

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, March 3, 2020

2:00 PM

AMENDED AGENDA

Room N2-800

Committee of the Whole

1. CALL TO ORDER

Present

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

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. DISCUSSION ITEMS:**3.1 Legislative Update**[20-0260](#)

Attachments: [Staff Report](#)

Presenter: Kara Trevino, Council Legislative Director (Approx. 1 hr.)
Discussion/Direction

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, reviewed the following legislative bills:

- H.B. 390 Amendments to Asset Forfeiture

Mr. William Carlson, Deputy District Attorney, stated over the course of the last year, several stakeholders have been meeting to see if there are areas of agreement to change rules relating to asset forfeiture. It was generally agreed that from the moment the asset is seized, the state district court should have jurisdiction and the defendant's rights should be protected throughout that process. The proposed draft does not meet any of these principles and is undergoing more revisions. He recommended the Council not take a position on the bill, just monitor it.

The Council took a position to monitor this bill, no vote was taken.

- H.B. 361 Personal Injury Amendments

Ms. Darcy Goddard, Deputy District Attorney, stated this bill would make it easier for a person who has been in a car accident to go to court over a broken bone. This would open the County up to more litigation. She talked with Representative Handy who is sponsoring the bill about changing the limit to weight bearing bones or raising the amount of Personal Injury Protection (PIP) benefits. Currently, the amount for PIP is \$3,000 and it has not been changed for over 30 years. Representative Handy decided to run the bill as is.

Council Member Bradley stated raising the cap for PIP would be appropriate.

A motion was made by Council Member Bradley, seconded by Council Member Snelgrove, to support raising the PIP to an appropriate amount and to oppose making it easier for a person involved in a car accident to go to court.

Council Member Snelgrove asked what an appropriate amount would be for the PIP.

Ms. Goddard stated based on her research, she would recommend the threshold be set at \$4,500.

A motion was made by Council Member Bradley, seconded by Council Member Snelgrove, to support raising the PIP to an appropriate amount and to oppose making it easier for a person involved in a car accident to go to court. Council Member Snelgrove amended the motion to set the cap at \$4,500. Council Member Bradley accepted the amendment. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

- H.B. 353 Internal Investigation Amendments

Ms. Goddard stated this bill prohibits law enforcement, schools, and prosecutorial agencies from investigating themselves or an entity that oversees them. This could easily overwhelm law enforcement agencies because there are frivolous allocations made on a regular basis. Representative Hall stated he is running this bill because he wants an outside investigation done for any credible allocation. She drafted language that would address this issue, but has not heard back from Representative Hall and has not seen a substitute bill.

A motion was made by Council Member Jensen, seconded by Council Member Ghorbani, to oppose H.B. 353 as written. The motion carried by a unanimous vote.

Council Member DeBry was absent for the vote.

- H.B. 430 Property Tax Relief

Ms. Trevino stated this bill would require a County to grant a deferral to a homeowner who is 66 years old or older and whose home is valued at less than \$500,000 under certain circumstances.

Mr. Wayne Cushing, County Treasurer, stated before a homeowner could apply for a deferral, they would have to liquidate all their earning assets. It would be hard for his office to determine what needed to be liquidated. The circuit breaker program is already in place and helps those who are at risk of losing their homes. He recommended the Council oppose this bill.

Mr. Brad Neff, Chair, Property Tax Committee, stated if there is a problem with the circuit breaker program not addressing a certain income level, then that could be fixed. It would address the issue easier than what this proposed bill would do.

A motion was made by Council Member Jensen, seconded by Council Member Granato, to oppose H.B. 430. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

- H.B. 305 (2nd Sub) Urban Development Amendments

Ms. Trevino stated this bill extends notice requirements to any County that proposes urban development within a municipality's expansion area. Current statute requires this notice for 2nd through 6th class counties, and this bill will require the same notice requirements for Salt Lake County. If the development is within any cities' expansion area, the County would have to provide notice and the city would have 90 days to respond. If the city objected to the development, then the County would have to respond before it could move forward in approving that development.

Mr. Mitchell Park, Legal Counsel, Council Office, stated the requirements within the bill are very vague. It does not indicate what branch of government needs to respond, what format that response must take, and how extensive the response needs to be.

Council Member Jensen stated there are a lot of annexation declarations on the west side of the County. Any city that touches any unincorporated area has declared its

intention to eventually annex that property.

Ms. Catherine Kanter, Deputy Mayor of Regional Operations, stated the Mayor's Office has some of the same concerns as already expressed; however, there are also other concerns that need to be clarified within the language of the bill such as: 1) language states the County cannot move forward until the entity consents or rejects to the development, what would happen if the city did not do either, 2) what does it mean for the County (what office within the County is that referring to) to respond to any objection, and 3) there are a lot of municipalities in Salt Lake County and it would be very time consuming and troublesome to notify multiple entities.

Ms. Dina Blaes, Director, Office of Regional Transportation, Housing and Economic Development, stated the potential for delaying the development is substantial because each objection would trigger a 90-day period of time.

Mr. Park stated an urban development, which would trigger this requirement, is defined as a housing development with more than 15 units with a density of more than one unit per acre.

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, to remain neutral on H.B. 305, and instruct the lobby team to keep an eye on it, and to raise the concerns that have been expressed. The motion carried by a unanimous vote.

- Civil Commitment and Competency Amendments

Ms. Goddard stated this bill has not been numbered, but there is a hope that it will get moving. She has been working on this for two years. This bill makes critical changes in the civil commitment process. There is nothing controversial in the bill.

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, to support this bill. The motion carried by a unanimous vote.

- H.B. 450 Attorney Fee Revisions

Ms. Goddard stated this bill makes it possible for a public entity to cut off its liability to pay attorney's fees for an employee who is accused of criminal misconduct who is terminated. If an employee is acquitted at trial, the taxpayers are not on the hook to pay

the attorney fees.

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to support H.B. 450. The motion carried by a unanimous vote.

- S.B. 134 (1st Sub) Property Tax Abatement for Wildfire Prevention

Mr. Trevino stated the Council has taken a position to oppose this bill asking the lobbying team to work with the sponsor to make sure the taxing entities were held harmless. Revisions have been made and she is recommending the Council change its position.

Ms. Goddard expressed the following concerns regarding this bill: 1) the bill increases the tax burden on property owners who do not take prevention measures, 2) there is no cap on the amount of tax relief granted, 3) local elected officials will have no direct control over the standards and qualifications on whether a person qualifies for an exemption, that is solely within a state agency's purview, and 4) it lacks transparency.

Council Member Bradshaw stated the clean-up cost are publicly shared, which is a lot more expensive than prevention measures. This bill would offer property owners some incentive, so the taxpayers would not have to pay at the back end.

A motion was made by Council Member Jensen, seconded by Council Member DeBry to support S.B. 134, due to the proposed changes. The motion carried by a unanimous vote. Council Member Newton was absent for the vote.

- H.B. 374 (1st Sub) Local Government Building Regulation

Ms. Trevino stated this bill would have allowed a development plan to move forward if it had an architecture or an engineering stamp on it. The bill has changed requiring the League of Cities and Towns to collect information from every entity to see how long it is taking for a plan review process. A report will be given over the interim and the bill will be dealt with next session.

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to monitor H.B. 374. The motion carried by a unanimous vote. Council Member Newton was absent for the vote.

- S.B. 158 (1st Sub) Urban Renewal Project Area Amendments

Ms. Trevino stated this bill has been narrowly written for Geneva Steel. It allows a community reinvestment agency to extend urban renewal project area funds for a project area without obtaining the taxing entity's approval. Since this is narrowly written for Geneva Steel, the Council could change its position to neutral.

A motion was made by Council Member Jensen, seconded by Council Member DeBry, to change its position to neutral on S.B. 158. The motion carried by a unanimous vote. Council Member Newton was absent for the vote.

- H.B. 226 (2nd Sub) Stormwater Permitting Amendments

Ms. Trevino stated this bill will not prohibit or delay any current or new stormwater permits.

A motion was made by Council Member Jensen, seconded by Council Member Ghorbani, to remain neutral on H.B. 226. The motion carried by a unanimous vote. Council Member Newton was absent for the vote.

- S.B. 83 Voter Registration Information Amendments

Ms. Trevino stated the Clerk was able to work out a compromise with the bill sponsor and is now okay with the bill. Victims of domestic violence are now protected.

A motion was made by Council Member Jensen, seconded by Council Member Snelgrove, to change its position to neutral on S.B. 83. The motion carried by a unanimous vote. Council Member Newton was absent for the vote.

- H.B. 273 (2nd Sub) Property Right Ombudsman Amendments

Ms. Goddard stated if a party receives an advisory opinion from the Property Rights Ombudsman and further litigates the same land use dispute in court, the prevailing party may collect a civil penalty of \$250/day, which was negotiated down from the \$1,000/day in the original bill. This could add up to a large amount of money.

Council Member Bradshaw stated he did not see any reason to change the Council's

position. It is still not reasonable.

- H.B. 328 (2nd Sub) Division of Water Resources Study Update

Council Member Bradley requested more information relating to this bill. He has heard that it would divert Green River Water to meet the needs of Salt Lake County. This would cost the taxpayers a lot of money and could be very dangerous.

Council Member Bradshaw stated the bill just directs the Division of Water Resources to update a study done in 2002 on the Green River pipeline.

Council Member Bradley stated the lobbying team needs to look at what the intent of this bill is and what the legislation specifically does besides just updating a study.

Ms. Trevino stated she would look into the bill and report back.

3.2 Proposed Hire Report

[20-0249](#)

Attachments: [Proposed Hire Report 2-26-2020](#)

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the proposed hires.

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3.3 Budget Adjustment: Equestrian Park's Request to Transfer Funding between Capital Projects \$139,450 for the RV Parking Alt. #2

[20-0258](#)

Attachments: [526400IA02 EPEC RV Parking Alt 2.pdf](#)

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the budget adjustment.

A motion was made by Council Member Jensen, seconded by Council Member Granato, that this agenda item be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote.

3.4 Budget Adjustment: Sheriff's Office Request for Technical

[20-0259](#)

Adjustment to Correct Accounting Codes for Sworn Salary

Attachments: [912000IA01 County Jail Sworn Technical.pdf](#)

A motion was made by Council Member Jensen, seconded by Council Member Granato, that this agenda item be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote.

**3.5 Update and approval of the extension to the Take Your Seat [20-0238](#)
in History naming rights campaign**

Attachments: [Staff Report](#)
 [Naming Rights Campaign Presentation](#)

Presenters: Holly M. Yocom, Community Services Department Director and Sarah Pearce, Arts & Culture Division Director (Approx. 5 mins.)
Discussion/Direction

Ms. Sarah Pearce, Director, Arts & Culture Division, delivered a PowerPoint presentation. She stated the joint agreement between Salt Lake County, Ballet West, and Utah Opera for the fund-raising campaign to issue naming rights to the seats in the Capitol Theatre has an end date this summer. She would like permission to continue this campaign for one more year.

Council Member Jensen asked if there needed to be an end date put on the fund raising campaign.

Ms. Holly Yocom, Director, Community Services Department, stated that might be an option to discuss in the future if the joint agreement is renewed. However, the joint agreement ends next summer and she would like to tie the end date to the agreement.

A motion was made by Council Member Jensen, seconded by Council Member Granato, that this agenda item be approved tying this fundraising campaign end date to the agreement and to forward it to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote. Council Member Ghorbani was absent for the vote.

**3.6 Approval of the Take Your Seat in History individual naming [20-0243](#)
rights**

Attachments: [Staff Report](#)[Take Your Seat In History Individual Naming Rights](#)

Presenters: Holly M. Yocom, Community Services Department Director and Sarah Pearce, Arts & Culture Division Director (Approx. 5 mins.)

Discussion/Direction

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, that this agenda item be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote. Council Member Ghorbani was absent for the vote.

**3.7 Update and approval of the Capitol Theatre New [20-0240](#)
Programming Fund**

Attachments: [Staff Report](#)[Capitol Theater New Programming Fund Presentation](#)

Presenters: Holly M. Yocom, Community Services Department Director and Sarah Pearce, Arts & Culture Division Director (Approx. 10 mins.)

Discussion/Direction

Ms. Sarah Pearce, Director, Arts & Culture Division, continued the PowerPoint presentation. She stated the Name Your Seat campaign has raised a total of \$127,000, of which \$38,000 is available to Salt Lake County. She would like to create an account to provide “seed” funds to bring new programming to Capitol Theatre. The seed fund would provide up to a maximum of three years and \$10,000 in support for non-profit arts groups to use the Capitol Theatre. This would help fill down time at the Capitol Theatre.

A motion was made by Council Member Snelgrove, seconded by Council Member Jensen, that this agenda item be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote.

4. CONSENT ITEMS:

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that the consent agenda be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote.

**4.1 A Resolution of the Salt Lake County Council approving the [20-0232](#)
recommendation of the Salt Lake County Council of
Governments and authorizing the execution of an interlocal**

cooperation agreement providing for the transfer of \$380,000.00 of County Corridor Preservation funds to Herriman City to be used by the city to acquire certain property for transportation purposes.

Attachments: [Staff Report](#)
[Corridor](#)
[Preservation_Herriman_Resolution_21February2020](#)
[Corridor Preservation](#)
[ILA-Herriman_21February2020_AATF](#)

This consent item was approved and forwarded.

- 4.2 A Resolution of the Salt Lake County Council approving the recommendation of the Salt Lake County Council of Governments and authorizing the execution of an interlocal cooperation agreement providing for the transfer of \$8,100.00 of County Corridor Preservation funds to the city of Bluffdale to be used by the city to acquire certain property for transportation purposes. [20-0236](#)

Attachments: [Staff Report](#)
[Corridor Preservation_Bluffdale_Resolution2_21Feb2020](#)
[Corridor Preservation_Bluffdale_ILA2_21Feb2020](#)

This consent item was approved and forwarded.

- 4.3 A Resolution of the Salt Lake County Council approving execution of an interlocal cooperation agreement with Murray City allowing for the execution of a restated interlocal agreement so that the county may resume its lease of a park and ride station and so the county may install and maintain, or cause to be installed and maintained, a bicycle repair station. [20-0231](#)

Attachments: [Staff Report](#)
[Restated Interlocal_Park and Ride Lot - Bicycle Repair Station_AATF](#)
[Resolution_Murray City_ParkAndRide_AATF](#)

A motion was made by Council Member Bradshaw, seconded by Council

Member Ghorbani, that this agenda item be approved and forwarded to the 4:00 p.m. Council meeting for ratification. The motion carried by a unanimous vote.

- 4.4 A Resolution of the Salt Lake County Council approving and authorizing execution of an interlocal cooperation agreement between Salt Lake County and the City of South Jordan for a contribution of TRCC funds to fund improvements to city's Midas Creek Trail.** [20-0219](#)

Attachments: [TRCC South Jordan Midas Creek Interlocal Staff Report](#)

This consent item was approved and forwarded.

- 4.5 A Resolution of the Salt Lake County Council approving and authorizing execution of an interlocal cooperation agreement between Salt Lake County and Salt Lake City corporation for a contribution of TRCC funds to fund complete replacement of baseball playing field at city-owned Smith's Ballpark.** [20-0218](#)

Attachments: [Staff Report](#)
[TRCC Resolution Smith's Ballpark](#)

This consent item was approved and forwarded.

- 4.6 Request from South Valley Services to Waive the Viridian Center's \$1,090 facility fee for their annual charity breakfast.** [20-0241](#)

Attachments: [Staff Report](#)
[SVS Breakfast Fee Waiver Request](#)

This consent item was approved and forwarded.

- 4.7 ZAP Tier II Advisory Board Reappointment: Ryan Benson (District 5), second term** [20-0210](#)

Attachments: [Staff Report](#)
[Ryan Benson Reappointment Application](#)
[Ryan Benson Resume_Redacted.pdf](#)
[Ryan Benson - 2020 Board Appointment Approval form.pdf](#)

This consent item was approved and forwarded.

- 4.8 ZAP Tier II Advisory Board Reappointment: Karen Krieger [20-0248](#)**
(District 4), second term

Attachments: [Staff Report](#)
[Karen Krieger Reappointment Application.pdf](#)
[Karen Krieger Resume_Redacted.pdf](#)
[Karen Krieger - Council Approval Form.pdf](#)

This consent item was approved and forwarded.

- 4.9 Animal Services Advisory Committee Appointment: Rita [20-0250](#)**
Lund (representing Millcreek)

Attachments: [Staff Report](#)
[Rita Lund - Board Application 2020_Redacted.pdf](#)
[Rita Lund - Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

- 4.10 Animal Services Advisory Committee Appointment: Gary [20-0252](#)**
Bowen (representing Emigration Canyon Township)

Attachments: [Staff Report](#)
[Gary Bowen - Application 2020_Redacted.pdf](#)
[Gary Bowen - Resume_Redacted 2020.pdf](#)
[Gary Bowen - Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

- 4.11 Animal Services Advisory Committee Appointment: Kevin [20-0253](#)**
Severson (representing Copperton)

Attachments: [Staff Report](#)
 [Kevin Severson - Application 2020 _Redacted.pdf](#)
 [Kevin Severson - Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

- 4.12 Animal Services Advisory Committee Appointment: Kane [20-0254](#)**
Loader (representing Midvale City)

Attachments: [Staff Report](#)
 [Kane Loader - Application 2020 _Redacted.pdf](#)
 [Kane Loader- Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

- 4.13 Animal Services Advisory Committee Appointment: Nole [20-0255](#)**
Walkingshaw (representing Salt Lake City)

Attachments: [Staff Report](#)
 [Nole Walkingshaw - Application 2020 _Redacted.pdf](#)
 [Nole Walkingshaw - Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

- 4.14 Animal Services Advisory Committee Appointment: Chrystal [20-0256](#)**
Butterfield (representing Kearns Township)

Attachments: [Staff Report](#)
 [Chrystal Butterfield - Application 2020 _Redacted.pdf](#)
 [Chrystal Butterfield - Council Approval Form 2020.pdf](#)

This consent item was approved and forwarded.

5. ITEMS FROM COUNCIL MEMBERS

- 5.1. Internal Business

6. APPROVAL OF MINUTES

6.1 Acceptance of Committee of the Whole Minutes for [20-0247](#)
February, 11, 2020

Attachments: [021120 COW 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.

3:45 P.M. ADJOURN FOR BOARD OF EQUALIZATION

The meeting was adjourned at 3:40 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL