

CITY OF MOAB

**ORDINANCE NO. 2022-11
AN ORDINANCE ENACTING MOAB CITY MUNICIPAL CODE,
SECTION 2.88, MOAB RECREATION, ARTS AND PARKS TAX
ADVISORY COMMITTEE (RAP TAC), TO CREATE AND ESTABLISH
AN ADVISORY COMMITTEE, ITS MEMBERSHIP, APPOINTMENT
PROCESS, TERMS OF OFFICE, RESPONSIBILITIES,
AND MEETING SCHEDULE**

PREAMBLE

WHEREAS Utah Code Ann. § 10-3-702 authorizes the Moab City Council to pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by this act or any other provision of law; and

WHEREAS Utah Code Ann. § 10-3-707 authorizes the Moab City Council to revise, codify and compile ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions therein; and

WHEREAS Utah Code Ann. § 10-3-708 authorizes the Moab City Council to arrange its ordinances in such order as the governing body may decide; and

WHEREAS Chapter 2.88 of the Municipal City Code has been reserved for future enactments to establish administrative advisory committees and establish procedures for the recommended actions to be taken by the Moab City Council; and

WHEREAS Chapter 3.19.010 of the Municipal City Code has been enacted to impose and levy the Moab City RAP tax, effective April 1, 2021; and

WHEREAS the Moab City Council intends to create the RAP Tax Advisory Committee (RAP TAC) to receive and review applications from entities that may qualify to receive RAP tax funds and to recommend allocations to be enacted by the Moab City Council; and

WHEREAS the amendments to the ordinance will authorize the RAP Tax Advisory Committee to provide guidance and recommendations to the Moab City Council for allocations of RAP tax funds that will serve the best interests of the City of Moab and the public.

NOW, THEREFORE, BE IT ORDAINED by the Moab City Council, Moab, Utah, as follows:

1. Title 2. Administrative and Personnel Provisions. Chapter 2.88, Moab Recreation, Arts and Parks Tax Advisory Committee (RAP TAC) to the Moab City Council is hereby enacted:

2.88.010 Creation and Composition of the Moab RAP Tax Advisory Committee.

- A. There is created the Moab RAP Tax Advisory Committee (RAP TAC) which shall consist of five voting members and one ex officio member. Three members shall be at large who reside in the city. One member shall have demonstrated knowledge and experience in the arts and may reside in Grand County. One member shall have demonstrated knowledge and experience in parks and recreation and may reside in Grand County. The ex officio member shall be an elected officer on the Moab City Council with no voting authority.
- B. The chair of the RAP TAC shall be appointed by the city manager from the Recreation, Arts, Parks and Trails Department. The chair shall conduct the meeting and may not vote.

2.88.020. Appointment Process.

- A. Each committee member shall be appointed by the Mayor and confirmed by action of the City Council.
- B. Moab city staff shall review applications to the RAP TAC and make recommendations to the Mayor for the members on the first committee. Thereafter, the RAP TAC members shall make recommendations to the Mayor regarding the filling of vacancies.

2.88.030. Terms of Office.

The membership term is three years. For the first committee appointments, three members shall be appointed for three-year terms, and three members for two-year terms. Each appointment after the initial formation of the committee shall serve for a full three-year term. Board members may be appointed for two terms but no more than six years.

2.88.040. Committee Responsibilities and Meeting Schedule.

- A. The RAP TAC shall:
 - 1. Be advisory but make written recommendations to the city council regarding allocation of the RAP tax revenues to applicant entities.
 - 2. Adopt bylaws, a mission statement, and objective criteria for its allocation recommendations regarding applicant entities.
 - 3. Meet once annually to consider applications and make recommendations to the City Council.

4. Convene the annual meeting as soon as reasonably practicable after the City Council approves its fiscal year budget in June.
5. Make recommendations to city staff and the City Council regarding subsequent appointments to the committee.
- B. The Mayor may suspend the RAP TAC's annual meeting requirement based upon the amount of RAP tax revenue collected in any given year that is administered collected, and enforced in accordance with Utah Code Ann. § 59-12-1402.
- C. The RAP TAC may conduct additional meetings as necessary with the consent of the majority of the committee members.
- D. This Ordinance shall be effective upon enactment on June 15, 2022, as amended herein.

APPROVED AND ADOPTED by the Moab City Council, Moab, Utah, this 15th day of June 2022.

By: 
Joette Langianese, Mayor

ATTEST

By: 
Sommar Johnson
City of Moab/Recorder