
MEMORANDUM

DATE: December 5, 2003

TO: Council Members

FROM: Janice Jardine

SUBJECT: Open Space Trust Fund and Advisory Board Ordinance

On Tuesday December 9, the Council is scheduled for a Work Session discussion and a public hearing regarding creation of an Open Space Trust Fund and Advisory Board. This is part of the ongoing process to advance the Open Space and Parks Initiative sponsored by Council Members Jill Remington Love and Dale Lambert.

In early November, several organizations and individuals were invited to submit written comments with suggestions regarding the draft ordinance and identification of key open space issues. Comments have been received from the Mayor's Open Space Advisory Committee, the Trust for Public Lands, a member of the Mayor's Open Space Advisory Committee and a member of the Capital Improvements Program Board. Please see the attached information for details and written comments that have been received. (Notices of the public hearing have been mailed to the same organizations and individuals.) Key concepts are summarized below (individual word adjustments are not included):

Trust for Public Lands

- A. Clearly distinguish between the funding source and the overall open space program.
- B. Clearly distinguish that the Board's responsibilities pertain to the overall program, not solely the expenditure of funds.
- C. Remove the word "trust" from the title of the fund and Board in order to avoid confusion with private non-profit land trusts.
- D. Include a representative from Salt Lake County on the Board.
- E. Instead of the Board meeting on an as needed basis, the Board should meet monthly and establish a regular monthly meeting schedule with additional meetings as needed.
- F. Remove responsibilities given to the Board as they may be more appropriate for city staff. (Sec. 2.88.090.D – Powers and Duties of Board, items 1-9 - Advise and recommend to City Administration and Council on open space and preservations issues.)
- G. Re-organize the ordinance to combine and revise Sec. 2.88.090 – Powers and Duties of the Board and Sec. 2.88.100 – Board Priorities.

Mayor's Open Space Advisory Committee

- A. Add to the definition of "open space land" "natural recreation sites and purposes, agricultural amenities, and day-lighting creeks and rivers.
- B. Change the number of appointed and voting members from 7 to 9 members.
- C. Ensure that all easements will be held by a Salt Lake City-based land trust organization in existence now or yet to be established.
- D. Ensure that any and all easements will be enforced by the City or another designated entity.

- E. Expand Administrative staff assistance, review and monitoring to include (in addition to Public Services Department) other City Departments and Divisions such as planning, public utilities, transportation, the airport authority, public safety, etc.
- F. Replace the Board making recommendations to the Planning Commission with recommendations to the City Council and the Board apprising/informing the Planning Commission of decisions which affect the zoning ordinance or master planning.
- G. Ensure that all easements will be held by a Salt Lake City-based land trust organization in existence now yet to be established.
- H. Ensure that any and all easements will be enforced by the City or another designated entity.
- I. Ensure that the Board shall be able to form sub-committees from the community at large.

Elaine E. Emmi – Mayor’s Open Space Advisory Committee

- Ms. Emmi notes that persons of some religions do not take oaths and that language in Sec. 2.88.040. – Creation of Board – item C. – should be adjusted to ensure that the City does not inadvertently exclude individuals from serving in this capacity.

Ben Burdett – Capital Improvement Program Board

- Rewrite Sec. 2.88.090. – Powers and Duties of the Board - item D. 3 d – increasing and improving the number of trails to include the following: *especially those connecting to and with the Bonneville Shoreline Trail and the Jordan River Trail.*

POTENTIAL OPTIONS/MOTIONS:

1. Close the public hearing and refer action to a future Council meeting.
2. Continue the hearing to a date certain.
3. Request that the draft ordinance be revised to include any one or combination of the following:
 - a. Changes recommended by the Mayor’s Open Space Advisory Committee.
 - b. Changes recommended by the Trust for Public Land.
 - c. Changes recommended by the member of the Mayor’s Open Space Advisory Committee.
 - d. Changes recommended by the member of the Capital Improvement Program Board.
 - e. Other changes identified by Council Members.
4. Do not adopt the ordinance.

Cc: Rocky Fluhart, David Nimkin, DJ Baxter, Lisa Romney, Steve Fawcett, Linda Cordova, Rick Graham, Kevin Bergstrom, LeRoy Hooton, Jeff Niermeyer, Tim Campbell, Steve Domino, Ed Rutan, Lynn Pace, Alison Weyher, David Dobbins, Louis Zunguze, Brent Wilde, Doug Wheelwright

File Location: Open Space - Open Space Trust Fund and Advisory Board