



Memorandum:

Date: June 30, 2021

To: Council Members

From: Nancy Hooton/Helen Strachan

Re: RAP Recreation Special Bond Grant

Scope of the RAP Recreation Special Bond Grant Program

\$8.8 million for public recreational facilities or for use on public lands. A recreational facility is defined as any publicly owned or operated park, campground, marine, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, or other facility used for recreational purposes. See Summit County Title 2, Chapter 14, relating to the Summit County Recreation Arts and Parks Advisory Committee.

2020 allocations by area:

Snyderville Basin 48%, Park City 21%, South Summit 18%, North Summit 18%

Qualified organizations:

Coalville, Kamas, Francis, Oakley, Henefer, Peoa, Park City, Snyderville Basin, North Summit Recreation, Park City School District, NS School District, SS School District, Summit County and Service Area #3. Any organization applying for a grant must be in good standing with Summit County, meaning all previous RAP Tax grant projects must be completed, and financial reporting received and approved.

Qualified projects:

Funds will be used for capital projects, to build new, or improve existing facilities. Organizations must provide a realistic timeline, scope for the completion of the project, budget, as well as other funding sources for their project. All projects must be finished, and financial reporting received, within 24 months from the date of the County Council's approval.

RAP Tax Recreation Advisory Committee:

The Committee will be looking for projects which have long term sustainability, serve the community, and follow Summit County's goals for conserving energy, water, and waste.

Current Members:

NAME	EMAIL ADDRESS	CONTACT NUMBERS	TERM EXPIRES
Peter Tomai	ptomai@summitcounty.org	435-602-2737	2022
Leonard McGee	lmcgee@summitcounty.org	801-792-2578	2022
Jessica Kirby	jkirby@summitcounty.org	435-602-0308	2022
Amy Yost	ayost@summitcounty.org	435-640-1214	2021
Deanna Rhodes	drhodes@summitcounty.org	435-901-0109	2022
Keren Mazanec	kmazanec@summitcounty.org	832-330-5065	2021
Nancy Hooton	nhooton@summitcounty.org	435-336-3042	Staff

Grant process timeline:

- Advertise in *The Park Record* and *Summit County News* starting June 25
- Notice of grant opportunity on Summit County's homepage June 25
- Application available online July 1 at www.summitcounty.org/980/RAP---Recreation-Tax-Grant
- Application deadline: August 31 at 5:00 PM
- Initial review of applications by the RAP Tax Recreation Committee during the second week of September
- Committee liaisons are assigned to each applicant
- The Committee will conduct applicant interviews during the last week of September
- The Committee will present its recommendations to the County Council in early October
- Agreements created and sent to grant recipients during the last two weeks of October

Questions from Council

CHAPTER 14

SUMMIT COUNTY RECREATION ARTS AND PARKS ADVISORY COMMITTEE

SECTION:

2-14-1: Terms And Definitions

2-14-2: Authority

2-14-3: Powers And Duties

2-14-4: Membership And Administration

2-14-5: Meetings And Procedures

2-14-6: Indemnification

2-14-7: Conduct Of RAPAC Members

2-14-1: TERMS AND DEFINITIONS:

A. Terms, Abbreviations And Definitions:

BOTANICAL ORGANIZATION¹ : Any private or public nonprofit organization having as its primary purpose the advancement and preservation of plant science through horticultural display, botanical research, and community education.

BOUNDARIES: The physical boundaries are those of Summit County and jurisdiction of the RAP tax shall be within Summit County, Utah.

BYLAWS: A summary of the procedures, policies, rules, regulations and protocols adopted by the Summit County council and the Summit County RAP tax advisory committees (see definition of RAPACs), governing its jurisdiction, roles, responsibilities, duties, standards and functions.

CULTURAL ORGANIZATION² :

1. A nonprofit institutional organization or an administrative unit of a nonprofit institutional organization or a municipal or county cultural council having as its primary purpose the advancement and preservation of:

- a. History;
- b. Natural history;
- c. Art;
- d. Music;
- e. Theater;
- f. Dance; or
- g. Cultural arts, including literature, a motion picture, or storytelling.

2. "Cultural organization" does not include:

- a. Any agency of the state;
- b. Any political subdivision of the state except as provided above with respect to a municipal or county cultural council;
- c. Any educational institution whose annual revenues are directly derived more than fifty percent (50%) from state funds.

PROGRAM: The collection and disbursement of collected funds under the RAP tax, pursuant to the purposes and processes provided for in this chapter and by the laws of the state of Utah.

RAP TAX: The imposition of a one-tenth percent (0.10%) sales tax, authorized pursuant to Utah Code Annotated section 59-12-701 et seq., which is known as the recreation, arts and parks (RAP) tax or also known as the zoological, arts and parks (ZAP) tax.

RAPACs: The advisory committees to the Summit County council with regard to the RAP tax, or the recreation, arts and parks advisory committees.

RECREATIONAL FACILITY³ : Any publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, or other facility used for recreational purposes. (Ord. 790-A, 2-12-2014)

Notes

1. As defined in § 59-12-702(2) UCA.
2. As defined in § 59-12-702(4) UCA.
3. 1. As defined in § 59-12-702(6) UCA.

2-14-2: AUTHORITY:

A. RAPACs are organized by authority of the Summit County council pursuant to the Utah sales and use tax act . The imposition and collection of the sales tax used to fund the program was authorized under the provisions of the Utah code, section 59-12-701 and imposed by the Summit County council after a duly held election, by Summit County resolution 2001-05 which was passed on March 8, 2001.

B. RAPACs as organized, shall have the general authority to accept applications, prioritize and present to the Summit County council, recommendations regarding the budgeting and granting of funds collected from the RAP tax, to appropriate projects.

C. It is the mission of the RAPAC to advise and recommend to the county council, the best use(s) of the funds collected from the tax, for the purposes of financing, in whole or in part, recreational facilities, and botanical and cultural organizations within Summit County.

D. In performing their duties, the RAPAC must keep in mind those purposes set forth in Utah Code Annotated 59-12-701, as amended. (Ord. 790-A, 2-12-2014)

Notes

2. UCA § 59-12-701 et seq.

2-14-3: POWERS AND DUTIES:

A. Procedures:

1. The RAPACs shall establish and maintain their own procedures, including a time line, for the advertisement, collection and evaluation of requests for funding from the tax. The procedures shall be coordinated to ensure that the distribution dates can be met. The annual distribution date is in June for cultural grants. The annual or biannual distribution date is December for recreation grants.

2. The RAPACs shall establish an application form and review process which requires organizations or facilities requesting funds, to include sufficient financial information, including, but not limited to, annual income and expenses for a three (3) year period or other financial information as may be required by law or by the application.

3. The RAPACs shall, from time to time, report to the Summit County council on their organization and activities.

4. After receiving applications, the RAPACs shall submit all applications to the Summit County attorney's office to verify that the application qualifies for funding under the provisions of state law.

5. After accepting and reviewing applications, the RAPACs shall forward to the Summit County council on or before November 1 with respect to recreation grants and May 30 of each year with respect to cultural grants, the applications with:

- a. A priority ranking;
- b. A written summary of the project or request;
- c. Recommendations for funding, including a minority report where necessary; and
- d. The consensus or voting record on each application.

6. The recommendations and ranking by the RAPACs shall not be binding on the Summit County council.

7. The RAPACs may ask the applicant(s) to make presentations to the committee so that additional information may be received.

8. The RAPACs shall act as liaison to the Summit County staff, in monitoring previously funded projects.

B. Budget:

1. The RAPACs shall work with the Summit County auditor, when necessary to assist in the identification of the adequate and proper collection of the tax and allocation of the funding for disbursement.

2. The RAPACs shall have no authority to collect or expend funding under this program. All authority to collect and expend funding under the tax is vested with the Summit County council. (Ord. 790-A, 2-12-2014)

2-14-4: MEMBERSHIP AND ADMINISTRATION:

A. There shall be two (2) RAPACs established in Summit County: one for the purpose of advising on cultural projects and one for the purpose of advising on recreation projects. All provisions of this chapter refer to the committee or to RAPAC in the singular, shall be interpreted to refer to both of the committees.

B. Each RAPAC shall consist of seven (7) members who shall be appointed by the Summit County council, on a nonpartisan basis. All members shall be primary residents of Summit County.

C. The manager may add up to three (3) ex officio members, as he/she sees fit, to assist with the communications and functions of the committee. Ex officio members shall not have any voting rights.

D. Each appointment shall be for a term of three (3) years, however, the initial appointments shall be determined by lot, for initial terms of one, two (2) and three (3) years. No RAPAC member shall serve more than three (3) consecutive terms, including portions of unexpired terms. Part years shall be counted as a complete year, so that all appointments shall terminate on May 31 with respect to the recreation RAPAC and June 30 with respect to the cultural RAPAC, of the appropriate year. Should the RAPAC be in the midst of the granting process at the expiration of a term, that term shall continue until the process is completed. Should a successor appointment not be made prior to the expiration of a term, that term shall continue until the new appointment is made.

E. Each RAPAC shall elect from among their voting membership a chair, a vice chair and a secretary. The term of office for all officers of the RAPACs shall be one year. The chair shall preside over and conduct all meetings and shall act as the representative to the county council for all committee transactions. In the absence of the chair, the vice chair shall preside and conduct. The secretary shall take and maintain meeting minutes which shall be approved by the RAPAC.

F. All members of the RAPAC shall serve on a voluntary basis, without compensation, except that mileage or other travel expenses associated with service may be reimbursed by the county.

G. Committee membership may be terminated by:

1. A written resignation to the county council; or
2. Written notification of termination to any member, by a majority of the county council. The county council may remove any member at any time with or without cause, however, removal with cause may include the following:
 - a. Three (3) or more consecutive unexcused absences from regularly scheduled meetings in a given year; and/or
 - b. Publicly misrepresenting the committee's philosophy, position, objectives, duties or decisions.
 - c. Failure to maintain primary residency within Summit County.

H. Committee members shall discharge any duties assigned under this chapter or assigned by the chairperson and should make every effort to attend all meetings, hearings and site visits.

I. In addition to the RAPAC members, the following persons shall participate as indicated:

1. The Summit County treasurer shall act as treasurer;
2. The Summit County attorney shall act as attorney; and
3. The Summit County auditor shall act as auditor. (Ord. 790-A, 2-12-2014)

2-14-5: MEETINGS AND PROCEDURES:

A. The RAPAC shall meet as required, but in no case less than four (4) times annually, to process the annual grant applications. Additional meetings may be called by the chairperson at such a time and place as he or she may designate. A notice of the time and place of each meeting shall be given to committee members not less than three (3) days in advance of the meeting. Meetings shall not last longer than two (2) hours unless an extension is agreed upon by a majority of the members present.

B. Meetings shall be conducted as informal as appropriate to the situation.

C. Special or emergency meetings may be called by the chairperson or by a majority vote of the committee upon seventy two (72) hours' notice, or as soon as possible after reasonable notification to committee members.

D. All meetings of the committee shall comply with the Utah open meetings laws as found in section 52-4-101 et seq., Utah Code Annotated (1953), as amended.

E. Executive closed sessions may be scheduled whenever the chairperson deems such action permissible under the Utah open meetings act, and with the concurrence of the county attorney.

F. A majority of the voting committee members shall constitute a quorum and the action of the majority of the members present shall be the action of the committee.

G. Committee members shall attend all meetings unless their absence is excused by the chairperson. (Ord. 790-A, 2-12-

2014)

2-14-6: INDEMNIFICATION:

The county shall provide for the indemnification of any and all of the committee members against actual damages necessarily incurred by them in connection with the defense of any action, suit or proceeding, in which they or any one of them are made parties or a party, by reason of having been a committee member. If any committee member shall be adjudged in any action, suit or proceeding, to be liable for negligence or misconduct in the performance of their duties, there shall be no indemnification for that action and/or to such matters as shall be settled by agreement predicated on the existence of such liability for negligence or misconduct. (Ord. 790-A, 2-12-2014)

2-14-7: CONDUCT OF RAPAC MEMBERS:

A. Ethical Principles: The following ethical principles shall guide the actions of the RAPAC and its members in carrying out the powers and duties described above:

1. **Serve The Public Interest:** The primary obligation of the RAPAC and each member is to serve the public interest.
2. **Support Citizen Participation In Decision Making:** The RAPAC shall ensure a forum for meaningful citizen participation and expression in the process and assist in the clarification of community goals, objectives, and policies.
3. **Recognize The Comprehensive And Long Range Nature Of Decisions:** The RAPAC and its members shall continuously gather and consider all relevant facts, alternatives and means of accomplishing them, and explicitly evaluate all consequences before making a recommendation or decision.
4. **Facilitate Coordination Through The Process:** The RAPAC shall ensure that individuals and public and private agencies possibly affected by a prospective decision receive adequate information far enough in advance of the decision.
5. **Avoid Conflict Of Interest:** RAPAC members shall avoid conflicts of interest and even the appearance of impropriety. At the commencement of any matter before the RAPAC, members shall divulge in public, any past, present, or expected relationship with any party affiliated with such matter. A member with a potential conflict of interest shall abstain from voting on the matter, not participate in any deliberations on the matter, and leave the table, but may remain in the chamber. The member shall also not discuss the matter privately with any other official voting on the matter.
6. **Render Thorough And Diligent Service:** If a RAPAC member has not sufficiently reviewed relevant facts and advice affecting a public decision, that member should not participate in that decision.
7. **Not Seek Or Offer Favors:** A RAPAC member must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
8. **Not Disclose Or Improperly Use Confidential Information For Financial Gain:** A RAPAC member shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest.
9. **Ensure Full Disclosure At Public Meetings:** The RAPAC shall ensure that the presentation of information on behalf of any party to a question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.
10. **Maintain Public Confidence:** A RAPAC member must conduct himself/herself publicly so as to maintain public confidence in the public body, and the member's performance of the public trust.
11. **Respect For And Courtesy To Other RAPAC Members, Public And Staff:** Each RAPAC member has the same rights and privileges as any other member. Any member has the right to be heard and to hear what others have to say about items being considered by the RAPAC. (Ord. 790-A, 2-12-2014)