



J. Michael Clára
Salt Lake City School Board
District Two

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20 January 2015

Delivered Via Electronic Mail

Ms. Amy Thompson, Associate Planner
% Salt Lake City Planning Division
451 South State St. Rm 306
Salt Lake City, Utah 84111



Re: Cell Tower installation at Glendale Middle School

Dear Ms. Thompson,


On behalf of the residents of Salt Lake City School District 2, I am requesting that the **Salt Lake City Planning Commission** remove the “Conditional Use” item: Verizon Wireless Rooftop Antennas at 1430 W. Andrew Avenue from the agenda of the January 28, 2015, **Planning Commission** meeting. This issue is listed as Item #1 on the agenda and is assigned Case Number PLNPCM2014-00643.

Several of my neighbors have raised concerns about the potential risks of a cell tower installation on the roof of Glendale Middle School. Moreover, the Salt Lake City Board of Education was bypassed in the approval process. As a member of that Board, I strongly object to the fact that I have been robbed of the right to cast a vote for or against the lease agreement between Verizon Wireless and the Salt Lake City Board of Education.

Current Utah law and Board policy states that the power to “*acquire, hold, lease, sell, and manage the use of real and personal property in the name of the district*” rests with the Salt Lake City Board of Education (see Board Policy B-1 and § 53A-3-401, Utah Code).

The Conditional Use application on file with your office (dated 09/24/14) correctly states that the owner of the property is the Board of Education of Salt Lake City. The “Conditional Use” application is flawed in that the Board of Education has not had the opportunity to deliberate and vote on a lease agreement with Verizon Wireless.

Shalom,


J. Michael Clára

“Local school boards are the bedrock of our society, yet they are invisible to the public”

Señor Florez –Deseret News



Board Policy B-1: Board of Education Legal Status, Responsibilities, and Ethics



REFERENCES

Student Board Member Application Process
Board of Education Handbook
Utah Code §20A-1-201 through 201.5
Utah Code §20A-1-511
Utah Code §20A-14-201 through 206
Utah Code §52-2-1
Utah Code §52-4
Utah Code §53A-1-202.2
Utah Code §53A-3
Utah Code §53A-16-106 through 111
Utah Code §67-16



THE POLICY

It is the policy of the Salt Lake City School District Board of Education to establish, protect, and promote student learning and school success; exercise all its statutory powers; obey all relevant laws and regulations; and conform to the highest ethical standards.

The purpose of this policy is to guide the board in fulfilling its core responsibilities; and to inform the public of the board's intentions and procedures.

Legal Status: The Utah State Legislature assigns to each locally elected board of education control of the public schools in its district. Therefore, the Salt Lake City School District Board of Education is a political subdivision of the state and derives its powers from the state constitution and acts of the legislature.

Responsibilities: The board has all of the powers assigned to it by law and regulation to meet its statutory responsibilities. It may perform all of the following duties, as well as others legally prescribed and permitted:

- Prepare and adopt policies, procedures, rules, regulations, or bylaws, as appropriate, for the governance of the district and its schools.
- Establish tax rates each year and submit them to the county legislative body according to statutory procedures.
- Prepare and adopt a budget for each fiscal year and file it with the county legislative body as required by statute.
- Acquire, hold, lease, sell, and manage the use of real and personal property in the name of the district.
- Sue and be sued in the name of the district.
- Employ by contract and set salary schedules for the superintendent and business administrator and approve the contracts and salary schedules for principals, teachers, and other employees of the district.
- Evaluate the effectiveness of the district and its programs by developing and monitoring the progress of the district-wide Student Achievement Plan, by approving and monitoring the progress of individual School Improvement and LAND Trust plans, and by distributing available funds through the annual budgeting process.
- Evaluate the performance of the superintendent and business administrator, and approve evaluation methods for other district employees.

Election of Members: A qualified individual may become a candidate for the board by filing a statement of candidacy with the Salt Lake County Clerk. All elections must be held in accordance with general election code.

Appointment of Members: The board may fill midterm vacancies in its membership by appointment as outlined in statute.

Student Board Member: Each year, the board may appoint a non-voting student board member to represent the views of students in board discussions. Nominations must be made in accordance with the Student Board Member Application Process associated with this policy.

Compensation of Members: The district must provide board members compensation and expenses in accordance with Utah law.

Election of Officers: The board must elect a president and a vice president whose terms of office are two years, and until successors are elected.