

# ORDINANCE NO. 05-08-2015

## AN ORDINANCE ESTABLISHING THE SENIOR CITIZENS BOARD OF SANTAQUIN CITY

**WHEREAS**, the City of Santaquin recognizes the need to develop resources and opportunities for the senior citizen residents of Santaquin City to enable them to experience old ages with dignity through appropriate services, activities, programs and facilities; and

**WHEREAS**, it is further recognized there is a need to form an advisory board to the Santaquin City Council to receive, invest, administer and expend grant funds, bequests, funds, loans, and gifts of whatsoever kind, nature and description from individuals, corporations, public agencies, charitable foundations and any other public or private sources for the use and benefit of all senior citizens residents of Santaquin City who are members of said organization, under such items, if any, as the grantors or donors may impose; and

**WHEREAS**, it is further recognized there is a need to form an advisory board to the Santaquin City Council to solicit, apply for, or accept any money or property of any nature by way of gift, contribution, sale of merchandise, fund raising activity or any other source for the benefit of the Santaquin City Senior Citizen Center; and

**WHEREAS**, it is further recognized there is a need to form an advisory board to the Santaquin City Council to provide education, entertainment and all other things which shall or which may be necessary, proper or desirable for the benefit of the members of the Santaquin City Senior Citizen Center; and

**WHEREAS**, in addition, it is recognized there is a need to form an advisory board to the Santaquin City Council to provide for charitable, benevolent, welfare, and educational objectives in support of the senior citizen residents of Santaquin City; and

**WHEREAS**, it is the desire of the Santaquin City Council to form by ordinance the Santaquin City Senior Citizen Board to establish the operational policies of the Santaquin City Senior Citizens Center and to establish recommended plans and implement approved plans for operation of said organization;

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

**SECTION I.**

**TITLE II**

**Chapter 7 – SENIOR CITIZENS BOARD**

**2-7-1: SENIOR CITIZENS CENTER BOARD ESTABLISHED; MANAGEMENT:**

The Santaquin City Senior Citizen Center Board is hereby established as an advisory board to the Santaquin City Council to:

- A. Develop resources and opportunities for the senior citizen residents of Santaquin City to enable them to experience old ages with dignity through appropriate services, activities, programs and facilities; and
- B. Receive, invest, administer and expend grant funds, bequests, funds, loans, and gifts of whatsoever kind, nature and description from individuals, corporations, public agencies, charitable foundations and any other public or private sources for the use and benefit of all senior citizen residents of Santaquin City who are members of said organization, under such items, if any, as the grantors or donors may impose; and
- C. Solicit, apply for, or accept any money or property of any nature by way of gift, contribution, sale of merchandise, fund raising activity or any other source for the benefit of the Santaquin City Senior Citizen Center; and
- D. Provide education, entertainment and all other things which shall or which may be necessary, proper or desirable for the benefit of the members of the Santaquin City Senior Citizen Center; and
- E. Provide for charitable, benevolent, welfare, and educational objectives in support of senior citizen residents of Santaquin City.

The Senior Citizen Center shall be managed and operated by the Santaquin City Senior Citizen Board pursuant to the provisions of this article.

**2-7-2: BOARD ESTABLISHED; TERMS OF OFFICE; BYLAWS:**

- A. Board: There is hereby created and established the Santaquin City Senior Citizen Board, which shall consist of ten (10) members who shall be residents of the city who are fifty-five (55) years of age or older, and are dues paying members of the Santaquin City Senior Citizen Center, and one (1) member of the Santaquin City Council. The members of the board, excluding the appointed representative from the Santaquin City Council, shall be elected by a majority of the dues paying members at large for terms as set forth below or until their respective successors are elected.

Subject to the above, any vacancy on the board will be filled by an election of a majority of the dues paying members at large.

- B. Terms of Office: The board shall initially be represented by the existing board membership as presently constituted upon the passage of this ordinance for the remainder of their existing terms or for a three (3) year term or until the position is deemed vacant. Thereafter, on an as needed basis there shall be an election of the dues paying membership to elect board members for any vacant seat. The term for newly elected board representatives shall be for three (3) year terms.
  
- C. Bylaws: The board shall govern itself by a set of bylaws that it shall prepare and have approved by the city council. A current copy of the bylaws shall be maintained in the office of the city recorder for public use. The bylaws may be amended by a majority vote of all members of the board, provided written notice of the proposed amendments shall have been mailed to all board members at least ten (10) days prior to the meeting at which such action proposed will be taken. The board shall appoint, under the procedures outlined in the bylaws, any board officers designated in those bylaws. The bylaws shall include provision for training of the board members as well as the Senior Citizen Center Staff.

**2-7-3: VACANCIES:**

Vacancies in the board of directors occasioned by removals, resignations or otherwise, shall be filled for the unexpired term in the same manner as original appointments.

**2-7-4: COMPENSATION:**

Board members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from Senior Citizen Center funds.

**2-7-5: CHAIRPERSON DUTIES:**

Following their appointments, the board members shall meet and elect a chairperson and vice chairperson, and such other officers as they deem necessary, for one-year terms. The chairperson shall present the agenda, as

hereinafter provided, of all matters pertaining to the Senior Citizen Center to be considered at each and every meeting of the board.

**2-7-6: SECRETARY, OFFICERS AND OTHER EMPLOYEES:**

The Senior Citizen Center Board shall appoint a secretary to the board and such other officers as may be necessary to carry on the duties and functions thereof. Upon request by the board, the mayor, or designee, may provide the board with city employees and employee management, pursuant to the pay range tables and other employee policies established for city employees. The funding for said employees shall come from the Senior Citizen Center budget.

**2-7-7: MEETINGS; ABSENCE:**

The board shall meet in regular meetings at a time designated by the board. Special meetings may be convened at any time as determined by the city council or the chairperson of the board, upon giving notice to all members of the board. Absence of a member of the board from three (3) regular meetings in any four (4) month period shall have the effect of vacating the office of the member, unless such absence is authorized or approved by board action. All meetings must comply with Utah Code Annotated title 52, chapter 4, as amended, relating to open and public meetings.

**2-7-8: AGENDA; POWERS:**

- A. Preparation of Agenda: The agenda for each meeting of the board shall be prepared by the chairperson or the chairperson's designee, and said agenda may cover all matters pertaining to the operation of the Senior Citizen Center.
- B. Minutes: Written minutes shall be kept of all regular and special meetings and shall be transmitted to board members following such meetings. A permanent set of minutes shall be maintained. All records of the board shall be open to inspection during normal business hours.
- C. Maintenance, Operation of the Senior Citizen Center: The Senior Citizen Center Board shall:
  - 1. Maintain and care for the Senior Citizen Center; and
  - 2. Establish policies for its operation.

D. Authority to Adopt Polices: The board has the authority, consistent with city and state statute, to adopt policies and procedures for the Senior Citizen Center.

E. Powers: Upon the approval of the city council, the board may:

1. Have control of the expenditures of the Senior Citizen Center fund, in coordination with the mayor, or designee, and within the purchasing policies and budgets established by the city council;
2. Construct, lease or sale of Senior Citizen Center buildings and land; and the operation and care of the Senior Citizen Center;
3. Purchase, lease or sell land and purchase, lease, erect or sell buildings for the benefit of the Senior Citizen Center; and
4. Solicit gifts or bequests from any person or source, on behalf of the city, for the development or improvement of the Senior Citizen Center. Such gifts or bequests shall be received by the city treasurer and shall be put in a special fund for the purpose for which the money was received.

F. Administrative Control Reserved To Mayor: Except as set forth in this article or by resolution, all other administrative control with respect to the Senior Citizen Center is reserved to the mayor, or designee.

G. Advisory Board to City Council: The Senior Citizen Center Board shall act as an advisory board to the city council on all policy and budgetary matters pertaining to the Senior Citizen Center Fund and to the mayor in respect to the administrative powers reserved to the mayor in this title.

#### **2-7-9: APPOINTMENT OF SENIOR CITIZEN CENTER DIRECTOR AND OTHER PERSONNEL:**

The Senior Citizen Center Board shall recommend a competent person as Senior Citizen Center Director to have immediate charge of the Senior Citizen Center with such duties and compensation for his/her services as it shall fix and determine. The mayor and city council will appoint the Senior Citizen Center Director upon the recommendation of the board. The Senior Citizen Center Director shall act as the executive officer for the Senior Citizen Center Board. The director shall appoint other personnel as needed, as budgets permit. Upon request by the board, the mayor, or designee, shall provide the Senior Citizens Center with city employees and employee management for Senior Citizen Center purposes, pursuant to the pay range tables and other employee policies established for city employees as budgets permit. Upon request by the board, the

Senior Citizen Center Director shall also be deemed a city employee. The funding for said employees shall come from the Senior Citizen Center budget.

**2-7-10: BOARD COMMITTEES:**

Matters of business for the board should, when suitable, go through committees and should be brought to the board by the committees. Referrals for study and recommendations should be made by the board to committees. Appropriate records should be made of all committee meetings and action, and recommendations to be made to the board shall represent clearly the committee decision and recommendation. Committees shall be established by the board as needed.

**2-7-11: ANNUAL REPORTS:**

The Senior Citizens Board shall make an annual report to the city council on the condition and operation of the Senior Citizen Center, including a financial statement.

**2-7-12: ADOPT RULES FOR SENIOR CITIZEN CENTER USE:**

- A. Required: The Senior Citizen Center Board shall make and adopt rules and regulations, not inconsistent with law, for the governing of the Senior Citizen Center.
  
- B. Violators Excluded: The board may exclude from the use of the Senior Citizen Center any and all persons who shall willfully violate such rules.
  
- C. Use by Residents Outside City: The board may extend the privileges and use of the Senior Citizen Center to persons residing outside of the city on such terms and conditions as it may prescribe by its regulations.

**2-7-13: UNLAWFUL ACTS:**

- A. Destruction: It shall be unlawful for any person to mark, tear or in any manner injure, deface, mutilate or destroy any property of the Senior Citizen Center.

- B. Penalty: Any person violating any provision of this section shall be guilty of a class C misdemeanor and upon conviction, subject to penalty as provided in section 1-4-1 of this code.

**2-7-14: FUNDING:**

- A. Budget: Beginning in February of each year, a preliminary budget shall be prepared by the Senior Citizen Center Director and staff for the following fiscal year, which runs from July 1 to June 30. After review and approval of the board, the draft shall be presented to city manager, or designee, along with other city budgets, by the month of April, for the public hearing and final approval of the city council.
  
- B. Credit to Senior Citizen Center Fund: All tax monies received for the Senior Citizen Center, as well as donated monies, shall be deposited in the city treasury to the credit of the Senior Citizens Center fund and shall not be used for any other purpose except that of the Senior Citizen Center. Said fund shall be drawn upon by the authorized officers of the city upon presentation of the properly authenticated vouchers.

**2-7-15: HOURS OF OPERATION:**

The Senior Citizen Center Board shall establish the hours of operation. The board may allow for the closure of the Senior Citizen Center for limited periods of time for cleaning, maintenance, technological upgrades, or other temporary purposes deemed appropriate by the board.

**SECTION II. Codification, Inclusion in the Code, and Scrivener's Errors**

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word *ordinance* may be changed to *section*, *chapter*, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

**SECTION III. Severability**

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.


**SECTION IV. Effective Date**

The City Recorder shall deposit a copy of this ordinance in the official records of the City on May 20<sup>th</sup>, 2015, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on May 21<sup>st</sup>, 2015.

Passed and duly adopted this 20<sup>th</sup> day of May, 2015.

  
KIRK F. HUNSAKER, Mayor

ATTEST:

  
SUSAN B. FARNSWORTH  
Santaquin City Recorder



Council Member Keith Broadhead	
Council Member Matt Carr	
Council Member Amanda Jeffs	
Council Member Nick Miller	
Council Member David Hathaway	