

**MIDVALE CITY, UTAH
RESOLUTION NO. 2022-R-10**

**A RESOLUTION TO ESTABLISH A HARVEST DAYS FESTIVAL
COMMITTEE AND TO ADOPT COMMITTEE BYLAWS**

WHEREAS, Harvest Days is a Midvale celebration that has been enjoyed by residents for decades; and

WHEREAS, the Council believes that Harvest Days is a community celebration that should include the participation of Midvale residents who wish to take part in the organization of the event; and

WHEREAS, the Council would like to encourage more participation by Midvale residents in the leadership, planning, and implementation of the Harvest Days celebration; and

WHEREAS, on March 1, 2022 the Council discussed the formation of a Harvest Days Committee, comprised of Midvale residents, that will plan and organize the Harvest Days celebration; and

WHEREAS, it is the desire of the Council that the Harvest Days Committee be governed by Bylaws setting out the goals, purpose, and organization of the committee and its members; and

WHEREAS, in the event that there is insufficient participation from Midvale residents to form a Harvest Days Committee by April 19, 2022, the Council will rescind Resolution 2022-R-10 and will address alternatives to the organization of Harvest Days.


**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF
MIDVALE, UTAH**

1. The Midvale City Council establishes the Harvest Days Committee and adopts the attached Harvest Days Committee Bylaws attached as Exhibit "A".
2. If a Chair for the Harvest Days Committee has not been appointed by April 19, 2022, then this Resolution shall be revoked and rescinded as of April 20, 2022 and no longer in effect.

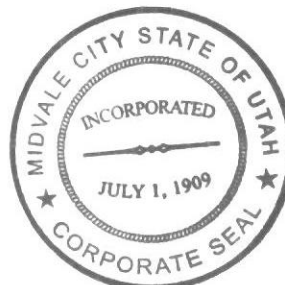
APPROVED AND ADOPTED this 15th day of March, 2022.



Marcus Stevenson, Mayor

ATTEST:


Rori L. Andreason,
City Recorder



Voting by the City Council

(Signatures appear on separate page.)

“Aye”

“Nay”

Quinn Sperry

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☐

Paul Glover

☒

☐

Heidi Robinson

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☐

Bryant Brown

☒

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Dustin Gettel

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Harvest Days Festival Committee Bylaws

Section 1: Name

The name of the committee shall be the "Harvest Days Festival Committee," herein referred to as "Committee."

Section 2: Overview of Committee Purpose

The purpose of the Harvest Days Festival Committee is to provide leadership, organize activities, staff, and maintain ongoing communication with all stakeholders. for the Harvest Days Festival (Event), which takes place on the first Saturday of August. The Committee's responsibilities include:

1. Developing and implementing a comprehensive event plan (Event Plan) that includes:
 - a. Goals
 - b. Theme
 - c. Implementation timeline
 - d. Identification of required city resources
 - e. Selection of entertainment and activities
 - f. Selection of food trucks, vendors, parade participants
 - g. Performance schedule/script
 - h. Technical needs
 - i. Volunteer plan
 - j. Sources and uses Budget
 - k. Sponsorship opportunities, if applicable
2. Coordinating with Event Manager to implement the Event Plan
3. Recruiting sponsors, if applicable
4. Welcoming all performers and hosting green room
5. Coordinating and supporting the flow of information between the Committee, Midvale City (City), Unified Fire Authority (UFA), and Unified Police Department (UPD)
6. Volunteering on the day of the festival to help ensure a smooth and safe event.
7. Monitoring the implementation of the Event Plan
8. Providing monthly updates to the City Council

Section 3: Membership, Terms, Compensation, Attendance & Removal

Membership

The Committee shall consist of a Committee Chair and up to an additional 5 members. The members shall be appointed by the Midvale City Mayor (Mayor). Excluding the chair, Council approval of the members is not required.

Residents must be 18 years or older and reside or work within Midvale to apply.

Ex Officio Membership

The Midvale City Manager (City Manager) will select City staff members to participate on the Committee in an ex officio status for the purpose of providing guidance to the Committee.

The Midvale City Council may select up to 2 city council members to participate on the Committee in an ex officio status for the purpose of providing guidance to the Committee.

Ex officio members shall not have the authority to vote on decisions made by the Committee.

Terms

The term of each Committee member shall be one year.

Compensation

A Committee member may not receive any remuneration, pay, stipend, or other consideration of monetary value from any Committee or City resources attributable to or budgeted for the Committee.

Attendance

Members are expected to attend all meetings of the Committee to the best of their ability. In the case of an anticipated absence from a meeting, the member must advise the Chair.

Removal

Each committee member, including the Chair, serves at the pleasure of the Mayor and may be terminated, without cause, by the Mayor.

Section 4: Organization

Officers

The Chair shall be appointed by the mayor, with the advice and consent of the City Council. The Committee shall nominate members to serve as vice chair and secretary. The officers' responsibilities shall include:

Chair

1. Setting meeting times and agendas
2. Coordinating with City Recorder to ensure proper noticing of agendas

3. Convening Committee meetings
4. Supporting the Committee to develop a comprehensive Event Plan
5. Communicating regularly with Event Manager and city staff
6. Providing updates to the City Council on the progress of Committee
7. Working within the city's budget
8. Coordinating and supporting the flow of information between the Committee, City, UFA, and UPD
9. On the day of the festival
 - a. Be available throughout the entire festival
 - b. Address all challenges in a timely manner
 - c. Coordinate with Event Manager, city staff, UPD, UFA to ensure smooth and safe operations
10. Leading an evaluation after the event

Vice Chair

Work closely with the Chair in fulfilling the mission, goals, and successful production of the festival. In the absence of the chair, the vice chair shall preside over the meeting.

Secretary

The Secretary shall be responsible for keeping a written records of Committee meetings and attendance. These records shall be public record and filed with the City Recorder.

Section 5: Conflict of Interest

Members must abide by Utah's and Midvale City's conflict of interest provisions found in Utah Code Annotated §10-3-13 and Chapter 2.16.700 of the Midvale Municipal Code. In the event of any conflict between the two provisions, the more restrictive provision controls.

Section 6: Meetings

Open and Public Meetings Act

All meetings must comply with Utah Open and Public Meetings Act. Committee meetings shall not include a "public comment" agenda item.

Electronic Meetings

The Committee may conduct electronic meetings as long as a quorum of the committee is present at an anchor location. An electronic meeting without an anchor location may be conducted in accordance with the Open and Public Meetings Act.

Meeting Minutes

The Committee will keep minutes of each of its meetings. And will maintain, make records, and provide public access to said records, in compliance with the Utah Government Records Access and Management Act.

Notice Requirements

The chair must notify the city recorder at least 72 hours prior to any meeting being held to ensure proper noticing.

Section 7: Budget Limitation and Fiscal Controls

The Committee does not have the power or authority to contractually bind or obligate the city. The Committee will work with the Event Manager and staff to follow the city procurement and contracting protocols, policies, and laws. The Committee shall comply with the fiscal and accounting controls established by the City Manager. Any obligation or encumbrance incurred by any member of the Committee in excess of such limitations or appropriated funds, if any, shall not be deemed an obligation of the city or the committee.

Section 8: Liability Coverage and Indemnification.

Committee members shall be deemed “volunteers” for the purposes of city ordinances, rules and regulations regarding personnel. However, they shall be included in the definition of “employee” for purposes of the Utah Governmental Immunity Act as set for in Utah Code Annotated, as amended.

Section 9: Veto Authority

The City Manager may veto any and all decisions made by the Committee, if, at the sole discretion of the City Manager, a decision is determined to be detrimental to the community or the City.

Section 10: Event Manager

Midvale City shall designate an Event Manager that will be responsible for implementation of the goals, plans, and decisions of the Committee. The Event Manager shall coordinate all of their work activities with the Chair, however the Event Manager shall be supervised by the City Manager.