

SALT LAKE COUNTY

*2001 So. State Street
Salt Lake City, UT 84114
(385) 468-7500 TTY 711*



Meeting Minutes

Tuesday, November 5, 2019

4:03 PM

Council Chambers, N1-110

County Council

1. CALL TO ORDER

Present: Council Member Shireen Ghorbani
Council Chair Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Michael Jensen
Council Member Ann Granato
Council Member Steve DeBry
Council Member Max Burdick
Council Member Aimee Winder Newton

Invocation - Reading - Thought

Pledge of Allegiance

Ms. Aameh Horman, Girl Scout, led the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN PUBLIC INPUT

Comments are limited to 3 minutes unless otherwise approved by the Council. To comment by phone, please call (385-468-7480) by the beginning of the meeting. Those who are present may be asked to speak first.

3. REPORT OF ELECTED OFFICIALS:

3.1. Council Members

Council Member Snelgrove stated bond counsel has advised that the hearing noticed last week for today regarding the issuance of \$46 million General Obligation Bonds for open space is not necessary and consequently will not be held.

3.2. Other Elected Officials

3.3. Mayor

4. PROCLAMATIONS, DECLARATIONS, AND OTHER CEREMONIAL OR COMMEMORATIVE MATTERS

5. PUBLIC HEARINGS AND NOTICES

5.1 Public Hearing to Receive Comment With Respect to (a) the County's Issuance of Approximately \$21,000,000 of Sales Tax Revenue Bonds and (b) Any Potential Economic Impact That the Project Financed by the Bonds May Have on the Private Sector [19-1301](#)

Attachments: [Notice of Hearing Bonds for Publication - SL Co STR 2019](#)

A motion was made by Council Member Jensen, seconded by Council Member Winder Newton, to open the public hearing. The motion carried by a unanimous vote.

Mr. Steve Van Maren stated he expected this bond to be for less than \$21 million, which was just a guideline. He would like to know what Shelter the Homeless was going to do with the additional funds, and what the exact number was for paying off the construction. Since the shelter is open, construction must be substantially completed.

Mr. Craig Wangsgard, Deputy District Attorney, stated the resolution calls for issuance of up to \$21 million, the amount initially believed was needed. At the last Debt Review Committee, he heard the figure to be \$15 to \$16 million.

Council Member Bradshaw stated the \$21 million was the upper limit. It is still the upper limit, but it does not mean that Shelter the Homeless will be given the whole amount.

Council Member Jensen asked if the Council had a resolution to approve today.

Mr. Wangsgard stated no. The Council approved a parameters resolution two weeks ago that set forth the maximum limit, interest rate, duration, etc.

Council Member DeBry stated that all his legislative intent regarding this matter has been met.

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to close the public hearing. The motion carried by a unanimous vote.

6. RATIFICATION OF DISCUSSION ITEM ACTIONS IN COMMITTEE OF THE WHOLE

- 6.1 Resolution Approving the Second Amendment to the Declaration of Trust for the OPEB TRUST in order to allow for the appointment of an At Large Trustee by the Mayor's Office.** [19-1310](#)

Attachments: [Staff Report](#)
[SECOND AMENDMENT TO DECLARATION OF TRUST](#)
[Resolution Second Amendment to the OPEB Trust](#)

RESOLUTION NO. 5655

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
 RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE
 DECLARATION OF TRUST FOR THE OPEB TRUST

IT IS HEREBY RESOLVED BY THE SALT LAKE COUNTY COUNCIL
 THAT:

WHEREAS, the County has created the OPEB Trust, an irrevocable trust,
 for the purpose of funding County liabilities for certain post-retirement
 employee benefits.

WHEREAS, an amendment to the OPEB Trust is necessary to create an “At
 Large Appointee” appointed by the Mayor provided that such trustee is an
 employee or elected official of the County; and, if an employee, the
 employee does not report to any of the other three serving trustees as part of
 her employment. For informational purposes only, the Mayor intends to
 appoint Lori Okino if this Second Amendment is adopted.

NOW, THEREFORE, the Salt Lake County Council resolves as follows:

1. That the Salt Lake County Mayor is authorized to execute a Second
 Amendment to the OPEB Trust allowing an “At Large Appointee” in similar
 form to the proposed amendment attached to this resolution.
2. The Second Amendment shall be effective upon approval of the three
 serving Trustees.

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
 CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by a unanimous vote.

- 6.2 An ordinance of the Legislative Body of Salt Lake County, Utah, Amending Chapter 2.26 of the Salt Lake County Code of Ordinances, 2001, Entitled “Hazardous Local Emergency Planning Committee” by Repealing Chapter 2.26 and Enacting 2.26 Creating a Hazardous Chemical Local Emergency Planning Committee and Providing for its Meetings and Duties.** [19-1313](#)

Attachments: [Staff Report](#)
[SLCo Ordinance Amendments 2.26](#)

Formal Adoption Will Take Place on November 12, 2019

This ordinance was forwarded to the November 12, 2019, Council meeting to be formally considered.

7. RATIFICATION OF CONSENT ITEM ACTIONS IN COMMITTEE OF THE WHOLE

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that the consent agenda be ratified. The motion carried by a unanimous vote.

- 7.1 Contribute from the Mayors Contribution Fund \$300.00 in kind to support the upcoming 2019 Utah Association of Counties Convention in St. George, UT. This contribution includes two ArtTix gift cards (\$100 each) and 2 Clark Planetarium gift cards (\$50 each). These will be included in a gift basket, which will be raffled off at the event.** [19-1311](#)

Attachments: [Staff Report](#)
[UAC - application, 501c4, approval form](#)

The vote on this consent item was ratified.

- 7.2 Contribution to YWCA and South Valley Services of \$1,000 each from the District Attorney’s Office** [19-1320](#)

Attachments: [Staff Report](#)
[YWCA Contribution Request.pdf](#)
[South Valley Services Contribution Request.pdf](#)

The vote on this consent item was ratified.

- 7.3 Consideration for adoption of a resolution of the County Council of Salt Lake County, Utah authorizing the issuance and sale of its Convention Hotel Revenue Bonds, Series 2019, in the aggregate principal amount of not more than \$55,000,000; and related matters** [19-1333](#)

Attachments: [Staff Report](#)
[Resolution - Salt Lake County - Convention Hotel Bonds 2019](#)

RESOLUTION NO. 5656

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY, UTAH (THE “COUNTY”), AUTHORIZING THE ISSUANCE AND SALE OF ITS CONVENTION HOTEL REVENUE BONDS, SERIES 2019, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$55,000,000 (THE “SERIES 2019 BONDS”); TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF A CONVENTION HOTEL; AUTHORIZING THE EXECUTION BY THE COUNTY OF AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LOAN AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; APPROVING A LIMITED OFFERING MEMORANDUM OR OTHER BOND OFFERING DOCUMENT; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, Salt Lake County, Utah (the “County”) is authorized by the Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Ann. 1953, as amended, (the “Act”) to issue revenue bonds for the purpose

of defraying the cost of financing, acquiring, constructing, and furnishing land, buildings, facilities and improvements which are suitable for use by any corporation for any business purposes; and

WHEREAS, the Act provides that a municipality or county may issue revenue bonds for the purpose of using substantially all of the proceeds thereof to pay or to reimburse a company for the costs of the acquisition and construction of the facilities of a project and that title to or in such facilities may at all times remain in the company and in such case the bonds of the county shall be secured by a pledge of one or more notes, debentures, bonds or other secured or unsecured debt obligations of the company; and

WHEREAS, there has been presented to the County at this meeting a request from Salt Lake City CH, LLC (the "Borrower"), a Delaware limited liability company, asking the County to authorize the issuance and sale of the County's Convention Hotel Revenue Bonds (the "Series 2019 Bonds"), the proceeds of which will be used to finance certain expenditures to be incurred by the Borrower for the construction, equipping and furnishing of a convention hotel located in Salt Lake City, Utah (the "Project"); and

WHEREAS, in order to finance the construction, equipping and furnishing of the Project for the benefit of the Borrower, pursuant to and in accordance with the provisions of the Act, the County desires to authorize the issuance of the Series 2019 Bonds in an aggregate principal amount of not more than \$55,000,000 and the execution and delivery of an Indenture of Trust and a Loan Agreement providing for the issuance of the Series 2019 Bonds and to loan the proceeds of the Series 2019 Bonds to the Borrower to accomplish the foregoing purposes in compliance with the Act and the rules of the County; and

WHEREAS, in furtherance of the purposes of the County, it has been deemed appropriate and necessary that the County authorize the issuance of the Series 2019 Bonds and prescribe and establish conditions and other appropriate matters with respect to the issuance of the Series 2019 Bonds; and

WHEREAS, Section 11-17-16 of the Act provides for the publication of a Notice of Bonds to be Issued, and the County desires to publish such a notice at this time in compliance with the Act with respect to the Bonds; and

WHEREAS, the Series 2019 Bonds shall be special, limited obligations of the County payable solely from and secured by revenues, rights, interests, and collections pledged therefor under the Indenture, and shall not be a general obligation of the County or of the State of Utah or any subdivision thereof; and

WHEREAS, there has been presented to the County at this meeting a form of an Indenture of Trust (the "Indenture") to be entered into between the County and Zions Bancorporation, National Association, as trustee (the "Trustee") a copy of which is attached hereto as Exhibit B, a form of a Loan Agreement (the "Loan Agreement") a copy of which is attached hereto as Exhibit C, to be entered into between the Borrower and the County under which the Borrower will agree to repay said loan and will agree to use the proceeds of said loan to finance certain improvements to the Project, a form of Bond Purchase Agreement relating to the Series 2019 Bonds (the "Purchase Agreement") to be entered into among the County, Piper Jaffray & Co. (the "Underwriter") and the Borrower, a copy of which is attached hereto as Exhibit D, and a form of limited offering memorandum (the "Limited Offering Memorandum") a copy of which is attached hereto as Exhibit E, to be used in marketing the Series 2019 Bonds;

NOW, THEREFORE BE IT RESOLVED by the County Council of Salt Lake County, Utah, as follows:

Section 1. Words used in the foregoing recitals shall have the same meanings when used in the body of this resolution.

Section 2. The County hereby finds, determines and declares that the issuance of the Series 2019 Bonds to provide funds to finance certain improvements to the Project is in furtherance of the public purposes set forth in the Act and in compliance with the provisions of the Act, and that the issuance of the Series 2019 Bonds is therefore in the public interest.

Section 3. The Indenture and the Loan Agreement in substantially the forms presented at this meeting are in all respects authorized, approved and confirmed. The County Mayor or her designee (collectively, the "Mayor") and the County Clerk or Deputy County Clerk (collectively, the "County Clerk") of the County are hereby authorized to execute, attest, seal and deliver the Indenture and the Loan Agreement in the forms and with substantially the same content as presented at this meeting for and on behalf

of the County with such alterations, changes or additions as may be authorized by Section 11 hereof.

Section 4. Pursuant to the Act and the Indenture, the County hereby authorizes the issuance and sale of the Series 2019 Bonds which shall be designated “Salt Lake County, Utah Convention Hotel Revenue Bonds, Series 2019” (with such additional designations as may be provided in the Indenture) in the aggregate principal amount of not to exceed \$55,000,000. The Series 2019 Bonds shall be issued only in fully registered form, shall mature within thirty (30) years of the date of issuance thereof and shall bear interest at fixed and/or variable interest rates of not to exceed seven percent (7%) per annum, as set forth in the Indenture and be sold at a price of not less than ninety-seven percent (97%) of the principal amount thereof.

Section 5. The form, terms and provisions of the Series 2019 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Indenture. The Mayor and the County Clerk are hereby authorized to execute, attest and seal by facsimile the Series 2019 Bonds and to deliver said Bonds to the Trustee for authentication.

Section 6. The appropriate officials of the County are hereby authorized to execute and deliver to the Trustee the written order of the County for authentication and delivery of the Series 2019 Bonds in accordance with the provisions of the Indenture.

Section 7. The Series 2019 Bonds shall be sold to the Underwriter in accordance with the provisions of the Purchase Agreement. The Mayor and the County Clerk are hereby authorized to execute and deliver the Purchase Agreement, in substantially the form and with substantially the same content as presented at this meeting for and on behalf of the County with such alterations, changes or additions as may be authorized by Section 11 hereof. The Mayor is hereby authorized to specify and agree as to the final terms of the Series 2019 Bonds for and on behalf of the County by the execution of the Purchase Agreement and the Indenture, provided such terms are within the parameters set by this resolution.

Section 8. The County hereby authorizes the utilization by the Underwriter of the Limited Offering Memorandum or other bond offering document in substantially the form attached hereto as EXHIBIT E in the marketing of the

Series 2019 Bonds.

Section 9. The appropriate officers of the County, including, without limitation, the Mayor, Deputy Mayor, Chief Financial Officer, and County Clerk, are authorized to take all action necessary or reasonably required by the Purchase Agreement, the Indenture and the Loan Agreement to carry out, give effect to and consummate the transactions as contemplated thereby and are authorized to take all action necessary in conformity with the Act.

Section 10. Upon their issuance, the Series 2019 Bonds will constitute special limited obligations of the County payable solely from and to the extent of the sources set forth in said Bonds, the Loan Agreement and the Indenture. No provision of this resolution or of the Purchase Agreement, the Indenture, the Loan Agreement, the Series 2019 Bonds, the Limited Offering Memorandum, or any other instrument contemplated hereby, shall be construed as creating a general obligation of the County, the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the County.

Section 11. The appropriate officials of the County, including, without limitation, the Mayor, are authorized to make any alterations, changes or additions in the Indenture, the Loan Agreement, the Series 2019 Bonds, the Purchase Agreement or any other document herein authorized and approved which may be necessary or desirable to conform the same to the provisions of such documents, to the laws of the United States or the State of Utah, to the agreement with the Underwriter and the Borrower or otherwise, provided that the obligation of the County shall not be other than as provided in Section 10 hereof and in the Indenture.

Section 12. In accordance with the provisions of the Act, the County Clerk is hereby authorized to publish a “Notice of Bonds to be Issued” (i) one time in *The Salt Lake Tribune* and *Deseret News*, newspapers of general circulation within the County, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The County Clerk shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the County offices, for public examination during the regular business hours of the County until at least thirty (30) days from and after the last date of the newspaper publication thereof. The “Notice of

Bonds to be Issued” shall be in substantially the form attached hereto as EXHIBIT F.

Section 13. If any provisions of this resolution should be held invalid, the invalidity of such provisions shall not affect the validity of any of the other provisions of this resolution.

Section 14. The appropriate officials of the County, including without limitation the Mayor, Deputy Mayor, the Chief Financial Officer, and the County Clerk are hereby authorized and directed to execute and deliver for and on behalf of the County any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this resolution and the documents authorized and approved herein.

Section 15. After any of the Series 2019 Bonds are delivered by the Trustee to the Underwriter and upon receipt of payment therefor, this resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2019 Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

Section 16. No member or employee of the County has any interest, direct or indirect, in the transactions contemplated by the County herein.

Section 17. All resolutions of the County or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency.

Section 18. This resolution shall become effective immediately upon its adoption.

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ GAYELENE GUDMUNDSON
DEPUTY COUNTY CLERK

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by a unanimous vote.

7.4 A Resolution Setting Forth Maximum Operational Capacity for the Salt Lake County Jail [19-1336](#)

Attachments: [Staff Report](#)
[Resolution setting Jail Capacity](#)

RESOLUTION NO. 5657

A RESOLUTION SETTING FORTH MAXIMUM OPERATIONAL CAPACITY FOR THE SALT LAKE COUNTY JAIL

WHEREAS, Utah Code Annotated, Section 17-22-5.5 authorizes the Sheriff to establish a maximum operating capacity of each jail facility for the approval of the County legislative body; and

WHEREAS, the Sheriff currently operates the County’s Jail Facility which consists of the Salt Lake County Adult Detention Center and Oxbow Jail; and

WHEREAS, Utah Code provides that with the approval of the County Council the Sheriff shall set a maximum operating capacity for each jail facility based on the facility design and staffing; and

WHEREAS, Utah Code Annotated Section 17-22-5 authorizes the Sheriff to implement written policies for admission of prisoners and classification of incarcerated person in the jail for the safety and well-being of the prisoners and the community prior to and in conjunction with the maximum operating capacity.

RESOLUTION

NOW, THEREFORE the County Council of Salt Lake County resolves that under the current design and staffing, the maximum operational capacity of the Salt Lake County Jail Facility is two thousand one hundred sixty-five (2,165). The maximum operating capacity may be temporarily reduced by

the number of unavailable beds when a unit is closed for repairs, due to staffing or other administrative necessities. Upon reaching the maximum operating capacity, the Sheriff shall take appropriate measures allowed by law.

Further, when the prisoner population reaches 80% of the maximum operating capacity the Sheriff shall apply the uniform written policies for admission of prisoners as allowed by law for the safety and well-being of inmates and the community.

Passed and Adopted by the County Council of Salt Lake County, State of Utah, and approved and adopted by the Salt Lake County Mayor this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.5 **A resolution of the Salt Lake County council approving the acquisition of a fee interest in certain real property from Jerome Lwin, Angela Iang, and Esther Kim as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Jerome Lwin, Angela Iang, and Esther Kim.** [19-1321](#)

Attachments: [Staff Report](#)
[SKMBT_C45119103009470](#)
[Resolution for Surplus Canal - Lwin](#)

RESOLUTION NO. 5658

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM JEROME LWIN, ANGELA IANG, AND ESTHER KIM AS PART OF THE SURPLUS CANAL PROJECT AND

THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO JEROME LWIN, ANGELA IANG, AND ESTHER KIM

RECITALS

A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.

B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.

D. Jerome Lwin, Angela Iang, and Esther Kim as joint tenants (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").

E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed").

F. To clear up any cloud on the Owners' remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining owners' Property beyond the ten foot offset landside toe line established by the Owners' Deed (the "County Property Interest").

G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus

property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners’ Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.6 A resolution of the Salt Lake County council approving the acquisition of a fee interest in certain real property from Barbara E. Smith as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Barbara E. Smith.** [19-1322](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Smith](#)
[SKMBT_C45119103010180](#)

RESOLUTION NO. 5659

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN

REAL PROPERTY FROM BARBARA E. SMITH AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO BARBARA E. SMITH

RECITALS

- A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.
- B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.
- C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.
- D. Barbara E. Smith (the "Owner") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owner's Property").
- E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owner's Property to the County by quit-claim deed ("Owner's Deed").
- F. To clear up any cloud on the Owner's remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining owner's Property beyond the ten foot offset landside toe line established by the Owner's Deed (the "County Property Interest").
- G. It has been determined that the best interests of the County and the general public will be served by accepting the Owner's Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake

County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owner’s Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.7 **A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from Filikisi Hafoka and Ane Hafoka as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to the Hafokas.** [19-1324](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Hafoka](#)
[SKMBT_C45119103010260](#)

RESOLUTION NO. 5660

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL

APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM FILIKISI HAFOKA AND ANE HAFOKA AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO FILIKISI HAFOKA AND ANE HAFOKA

RECITALS

- A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.
- B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.
- C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.
- D. Filikisi Hafoka and Ane Hafoka (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").
- E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed").
- F. To clear up any cloud on the Owners' remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining Owners' Property beyond the ten foot offset landside toe line established by the Owners' Deed (the "County Property Interest").
- G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners’ Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.8 **A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from Luis Herrera as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Luis Herrera.** [19-1326](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Herrera](#)
[SKMBT_C45119103010280](#)

RESOLUTION NO. 5661

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM LUIS HERRERA AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO LUIS HERRERA

RECITALS

A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.

B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.

D. Luis Herrera (the "Owner") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owner's Property").

E. Following negotiations, the County and the Owner have agreed that the Owner will convey a portion of the Owner's Property to the County by quit-claim deed ("Owners' Deed").

F. To clear up any cloud on the Owner's remaining title, the County will quit-claim to the Owner any excess interest it may have in the remaining Owner's Property beyond the ten foot offset landside toe line established by the Owner's Deed (the "County Property Interest").

G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owner and quit-claiming the County Property Interest to the Owner. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owner’s Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.9 A resolution of the Salt Lake county council approving the acquisition of a fee interest in certain real property from Pauline O. Wagner and Charles H. Wagner as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to the Wagners.. [19-1327](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Wagner](#)
[Acquisition File Wagner](#)

RESOLUTION NO. 5662

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM PAULINE O WAGNER AND CHARLES H WAGNER AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO PAULINE O WAGNER AND CHARLES H WAGNER

RECITALS

- A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.
- B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.
- C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.
- D. Pauline O. Wagner and Charles H. Wagner (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").
- E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed").
- F. To clear up any cloud on the Owners' remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining Owners' Property beyond the ten foot offset landside toe line established by the Owners' Deed (the "County Property Interest").
- G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes

and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners’ Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.10 A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from Luciano Delgado as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Luciano Delgado.** [19-1328](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Delgado](#)
[RE 3750.082 Delgado](#)

RESOLUTION NO. 5663

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM LUCIANO DELGADO AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO LUCIANO DELGADO

RECITALS

A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.

B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.

D. Luciano Delgado (the "Owner") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owner's Property").

E. Following negotiations, the County and the Owner have agreed that the Owner will convey a portion of the Owner's Property to the County by quit-claim deed ("Owner's Deed").

F. To clear up any cloud on the Owner's remaining title, the County will quit-claim to the Owner any excess interest it may have in the remaining Owner's Property beyond the ten foot offset landside toe line established by the Owner's Deed (the "County Property Interest").

G. It has been determined that the best interests of the County and the general public will be served by accepting the Owner's Deed from the Owner and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county

ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owner’s Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.11 A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from Nehoa and Nola Latu as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Nehoa and Nola Latu.** [19-1329](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Latu](#)
[Latu](#)

RESOLUTION NO. 5664

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM NEHOA AND NOLA LATU AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO NEHOA AND NOLA LATU

RECITALS

A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.

B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.

D. Nehoa and Nola Latu (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").

E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed").

F. To clear up any cloud on the Owners' remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining Owners' Property beyond the ten foot offset landside toe line established by the Owners' Deed (the "County Property Interest").

G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners’ Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

- 7.12 A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from Jose Medina and Rosario Milagros Medina as part of the surplus canal project and the transfer of the county’s excess real estate interests in adjacent property to Jose Medina and Rosario Milagros Medina.** [19-1330](#)

Attachments: [Staff Report](#)
[Resolution for Surplus Canal - Medina](#)
[SKMBT_C45119103011230](#)

RESOLUTION NO. 5665

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY FROM JOSE MEDINA AND ROSARIO MILAGROS MEDINA AS PART OF THE SURPLUS CANAL PROJECT AND THE TRANSFER OF THE COUNTY'S EXCESS REAL ESTATE INTERESTS IN ADJACENT PROPERTY TO JOSE MEDINA AND ROSARIO MILAGROS MEDINA

RECITALS

- A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control Flood Flows.
- B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.
- C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.
- D. Jose Medina and Rosario Milagros Medina (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").
- E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed").
- F. To clear up any cloud on the Owners' remaining title, the County will quit-claim to the Owners any excess interest it may have in the remaining Owners' Property beyond the ten foot offset landside toe line established by the Owners' Deed (the "County Property Interest").
- G. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county

ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract (“Contract”) between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and delivery the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners’ Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owners

APPROVED and ADOPTED this 5th day of November, 2019.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ RICHARD SNELGROVE
CHAIR

By /s/ SHERRIE SWENSEN
COUNTY CLERK

The vote on this consent item was ratified.

8. TAX LETTERS

8.1 Assessor Tax Letters

[19-1325](#)

Attachments: [2019 Personal Property Tax Refund DMV \\$561.00](#)
[2019 Personal Property Tax Refund DMV Vet \\$300.00](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by a unanimous vote.

- 9. LETTERS FROM OTHER OFFICES
- 10. PRIVATE BUSINESS DISCLOSURES
- 11. APPROVAL OF MINUTES

11.1 Approval of Council Minutes for October 22, 2019

[19-1314](#)

Attachments: [102219 Council Min.](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by a unanimous vote.

ADJOURN

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:08 PM until Tuesday, November 12, 2019, at 4:00 P.M.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL