for use of the fields. Mrs.
19 Schriever said she did not have a current list but that the recreation director had been receiving
20 calls asking for information on how organizations could gain access to the City's recreation
21 resources.

22
23 Mr. Hirst indicated there were two groups requesting use of the swimming pool. The pool was
24 the City's most limited resource. Last year, a football organization asked for access to the City
25 fields and was turned away because there was no way for Orem to accommodate the request. He
26 noted that competitive groups bridged city boundaries with participants from many different
27 communities. There were often requests from these competitive groups to use Orem's resources.
28 Some of those include Lacross, Ultimate Frisbee, and Rugby groups.

29
30 Mr. Andersen asked if the public had been notified about the proposed ordinance, how many
31 games would disappear, and what fields would disappear with the approval of the proposed
32 ordinance.

33
34 Mrs. Schriever drew another distinction between the proposed ordinance and the draft policy that
35 had been circulated. She said discussions to establish a framework had been taking place over the
36 course of several months. Mrs. Schriever indicated Mr. Hirst had had conversations with every
37 organization using the City recreation resources. The public's concern had originated from the
38 draft policy under negotiation between the City of Orem and those recreation groups.

39
40 Mr. Anderson suggested the vote not take place until more input could be received from the
41 public.

42
43 Mr. Hirst said the advance discussions had begun to aid in establishing a policy for the Council
44 to review if the ordinance was adopted.

DRAFT

1 Mr. Davidson reminded the Council that the purpose of the proposed ordinance was to create an
2 objective process regarding the recreational usage of the City's resources by these athletic
3 groups.

4
5 Mrs. Black said the recreation director's ongoing duty was to allocate use of the fields that were
6 under the stewardship of the City. The ordinance was to create a system of prioritization that
7 included citizen and employee assistance in helping the recreation director in determining these
8 priorities. The ordinance would create a framework. The policy could be decided within the
9 framework, and the policy discussions could continue. The adoption of the ordinance could take
10 place without adopting the policy as it was drafted.

11
12 Mr. Sumner said he had been assigned to the recreation commission last year, and discussions
13 were already taking place due to the limited number of fields within Orem. The concern was not
14 a new one.

15
16 Mr. Spencer said he would like to sit down with the groups before deciding on the ordinance. He
17 believed the Council was moving too quickly.

18
19 Mrs. Schriever said putting off the discussion for a few months was problematic. Enacting the
20 ordinance would not preclude the Council from participating in discussions revolving around the
21 policy.

22
23 Mr. Spencer repeated his belief that the ordinance was moving too fast.

24
25 Mr. Davidson reiterated that the purpose was discussion about creation of a policy to suggest
26 how decisions would be made in the future when multiple groups came seeking access to the
27 City recreational areas. As it related to the actual policy, additional opportunities would arise for
28 the Council to discuss the policy whereby the priority was determined.

29
30 Mayor Brunst suggested that the (1) RAAC be an odd-numbered committee, (2) members be
31 chosen by the City Council, and (3) City Council should oversee the committee.

32
33 Mrs. Schriever said the ordinance, as drafted, permitted the recreation director to create and
34 supervise the RAAC. The ordinance did not address who would compose the RAAC. Mrs.
35 Schriever said changes could be made to the draft ordinance to accommodate Mayor Brunst's
36 suggestions.

37
38 Mrs. Black said the recreation director should be dealing with the committee and that the entire
39 City Council should have a role in approving the members chosen to serve on the RAAC. The
40 Council should not be involved in every detail within Orem, and it would be best to let the
41 recreation director to oversee the RAAC. Mrs. Black reminded Mayor Brunst that those serving
42 on the current Recreation Advisory Commission were citizens and should be acknowledged as
43 such.

44
45 Mr. Sumner agreed with Mrs. Black's comments and said he trusted the recreation director to
46 make the appropriate decisions with regard to the RAAC.

DRAFT

1 Mr. Macdonald asked Mr. Spencer about his concern that the momentum for proposed ordinance
2 was too fast. Mr. Spencer said he believed the process was happening too fast and that the
3 Council should slow down to better address the issue. He suggested the reenactment of City of
4 Orem Self-Determining Group Cooperative Policy Agreement, which expired in October, 2013,
5 and to ensure that the Council address the issue only one time and to get it right.

6
7 Mayor Brunst invited comments from the audience.

8
9 Bob Wright, resident, expressed concern about the recreation director being given authority to
10 establish a policy.

11
12 Chris Garner, resident, said he was concerned that due-diligence had not been done. There had
13 been little discussion on how the impacted cost. There needed to be structure to make the
14 discussion successful so that children could experience soccer.

15
16 Steve Bowler, resident and current president of Orem Youth Soccer, said he was afraid of the
17 draft policies that had been circulating. He said the going rate to paint a field was \$115 to mark
18 one field, and the \$25 fee they were charging was considerably lower. Mr. Bowler expressed
19 concern about the power given to the recreation director to create a policy.

20
21 Tara McKay George, resident, voiced concern that the policy would limit her options to service
22 on the parent boards for soccer.

23
24 Nicole Michaels, resident, agreed with Mr. Spencer in that the ordinance was moving too
25 quickly.

26
27 Amy Yokota, resident, voiced concern about the fees that could make it cost prohibitive for her
28 to involve her children in the soccer organization. She compared the organization to a
29 parent/teacher organization. She asked the Council for time to consider the ordinance.

30
31 Linae Millet, resident, said she was concerned that the City was giving sole discretion to one
32 person.

33
34 Shane Roy, resident, shared a personal experience in coaching soccer in Orem and in other
35 places.

36
37 Rodney Carter, resident, suggested eliminating the need for a RAAC. He expressed concern
38 about when frameworks would be removed and when taxes would be reduced.

39
40 Kyle Bowler, resident, said James Madison wrote that ambition must be made to counteract
41 ambition. He voiced concern about the recreation director being able to create policy. Mr.
42 Bowler said he did not feel that enough public input had been given. He was concerned that,
43 once the ordinance was passed, the citizens would be steamrolled.

44
45 Holly Robbins, resident, said her main fear was that the recreation director would put his hands
46 in the management of Orem Youth Soccer.

DRAFT

1 Jill Bowler, resident, said policymakers should not be policy administrators.

2
3 Travis Alkire, resident, said he was concerned with the same things as Mr. Andersen and Mr.
4 Spencer. The action was being taken too hastily.

5
6 Mayor Brunst brought the discussion back to the Council and said he was still in favor of the
7 ordinance but would like to see the RAAC to be made up of three Orem citizens, three recreation
8 advisory committee members, and one employee, to keep the RAAC an odd number.

9
10 Mrs. Black reaffirmed that the ordinance was different than the policy—the ordinance had to be
11 adopted in order to create a policy. She said she was willing to go along with suggestions but
12 thought that putting the decision off would be a disservice.

13
14 Mr. Sumner said the proposed ordinance gave the recreation director less power and less
15 discretion. He agreed with Mrs. Black that the Council needed to move forward with the
16 ordinance.

17
18 Mr. Andersen said he wanted to wait until the Council could get more information on the issue
19 before voting.

20
21 Mr. Seastrand asked Mr. Davidson to clarify what created City policy.

22
23 Mr. Davidson said the Council set general policy direction, and the policy and procedures
24 typically are then developed by City administrators as that was their function. Because there was
25 no ordinance on recreational usage in the City code, the ordinance was brought to the Council to
26 establish a framework whereby a priority system could be developed.

27
28 Mr. Seastrand said he believed an ordinance was needed, and that a policy should be established.
29 He acknowledged that it was difficult to separate the two discussions because they were
30 connected to a large degree. He suspected a lot of inaccurate information had been circulating
31 through the public on this issue.

32
33 Mr. Spencer said he wanted to sit down with the groups and get the groups to address how they
34 were running their businesses.

35
36 Mayor Brunst **moved** to continue the discussion to April 29, 2014, to allow time to schedule
37 three different meetings with groups and various members of the Council to get more
38 information on the issue. Mr. Andersen **seconded** the motion. Those voting aye: Hans Andersen,
39 Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer. Those
40 voting nay: Councilmember Brent Sumner. The motion **passed**, 6-1.

41 42 COMMUNICATION ITEMS

43
44 Mr. Davidson allowed time for Mr. Bybee to inform the Council on the citizen committee and
45 commission appointment process. Applications would be provided to the Council which would
46 allow time for consideration before carrying out any appointments to City boards and
47 commissions.

DRAFT

1 Mr. Macdonald recited a quote which said the world was dependent on a steady stream of
2 volunteers, who had no idea what they are getting into. Mrs. Black expressed appreciation for the
3 development of the streamlined process.

4
5 Bill Bell informed the Council of some upcoming agenda items. The southwest annexation had
6 run into some road blocks, and the applicant was looking at other ways to approach annexing the
7 area into Orem. Mr. Bell distributed a quick-reference guide to zoning ordinances in the city.

8
9 Mr. Sumner expressed concern in having to go to St. George to learn about UTOPIA and UIA.
10 He said he felt he, as a Councilmember, was being left out of the loop on general information
11 that he should know.

12
13 Mayor Brunst indicated that he had noted Mr. Sumner's comments and said it was important the
14 entire Council work together.

15
16 Mr. Seastrand suggested Mr. Davidson attend the UIA and UTOPIA meetings. Mayor Brunst
17 said closed-session information was protected and was not allowed to be divulged by decree.

18
19 Mr. Davidson said the challenges that the Council had run into in recent times was that there are
20 quorum issues. If a quorum was present at any nonsocial gathering, then the gathering was
21 considered a "City Council meeting" and held to certain noticing requirements under State law.
22 Mr. Davidson said he was trying to give pertinent and relevant updates to the Council and asked
23 the Council to provide him with information in return. It was an effort to keep all parties
24 informed on what is going on in Orem.

25
26 Mr. Macdonald addressed a previous comment made by a citizen regarding the passing of an
27 employee pay increase in secret meeting. Mr. Macdonald clarified that the action had been
28 approved by the City Council in a public meeting, and the information regarding the increase had
29 not withheld from the public in any manner.

30 CITY MANAGER INFORMATION ITEMS

31
32
33 There were no City Manager information items.

34 ADJOURNMENT

35
36
37 Mr. Macdonald **moved** to adjourn the meeting. Mr. Andersen **seconded** the motion. Those
38 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.
39 Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

40
41 The meeting adjourned at 8:42 p.m.

DRAFT

CITIES OF OREM AND PROVO
SPECIAL JOINT MEETING
56 North State Street, Orem, Utah
April 17, 2014

This meeting was for discussion purposes only. No action was taken.

CONDUCTING	Mayor Richard F. Brunst, Jr. and Councilmember Mark E. Seastrand
OREM ELECTED OFFICIALS	Mayor Richard F. Brunst, Jr. and Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner
PROVO ELECTED OFFICIALS	Mayor John Curtis and Provo Councilmembers Gary Garrett, Hal Miller, Kim Santiago, Dave Sewell, and Gary Winterton,
OREM STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder
PROVO STAFF	Wayne Parker, Chief Administrative Officer and Matt Taylor, Council Director
EXCUSED	Orem Councilmembers Hans Andersen and Brent Sumner

Call to Order

Mayor Brunst called the meeting to order at 12:08 p.m.

Mr. Macdonald provided a blessing on the meal.

Items of Common Interest

State Street Master Plan

Mayor Brunst asked Mayor Curtis to explain Provo's intent in being involved in the State Street Study. Mayor Curtis indicated the Mountainland Association of Governments (MAG) considered proposals of what they would help fund. Orem submitted a proposal requesting assistance for a State Street study. When that was proposed, Provo requested to tag along for the transportation portion of it. He suggested the need to look at the entire State Street corridor that runs between the two cities. Orem was willing to match a portion that MAG was not funding, and Provo would be responsible for a portion of that, as well, since the study affected both cities.

Mr. Davidson said Orem was in the process of modifying the RFP. The City of Orem has had conversations to determine the scope of the involvement with the RFP. The essential goal was to determine an individual vision.

1 Mr. Seastrand asked how far this would go. Mr. Davidson said it would go at least to Bulldog
2 Boulevard in Provo.

3
4 Bus Rapid Transit (BRT)

5
6 Mayor Brunst indicated Orem wanted to lend support to the BRT process and asked Provo to provide
7 an update.

8
9 Matt Taylor, Provo Council Director, said the project was moving forward, and in the meantime a
10 local transit engineering firm was considering a number of issues through the project. An initial
11 report was due by April 25th, with a final report in place by May 6, 2014. Provo was prepared for the
12 firm to provide some possibilities in achieving greater ridership on the bus line, and ways to improve
13 efficiencies.

14
15 Mayor Brunst said this was a very important topic and the timing was right to discuss the issue.
16 Years could go by before another opportunity of this likeness would come again.

17
18 Mr. Seastrand asked from a timeframe stand point when the funding would be available, and if there
19 was a timeframe in order to secure the funding.

20
21 Kim Santiago addressed Mr. Seastrand's query by saying the federal funds were available at that
22 time but may not be available later. The funding had to be in place by August, 2014.

23
24 Mayor Brunst said the local funding was similar in that the funds were available then, but may not be
25 available if the project was put off.

26
27 Mrs. Santiago said an independent firm, Hale Civil Science, wanted to see this project work and
28 wanted to answer questions regarding ridership composition. It was considering subsidized passes
29 for UVU students who want a straight shot to the UVU campus. BYU was modeled as one
30 transportation zone, and metro is splitting this into several zones. The firm was looking into learning
31 what the ridership was at BYU and where it was coming from. The firm was not tied by any specific
32 interest in the method by which the project was completed. The important first step was to get the
33 funding and have a system in place to secure it.

34
35 Mr. Davidson said there were a number of moving parts to this discussion. The efforts of on the part
36 of UDOT were one of them. There were question marks based on discussions on transit and greater
37 mobility problems with how it might improve or impact traffic in Orem.

38
39 Mrs. Black asked why an independent firm was being used to analyze this project.

40
41 Mrs. Santiago said it was difficult to find a truly independent firm that had not done projects for
42 UTA or UDOT. This group performed a study for the transportation master plan in Provo. Choosing
43 this firm was an effort to make sure what was being done was efficient and fast, and that the result
44 gave a true gauge on the ridership of the bus lines. The reputation of this firm was central in the fact
45 that it could go toe-to-toe and stand by their work. Provo was drawn to working with this firm
46 because they were in a position to stand behind what they found.

1 UTOPIA

2
3 Mayor Brunst gave an update on the UTOPIA process and allowed Provo to update Orem on the
4 happenings with Provo's involvement with Google Fiber.

5
6 Mayor Curtis said it was the one-year anniversary of the Google Fiber announcement. Google Fiber
7 went through three of the seven defined neighborhoods in the city. The approach to outfitting Provo
8 with Google fiber has been both aerial and underground, which was dependent upon where the
9 power poles and existing infrastructure was. Google Fiber started in one neighborhood and has
10 perfected the installation approach as progress was made throughout the city. Google has not shared
11 the exact take rates with Provo administrators, but Google has proven to be good partners to work
12 with through the process.

13
14 Mayor Curtis said Provo has learned that the product Google was providing was more of a residential
15 product than a commercial product. A test beta commercial product was launched in Kansas City.

16
17 Mayor Brunst asked if Provo had any idea of what products are being purchased.

18
19 Mayor Curtis reiterated that no information was being provided, but Provo understood the utilized
20 services varied by neighborhood.

21
22 Mayor Brunst said he spoke to Comcast whose capacity was doubling due to the newfound ability to
23 compress bandwidth on coax cables. Comcast was displaying lower prices and was going after more
24 residential customers. Mayor Brunst reported Century Link was going after more businesses in Orem
25 and Salt Lake City by laying its own fiber. ISP competitors were stepping up service capabilities.

26
27 Mrs. Black wondered what would happen if it weren't for iProvo and UTOPIA. The observed
28 success has been because of prior endeavors involving the laying of infrastructure.

29
30 Mayor Curtis left the discussion at 12:48 p.m.

31
32 Mayor Brunst said money spent in Orem on Comcast Triple Play services and on cell ran
33 approximately \$4 million per month.

34
35 Interlocal Ethics Commission

36
37 Mr. Sewell indicated Provo was in an awkward position due a situation concerning a former council
38 member. Mr. Sewell said he understood Orem had entered – or was considering entering – an
39 interlocal ethics commission and sought Mayor Brunst's perspective on the pros and cons of doing
40 so.

41
42 Mr. Macdonald requested Provo to explain its decision to not participate in the interlocal
43 commission.

44
45 Mr. Sewell said Provo had recently formed a committee within their city before learning of the
46 State's intent to form an interlocal ethics commission. He said Provo struggled to come out of that
47 difficult situation and the timing of the experience made it difficult to jump on to the new legislation.

1 Instead, Provo took the time to cool off which allowed the Council to step back and tactfully address
2 concerns.

3
4 Mr. Macdonald gathered that Provo had not entirely ruled out joining the interlocal commission.

5
6 Mr. Davidson said joining the interlocal commission was appealing to Orem. He said there was value
7 in having people who understood this area to be party to this type of assessment and review. There
8 were benefits from looking at it from a local control perspective rather than on a state level due to the
9 differing needs between the two levels. Local control provided opportunity to set a time table which
10 was not subject to the State. Mr. Davidson said he did not foresee any additional cost would be
11 incurred with the choice to become part of the interlocal commission. In sum, cost, speed, and local
12 control were key reasons why Orem was looking at joining the interlocal commission.

13
14 Mr. Taylor asked if it pertained to more than a convenient way to identify an independent council in
15 matters of municipal government.

16
17 Mr. Davidson said the purpose was to serve as a review body for elected officials. The responsibility
18 of the body would be limited and the framework would be defined by the State's ethics ordinance.
19 Mr. Davidson likened it to a mutual aid type of agreement.

20
21 Mr. Macdonald said it was similar to municipalities sharing fire department resources.

22
23 Mr. Davidson explained that the process would be such that a body would be seated and once that
24 body had served they would be removed from the commission for a time in order to not place undue
25 burden on one municipality or another.

26
27 Mr. Macdonald said the Orem city attorneys were looking into Orem's participation.

28
29 Mr. Davidson understood it was a raw issue for Provo and it was best to let time pass and let wounds
30 heal.

31
32 Mr. Taylor said the reason Provo sought independent review was due to a document generated by its
33 own Council. The question arose as to where the Council would turn for service in reviewing it.

34
35 Mr. Davidson said the intent was to move forward in a timely manner within relative cost.

36
37 Mr. Davidson went on to share appreciation for Provo's fire department in providing their services in
38 fighting the fire at Vivint. He thanked Provo for the reciprocity in providing agency services in times
39 of need and appreciated the fact that the cities could work together to protect property and life.

40
41 Mayor Brunst left the discussion at 1:02 p.m.

42
43 Citizen Commissions and Committees

44 Mr. Seastrand said he found the joint meetings very valuable to find ways to work together and
45 develop concepts. He asked if there were any other topics to address.

DRAFT

1 Mrs. Santiago asked how Orem City Council utilized citizen-led committees and if Orem gave these
2 committees/commissions a budget to work from.

3
4 Mr. Seastrand said some of the commissions and committees were appointed by the City Manager
5 and others were appointed by the City Council. Mr. Seastrand named the Transportation Advisory
6 Commission as one which has been very active and beneficial to the City.

7
8 Mr. Macdonald left the discussion at 1:05 p.m.

9
10 Mr. Davidson said it was important that committees were put together with a substance – without
11 substance or purpose, the committees tended to lose momentum. The division of committees had
12 also led to invalidating original committees, so the City was mindful of this. Some committees were
13 easy to fill while others had proven more difficult.

14
15 Mrs. Santiago asked how the volunteerism was organized in Orem.

16
17 Mrs. Black said information was available on the web. Mr. Davidson said there is a designated
18 volunteer coordinator in Orem’s Public Works department.

19
20 Mr. Winterton asked if committees were generated through administration or by the City Council.

21
22 Mr. Davidson said there were many means to submit names and the Council and Mayor
23 recommended names as well. Orem was working through the creation of a more formal application
24 process to learn motivation and willingness to serve.

25
26 Mrs. Black cautioned about the “good-old-boy” network and said Orem was trying to address the
27 potential issues by providing everyone the opportunity to apply to serve within the City.

28
29 Mr. Seastrand said Orem wanted people from all different parts of the City to serve.
30 Recommendations for service also came from people leaving service terms.

31
32 Mrs. Black said, with regard to budget, that some committees are not given any budget whatsoever,
33 and used the Summerfest committee as an example. The volunteers achieved a lot even without
34 having a set amount of money to do it.

35 36 **Set Date and Time for Next Meeting**

37
38 The next meeting was scheduled for July 17, 2014, at noon in Provo.

39 40 **Adjournment**

41
42 The meeting adjourned at 1:15 p.m.

PROCLAMATION

WHEREAS, water is our most valuable natural resource; and

WHEREAS, our health, comfort, support for our economy and quality of life depend on an abundant supply of safe, high-quality drinking water; and

WHEREAS, any measure of a successful society—low mortality rates, economic growth and diversity, productivity, and public safety—are in some way related to access to safe water; and

WHEREAS, the problems and challenges of meeting future water supply needs are many and growing in complexity; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of our community is called upon to help protect our source waters from pollution, to practice wise water use, and to get involved in local water issues; and

WHEREAS, the ever-increasing need for domestic water makes continued training of skilled personnel essential.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Orem, Utah, that I, RICHARD F. BRUNST, JR., do hereby proclaim May 4-10, 2014 as

NATIONAL DRINKING WATER WEEK

In the City of Orem and ask all citizens to join in extending appreciation to the dedicated men and women of the Orem municipal water system and urge that Orem citizens participate in National Drinking Water Week activities and become more informed about Orem's water supply and system.

Dated this **29th** day of **April** 2014.



Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

CITY OF OREM
CITY COUNCIL MEETING
 APRIL 29, 2014



REQUEST:	6:20 P.M. PUBLIC HEARING RESOLUTION – Adopt Community Development Block Grant (CDBG) Final Statement of Projected Uses of Funds – 2014-2015
APPLICANT:	City of Orem Community & Neighborhood Services
FISCAL IMPACT:	Estimated to be \$749,798 including program income and reprogrammed funds

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

- General Plan Designation:
N/A
- Current Zone:
N/A
- Acreage:
N/A
- Neighborhood:
N/A
- Neighborhood Chair:
N/A

PREPARED BY:
 Charlene Crozier
 Former CNS Manager

RECOMMENDATION:

The Community & Neighborhood Services Manager recommends the City Council, by resolution, adopt the updated Final Statement of Projected Uses of Funds for Orem’s 2014-2015 Community Development Block Grant.

BACKGROUND:

During the past few months, the CDBG Citizen Advisory Commission heard funding proposals from various applicants who wish to receive CDBG funding. The Commission presented its recommendations to the City Council in the first of two public hearings on March 25, 2014. Tonight’s public hearing is the final opportunity for public comment on the recommendations before the City Council officially adopts the Final Statement of Projected Uses of Funds for Orem’s 2014-2015 Community Development Block Grant. Please see the allocation recommendations below:

- Public Services – limited by HUD to 15% of new entitlement funding
- Family Support & Treatment - \$10,000
 - Project Read - \$3,000
 - PERC - \$2,000
 - Center for Women & Children in Crisis - \$10,000
 - Community Actions Services - \$16,500
 - Mountainland Community Health - \$5,000
 - House of Hope- \$5,000
 - Big Brothers Big Sisters - \$1,000
 - Literacy Resources - \$2,000
 - RAH - \$7,000
 - Utah County Drug and Alcohol Prevention - \$0 (withdrew application)
 - Friends of the Children's Justice Center - \$10,960
 - Friends of the Food and Care Coalition - \$7,000
 - Utah County 4-H - \$2,000
 - Community Health Connect - \$4,000
 - Kids on the Move - \$6,000

Other

- Habitat for Humanity - \$35,000
- Code Enforcement - \$120,000
- Infrastructure - \$258,338
- Administration - \$115,000
- Section 108 Loan Repayment - \$105,000

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RESOLUTION NO. _____

A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND USE OF FUNDS AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FISCAL YEAR 2014-2015

WHEREAS the City of Orem qualifies as an Entitlement Community under the Department of Housing and Urban Development's Community Development Block Grant Program and has been allocated \$609,734 for the 2014-2015 program year; and

WHEREAS the City of Orem is required by the U. S. Department of Housing and Urban Development to submit a formal request for funding entitled a STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS for new and reprogrammed funding; and

WHEREAS the City Council of the City of Orem has established a Community Development Block Grant Citizen Advisory Commission to gather citizen input on project proposals; and

WHEREAS the Citizen Advisory Commission has gathered such input and has prepared a STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS for review and approval by the City Council; and

WHEREAS the City Council held public hearings on March 25, 2014, and April 29, 2014, to consider citizen comments regarding CDBG expenditures and has reviewed these suggestions and proposals in a manner fair to all residents of Orem and pursuant to law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The Community Development Block Grant Statement of Community Development Objectives and Projected Use of Funds, which is attached hereto as "Exhibit A" and incorporated herein by this reference, is hereby adopted and shall be submitted to the United States Department of Housing and Urban Development as part of Orem's formal request for the 2014-2015 grant amount of \$609,734 as well as Housing Rehab program income estimated to be \$10,000, Business Revolving-Loan Fund program income estimated to be \$25,000, and reprogrammed funds in the amount of \$105,064.

2. This resolution shall take effect immediately upon passage.

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3. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this **29th** day of **April** 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"
"NAY"

COUNCIL MEMBERS VOTING

**FINAL STATEMENT OF COMMUNITY DEVELOPMENT
OBJECTIVES AND PROJECTED USE OF FUNDS
PROGRAM YEAR 40
JULY 1, 2014 THROUGH JUNE 30, 2015
GRANT NO.: B-14-MC-49-002
CITY OF OREM, UTAH**

The City of Orem intends to meet the requirement of seventy percent benefit to low and moderate-income persons in the aggregate use of funds to be expended during the program year 2014-2015.

The Community Development Block Grant is designed to assist communities in efforts to improve living conditions for low and moderate-income residents. Each eligible activity must meet at least one of the national objectives established by the Department of Housing and Urban Development (HUD). Activities must benefit fifty-one percent low and moderate-income persons in a given census tract or block group, improve designated areas of slum and blight, or address an urgent community need.

The activities identified below meet at least one of the national objectives established by HUD. They also meet local objectives specific to the City of Orem.

The targeted local objectives include the following:

1. Improve the quality of life for families by funding projects, which address the needs of low and moderate-income residents.
2. Stabilize older residential neighborhoods and decrease the amount of substandard housing through housing rehabilitation and through eliminating or improving slum and/or urban blight.
3. Encourage and pursue the establishment of commerce and industry, which will provide quality employment for the unemployed and under-employed.
4. Remove architectural barriers and achieve all compliable directives of the Americans with Disabilities Act (ADA), thereby making the community more accessible.

The HUD national objectives include the following:

HUD Defined-Outcome/Objective Codes	Availability/Accessibility	Affordability	Sustainability
Decent Housing	DH-1	DH-2	DH-3
Suitable Living Environment	SL-1	SL-2	SL-3
Economic Opportunity	EO-1	EO-2	EO-3

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**FINAL STATEMENT OF COMMUNITY DEVELOPMENT
OBJECTIVES AND PROJECTED USE OF FUNDS
PROGRAM YEAR 40
JULY 1, 2014 THROUGH JUNE 30, 2015
GRANT NO.: B-14-MC-49-002
CITY OF OREM, UTAH**

ORGANIZATION	FUNDING ALLOCATION	LOCAL OBJECTIVE	NATIONAL OBJECTIVE
CENTER FOR WOMEN AND CHILDREN IN CRISIS	\$ 10,000	1	SL-3
CHILDREN’S JUSTICE CENTER	10,960	1	SL-3
COMMUNITY ACTION SERVICES	16,500	1	SL-3
COMMUNITY HEALTH CONNECT	4,000	1	SL-3
FAMILY SUPPORT& TREATMENT CENTER	10,000	1	SL-3
FOOD AND CARE COALITION	7,000	1	SL-3
HOUSE OF HOPE	5,000	1	SL-3
KIDS ON THE MOVE	6,000	1	SL-3
MOUNTAINLAND COMMUNITY HEALTH CENTER	5,000	1	SL-3
LITERACY RESOURCES	2,000	1	SL-3
PARENT EDUCATION RESOURCE CENTER (PERC)	2,000	1	SL-3
PROJECT READ	3,000	1	SL-3
RECREATION AND HABILITATION	7,000	1	SL-3
BIG BROTHERS BIG SISTERS	1,000	1	SL-3
UTAH COUNTY 4-H	2,000	1	SL-3
HABITAT FOR HUMANITY	35,000	2	DH-2
CITY OF OREM – CODE ENFORCEMENT	120,000	1	SL-3
CITY OF OREM – HOUSING REHAB*	0	2	DH-2
*NO NEW FUNDS, BUT UNSPENT FUNDS WILL ROLL FORWARD			
CITY OF OREM – SECTION 108 LOAN REPAYMENT	105,000	3	EO-3
CITY OF OREM – PUBLIC FACILITIES, STREETS/SIDEWALKS	258,338	1,4	SL-3
CITY OF OREM – PROGRAM ADMINISTRATION	115,000	ALL	ALL
CITY OF OREM – BUSINESS REVOLVING LOAN FUND	25,000	3	EO-2
TOTAL	\$749,798		

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**CDBG FINAL STATEMENT
FUNDING SOURCES
Program Year 40
July 1, 2014 through June 30, 2015
B-14-MC-49-0002
City of Orem, Utah**

CDBG FUNDING SOURCES AVAILABLE FOR USE:

CDBG Fund Allocation - Estimate	\$609,734.00
-Repayments in the Housing-Rehabilitation Loan Fund	\$10,000.00
-Repayments in Business Revolving-Loan Fund	\$25,000.00
-Reallocation of funds previously received	<u>\$105,064.00</u>
TOTAL	\$749,798.00

The City of Orem intends to meet the requirement of seventy percent benefit to low and moderate-income persons in the aggregate use of funds to be expended during the program years through 2014-2015.

CITY OF OREM
CITY COUNCIL MEETING
April 29, 2014



REQUEST:	ORDINANCE – Enacting Article 13-5 of the Orem City Code
APPLICANT:	Recreation Director - City of Orem
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Posted on the State website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

- General Plan Designation:
N/A
- Current Zone:
N/A
- Acreage:
N/A
- Neighborhood:
N/A
- Neighborhood Chair:
N/A

PREPARED BY:
Heather Schriever

RECOMMENDATION: The Recreation Director recommends that the City Council, by ordinance, enact Article 13-5 the Orem City Code.

BACKGROUND: The City of Orem is responsible for maintaining, operating and providing access to all City recreation areas. Historically, a number of organizations known as co-sponsored or self-determining groups have provided athletic and sport opportunities for the public. Additionally, other non-profit or for-profit groups have offered athletic and sport opportunities to the public at varying costs and skill levels. Due to increasing demand for access to the City’s recreation areas, the continued increase in the cost of preparing, maintaining, and operating the recreation areas, and the need for a fair and equitable system that will provide the public with access to the City’s recreation areas, it is now necessary for the City to consider implementing a system of competitive selection and prioritization that will provide organizations and groups access to the City’s recreation areas.

This proposed ordinance will give the Recreation Director the authority to create a policy that will accomplish the following:

1. Establish guidelines and policies for access to the City’s recreation areas;
2. Create a priority system for groups or organizations that wish to use the City’s recreation areas with priority given to City run programs and those groups and organizations that provide all-access, recreation programs to the residents of the City.
3. Establish criteria for selecting groups that will be given priority status and create a competitive process for this selection program.
4. Propose fees to help cover the cost of preparing, maintaining, and operating the City’s recreation areas.
5. Enter into recreation area use agreements with groups and organizations that request use of the City’s recreation areas.

Additionally, the ordinance establishes a Recreation Area Allocation Committee (RAAC) that will be responsible for recommending to the Recreation Director the organizations that should be granted priority use status. The RAAC will be composed of three (3) current members of the Recreation Advisory Commission, three (3) residents of the City, and one (1) City employee. The RAAC members will be appointed by the Mayor with the advice and consent of the City Council.

Historically, the City has also maintained and managed athletic programs

through the City's Recreation Department (*e.g.* youth softball, basketball, swimming, flag football, lacrosse). The City has partnered with non-profit parent and community led organizations to provide a number of athletic programs to the public (*e.g.* Orem Youth Baseball and Orem Youth Soccer). A number of groups providing competitive (non-recreational) level sports have also been granted permission to use the City's recreation areas (*e.g.* Utah Celtic FC, Utah Valley Football Association). In recent years, new groups and organizations have approached the City about using its recreation areas to provide new athletic opportunities to the public. The Recreation Director thinks it is necessary at this point to establish a policy that provides groups fair and equitable access to the City's recreation areas based on objective criteria that will provide those groups and organizations whose program philosophy provides recreational sporting opportunities to the public with priority access to the City's recreation areas yet still providing other groups access to these areas.

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ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL ADOPTING
OREM CITY CODE ARTICLE 13-5 RECREATION AREA USAGE

WHEREAS the City of Orem has the duty of caring for, operating, and maintaining City recreation areas; and

WHEREAS it is the City's intention to provide the public with access to these recreation areas; and

WHEREAS the City is dedicated to providing and making accessible to the public youth and adult sports programs so that the public has the opportunity to participate in athletics at various ability levels; and

WHEREAS many organizations have provided the City and the public with excellent quality athletic opportunities; and

WHEREAS the demand for use of the City's recreation areas is greater than the City's capacity to accommodate that demand; and

WHEREAS there are insufficient tax revenues to prepare and maintain these recreation areas for the public's sport and athletic use; and

WHEREAS the City Council finds it necessary to enact Article 13-5 of the Orem City Code to enable the Recreation Director to create a policy that will ensure a fair and equitable system allocating time and access to the numerous organizations that request use of the City's recreation areas; and

WHEREAS the City Council finds the proposed enactment to be in the best interest of the City and necessary to protect and preserve the welfare and safety of citizens in general; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AS FOLLOWS:

1. The City Council hereby enacts Article 13-5 of the Orem City Code as follows (any portions of the Chapter that are not specifically amended by this ordinance shall remain in full force and effect as currently written):

13-5 Recreation Area Usage

A. **Purpose:** The City of Orem is dedicated to providing the public with access to its recreation areas and to creating partnerships with local sports organizations to ensure there is ample opportunity to participate in athletics at various ability levels. The City's recreation areas are primarily for the public's

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use and enjoyment and through enacting this ordinance, the City will ensure that all residents have an equal opportunity and choice of participation.

B. Duties of the Recreation Director. It is the duty of the Recreation Director to:

1. Create a fair, equitable, competitive and customer friendly usage and reservation system for the City's recreation areas;
2. Establish a priority system that provides the greatest opportunity for use of recreation areas to City organizations and other non-profit or not-for profit groups that provide equal access to recreational activities regardless of skill level. The Recreation Director shall have the discretion to create other priority classifications after considering the following:
 - a. The financial structure and viability of the group or organization;
 - b. The quality of the program the group or organization will provide to the public;
 - c. Whether the recreation program will primarily serve the residents of the City; and
 - d. The group or organization's length of demonstrated service to the City and its residents.
3. Propose fees to be charged to groups and organizations that request use of the City's recreation areas to pay for maintenance and operational costs of the recreation areas based on this requested use.
4. Prepare additional rules, regulations, and policies for the use of the recreation areas. The Recreation Director shall have the discretion to make decisions and implement new rules, regulations, and policies that will effectuate the purpose of this Article.
5. Enter into recreation area use agreements with the groups and organizations that request use of the City's recreation areas.

C. Creation of the Recreation Area Allocation Committee. The Recreation Area Allocation Committee shall be responsible for recommending to the Recreation Director those organizations that should be granted priority use status.

1. The Recreation Area Allocation Committee shall be composed of three (3) current members of the Recreation Advisory Commission, three (3) residents of the City of Orem, and one (1) City employee.
2. The Recreation Area Allocation Committee members shall be appointed by the Mayor with the advice and consent of the City Council.
3. The term of office for each member of the Recreation Area Allocation Committee shall be three (3) years. Any vacancies occurring, other than through the expiration of a regular term, shall be filled by appointment by the Mayor with the advice and consent of the City Council.

2. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

3. All other ordinances, policies, and resolutions in conflict herewith are hereby repealed.

This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

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PASSED, APPROVED, AND ORDERED PUBLISHED this **29th** day of **April** 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL
ADOPTING OREM CITY CODE ARTICLE 13-5 RECREATION
AREA USAGE

WHEREAS the City of Orem has the duty of caring for, operating, and maintaining City recreation areas; and

WHEREAS it is the City's intention to provide the public with access to these recreation areas; and

WHEREAS the City is dedicated to providing and making accessible to the public youth and adult sports programs so that the public has the opportunity to participate in athletics at various ability levels; and

WHEREAS many organizations have provided the City and the public with excellent quality athletic opportunities; and

WHEREAS the demand for use of the City's recreation areas is greater than the City's capacity to accommodate that demand; and

WHEREAS there are insufficient tax revenues to prepare and maintain these recreation areas for the public's sport and athletic use; and

WHEREAS the City Council finds it necessary to enact Article 13-5 of the Orem City Code to enable the Recreation Director to create a policy that will ensure a fair and equitable system allocating time and access to the numerous organizations that request use of the City's recreation areas; and

WHEREAS the City Council finds the proposed enactment to be in the best interest of the City and necessary to protect and preserve the welfare and safety of citizens in general; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AS FOLLOWS:

1. The City Council hereby enacts Article 13-5 of the Orem City Code as follows (~~the any~~ portions of the Chapter that are not specifically amended by this ordinance shall remain in full force and effect as currently written):

13-5 Recreation Area Usage

A. **Purpose:** The City of Orem is dedicated to providing the public with access to its recreation areas and to creating partnerships with local sports organizations to ensure there is ample opportunity to participate in athletics at various ability levels. The City's recreation areas are primarily for the public's use and enjoyment and through enacting this ordinance, the City will ensure that all ~~citizens-residents~~ have an equal opportunity and choice of participation.

B. **Duties of the Recreation Director.** It is the duty of the Recreation Director to:

1. Create a fair, equitable, competitive and customer friendly usage and reservation system for the City's recreation areas;
2. Establish a priority system that provides the greatest opportunity for use of recreation areas to City organizations and other non-profit or not-for profit groups that provide equal access to recreational activities regardless of skill level. The Recreation Director shall have the discretion to create other priority classifications after considering the following:
 - a. The financial structure and viability of the group or organization;
 - b. The quality of the program the group or organization will provide to the public;
 - c. Whether the recreation program will primarily serve the ~~citizens-residents~~ of the City; and
 - d. The group or organization's length of demonstrated service to the City and its ~~citizens-residents~~.

~~3. Create and supervise a Recreation Area Allocation Committee that will be responsible for recommending priority use status to applicants;~~

~~34.~~ Propose fees to be charged to groups and organizations that request use of the City's recreation areas to pay for maintenance and operational costs of the recreation areas based on this requested use.

~~45.~~ Prepare additional rules, regulations, and policies for the use of the recreation areas. The Recreation Director shall have the discretion to make decisions and implement new rules, regulations, and policies that will effectuate the purpose of this Article.

~~56.~~ Enter into recreation area use agreements with the groups and organizations ~~that who~~ request use of the City's recreation areas.

~~C. **Creation of the Recreation Area Allocation Committee.** The Recreation Area Allocation Committee shall be responsible for recommending to the Recreation Director those organizations that should be granted priority use status.~~

~~1. The Recreation Area Allocation Committee shall be composed of three (3) current members of the Recreation Advisory Commission, three (3) residents of the City of Orem, and one (1) City employee.~~

~~2. The Recreation Area Allocation Committee members shall be appointed by the Mayor with the advice and consent of the City Council.~~

~~3. The term of office for each member of the Recreation Area Allocation Committee shall be three (3) years. Any vacancies occurring, other than through the expiration of a regular term, shall be filled by appointment by the Mayor with the advice and consent of the City Council.~~

2. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

3. All other ordinances, policies, and resolutions in conflict herewith are hereby repealed.

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This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED, AND ORDERED PUBLISHED this day of _____ 2014.

Richard Brunst, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

