

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, November 12, 2019

10:30 AM

Room N2-800

Committee of the Whole

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 Aimee Winder Newton
Council Member Ann Granato
Council Member Max Burdick

Call In Council Member Steve DeBry

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.

Mr. George Chapman stated because drug users are embedded in the homeless population, they must be removed in order to help the homeless. He recommended more funding for the County District Attorney and the jail. He also stated the County should push for a higher gasoline tax at the Legislature, and he was opposed to the work of the Central Wasatch Commission.

Ms. Monica Zoltanski, President, Dimple Dell Preservation Community, asked the Council to consider contributing to the salaries of two new Sandy City police officers who are assigned to patrol all the parks in Sandy, including County-owned Dimple Dell Park.

3. DISCUSSION ITEMS:**3.1 BUDGET WORKSHOP:**[19-1357](#)

Recorder Budget as Proposed by the Mayor - Presented by Recorder Rashelle Hobbs

District Attorney 2020 Budget as Proposed by the Mayor - Presented by D.A. Sim Gill

Attachments: [Staff Report](#)
[2020 DA Budget Presentation_FINAL_2019-11-12](#)

(Approx. 1.5 hrs.)
Discussion/Direction

- Recorder's Budget

Ms. Rashelle Hobbs, County Recorder, stated the budget she is presenting asks for new money only for a new cashiering system. After the budget was submitted to the Mayor's Office, ongoing contract negotiations eliminated about \$100,000 from the cost of this system. This will still allow for a smooth implementation resulting in a more efficient and effective process, while delivering a high level of service to the public and institutional customers.

Ms. Leslie Reberg, Chief Deputy Recorder, stated the State Legislature passed legislation standardizing recording fees throughout the state. This had been attempted for many years. At the same time, the Recorder's Office experienced an 18 percent increase in recordations, which contributed to a surplus. This increased workload was absorbed by the same number of employees.

Ms. Hobbs stated she understood county budget needs and supported the tax increase.

A motion was made by Council Member Winder Newton, seconded by Council Member Granato, that this budget be approved, along with the \$100,000 in savings on the cashiering system. The motion carried by a unanimous vote.

- District Attorney's Budget

Mr. Sim Gill, District Attorney, stated he fully supports the tax increase and thoughtful way the Mayor approached it. He then delivered a PowerPoint presentation covering his department's 2020 budget. He reviewed budget goals, the Mayor's recommended budget, the additional Third District Court in West Jordan, previous budget savings, Special Victims Unit (SVU) requests, filed cases and workloads, increases in screening and filing of adult criminal charges, and the percentage of cases filed.

He asked attorneys in the Special Victims Unit to tell him what the addition of several prosecutors would mean to their unit. He read a letter from prosecutor Andrew Deesing detailing the emotional challenges of prosecuting sexual assaults, especially those against

children.

Council Member Granato asked if sexual abuse cases are more likely to come forward now than in previous years.

Mr. Gill stated the reality in Utah is that of every 100 women sexually assaulted, 88 will not report the assault. Of the 12 who report the assault, only four will get filed. The goal is to create a safe environment for these women to come forward. He shared the story of one of his senior SVU prosecutors who pursued justice for a rape victim despite push back from the police. Ultimately, the perpetrator was convicted. The motto of SVU is “no family violence cradle to grave.”

He also explained the number of attorneys and other staff people in the screening unit, the Special Victims Unit, and the new West Jordan court, as well as the rank structure within the Investigative Unit,

Mr. David Delquadro, Chief Financial Manager, Council Office, stated he was concerned that the District Attorney reclassifies vacant FTE positions upwards to hire more management, then comes to the Council asking for more attorneys.

Mr. Ralph Chamness, Deputy District Attorney, stated every time he has a vacant FTE, he asks what is the highest and best use of that FTE.

Mr. Delquadro stated there is a number associated with every vacancy. If a vacancy morphs into a higher position, it means additional funding the next year.

Mr. Chamness stated he always looks at what is the best use for an FTE, and he did not care about the number associated with it.

Mr. Gill stated every time the District Attorney's Office has an opening, it looks to see where its structural needs are at that point in time. He is always playing catch up; moving people from one position to another. He is 30 FTEs short of what is needed to meet his obligations, but money is just not available.

Mr. Chamness stated he will provide the Council with a list of people reclassified downward.

Mayor Jennifer Wilson stated the SVU positions were included because the District Attorney's Office can do more on the victim side and because rape victims need a place

to go to be supported.

Council Member DeBry stated he wanted the Personnel Sector Annualization Adjustment (\$237,765), Tax Administration Attorneys, and the mandated four FTE's assigned to the new West Jordan court added to the list of items to be considered later.

A motion was made by Council Member Bradshaw, seconded by Council Member Ghorbani, to approve the District Attorney's budget as recommended by the Mayor, with the following items added to the list for further consideration: Personnel Sector Annualization Adjustment (\$237,765), Tax Administration Attorneys, and the mandated four FTE's assigned to the new West Jordan court. The motion carried by a unanimous vote.

BREAK FOR LUNCH - RECONVENE AT 1:15 P.M.

3.2 Proposed Hire Report [19-1352](#)

Attachments: [Proposed Hire Report 11-6-2019](#)

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

3.3 CONTINUATION OF BUDGET WORKSHOP: [19-1353](#)

Mayor's Admin., Finance, & Related 2020 Budget as Proposed by the Mayor - Presented by Deputy Mayor Erin Litvack and Deputy Mayor Darrin Casper

Regional Development 2020 Budget as Proposed by the Mayor - Presented by Deputy Mayor Catherine Kanter

Clerk 2020 Budget as Proposed by the Mayor - Presented by Clerk Sherrie Swensen

Other 2020 Budget decision items

Attachments: [Staff Report](#)
[Mayor's Finance](#)
[2020 ORD Council COW Proposed Budget Presentation w transition.final](#)
[FINAL Background to 2020 ORD Budget Presentation](#)

(Approx. 2 Hrs.)
Discussion/Direction

- Mayor's Budget

Ms. Erin Litvack, Deputy Mayor of County Services, delivered a PowerPoint presentation reviewing the core mission, 2020 budget overview, and new initiatives for Mayor's Administration, Criminal Justice Advisory Council (CJAC), the Calvin L. Rampton Salt Palace Convention Center, the Mountain America Exposition Center, and the Visitor Promotion contract (Visit Salt Lake). She also reviewed the capital projects for the Salt Place Convention Center and Mountain America Exposition Center

Mr. Darrin Casper, Deputy Mayor of Finance & Administration, continued the PowerPoint presentation reviewing the 2020 budget overview and new initiatives for Visitor Promotion County Expense, the 2020 Transient Room Tax (TRT) uses, and the 2020 budget overview and new initiatives for Mayor's Financial Administration and the Human Resources Division.

Council Member Snelgrove asked if the County had opened up the bid for visitor promotion to entities other than Visit Salt Lake.

Ms. Litvack stated last year, the County did a comprehensive request for proposal (RFP) for that.

Council Member Newton stated she would like the following items added to the list to review later stating she needed more information on some of these:

Mayor's Administration

- Subscription and memberships
- Meals and refreshments
- Travel & transportation
- Consultant fees
- Other professional fees
- Other miscellaneous contract fees
- Contributions

Mayor's Financial Administration

- Subscriptions and memberships
- Other professional fees

Visitor Promotion

- Utah Sports Commission
- Tour of Utah

She also asked the Mayor's Office about Visit Salt Lake's stress test to align expenses to match a potential 5 percent reduction in revenues for 2020.

Ms. Litvack stated the Mayor's Office had each of its divisions do a stress test. Visit Salt Lake calculated that in, but did not specifically determine what the cuts would be. Visit Salt Lake lives and dies by the TRT revenue, and if TRT does not perform, Visit Salt Lake has to adjust its budget. Its contract is set, and there are statute requirements regarding how much it must use for marketing.

Council Member Newton stated if funds were freed up in the TRT Fund, some of the Equestrian Park and Event Center expenses being subsidized out of the General Fund or the Tourism Recreation Cultural and Convention (TRCC) tax could be taken out of the TRT Fund.

A motion was made by Council Member Jensen, seconded by Council Member Granato, to approve the budgets for Mayor's Administration, Criminal Justice Advisory Council, the Office of Convention & Visitor Services, Mayor's Financial Administration, and the Human Resources Division. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

- Office of Regional Development's Budget

Ms. Catherine Kanter, Deputy Mayor of Regional Operations, delivered a PowerPoint presentation providing a snapshot of the Office of Regional Development philosophy, team, Mayor's vision, the operating budget for Regional Development Administration, and projects; the 2020 General Fund requests, which included a Special Projects director, membership on the Kem C. Gardner Policy Institute, Oquirrh View study, Community Service Navigator program, Census outreach strategy plan, Wasatch Front Regional

Council/transportation and land use connection, Public Asset Yield Initiative, Website redesign, and Central Wasatch Commission participation; and the divisions of Housing & Community Development, Regional Planning & Transportation, Economic Development, and the Environmental Program, as well as FTE requests, and other funds administered by the Office of Regional Development.

Council Member Newton stated she would like the following Office of Regional Development requests on the list for further consideration:

- Community Service Navigator program
- Central Wasatch Commission participation
- Kem C. Gardner Policy Institute membership and fees
- Public Asset Yield Initiative
- Meals and refreshments
- Professional fees
- Other miscellaneous contract fees
- Contributions

Mayor Jennifer Wilson stated she would like to weigh in on some discussions, such as the Central Wasatch Commission participation.

Council Member Newton suggested sending the Council an email with an explanation of what the County is getting for these funding requests. She also wanted to know how much the County spent on table sponsorships in 2019. She had a hard time using tax dollars for that and thought it might be better to buy tickets for key individuals who needed to be at certain functions.

Mr. David Delquadro, Chief Financial Manager, Council Office, asked why the Office of Regional Development was picking up the tab for the Kem C. Gardner Policy Institute membership if other organizations were the ones utilizing its services. The County might be able to save money buying services on an ad hoc basis.

Ms. Kanter stated last year, most of the contracts entered into with Kem C. Gardner Policy Institute were for the Office of Regional Development, and there would have been a better return on investment by utilizing this new structure.

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, to approve the Office of Regional Development's budget. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

- Clerk's Budget

Ms. Sherrie Swensen, County Clerk, reviewed the Clerk's budget requests for the Marriage and Passport Division, which included an increase of a .5 FTE, and the 2020 challenges. She also reviewed the budget requests of the Elections Division, which included the cost of the Presidential Election cycle, replacement of the voting equipment, and two additional FTEs, and the 2020 challenges there.

Council Member Newton asked to put the voting equipment replacement on the list. It was her understanding that in addition to the \$1.8 million kickback provided by the State by selecting the vendor of its choice, there is an 8 percent discount if it signs the contract by March.

Ms. Swensen stated she will look at those numbers again to figure out the best price. There is still time to look into that.

Mr. David Delquadro, Chief Financial Manager, Council Office, asked for an update on the Agilis equipment order.

Ms. Pam Tueller, Director, Election Division, stated her office submitted an order to purchase a second Agilis machine, which she expected to receive the beginning of 2020.

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to approve the Clerk's budget. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

- Salary Increase for Technical Employees

Mr. David Delquadro, Chief Financial Manager, Council Office, asked the Council to consider adding to the list a 3 percent salary increase to the base for the technical schedule to remain competitive. The current proposal is a

step back from where the market is. The estimated annual cost for that would be less than \$150,000 in pay and benefits. That includes both the positions that are currently occupied as well as vacant positions.

Council Member Bradshaw asked why that was not part of the Mayor's recommendation.

Mr. Darrin Casper, Deputy Mayor of Finance Administration, stated separating the compensation package between the technical trade and the regular trade has never been done before. The Mayor's Office proposed a 2.75 percent increase, which is essentially a merit increase.

Council Member Jensen stated the County has been trying to fix compression over the last five years, so it should try to get to mid-point and stay there. If the County needed to do this on the technical side to be competitive, it should do this.

Mayor Jennifer Wilson stated the Human Resources director did a strong analysis of where the County was and how best to get to where it needed to be with the amount the County could afford, so she would want to consult with her before agreeing to this. On the surface, she was supportive, but wanted to make sure it was the highest and best use of the public dollars.

Council Member Snelgrove stated he needed more time to do due diligence on this. He might be able to support it, but he needed to see where the final numbers came in first.

A motion was made by Council Member Jensen, seconded by Council Member Bradley, to approve a 3 percent salary increase to the base for the technical schedule. The motion passed 5 to 3 with Council Members Burdick, Newton, and Snelgrove voting in opposition. Council Member DeBry was absent for the vote.

- 3.4 Receive Information Regarding Rezone Application #30993 [19-1335](#)
(FA2.5 to FR2.5) Property address: 7355 W Rose Creek Lane,
Southwest area of Salt Lake County and Set Public Hearing
for December 10, 2019**

Attachments: [Staff Report](#)
[30933 staff report CC11.4.19.pdf](#)

Presenter: Lupita McClenning, Director MSD Planning and Development Services & Jim Nakamura, MSD Planner (Approx. 15 min.)

Discussion/Direction

Ms. Lupita McClenning, Director of Planning and Development Services, Greater Salt Lake Municipal Services District, reviewed a request for a rezone of approximately 5 acres from FA-2.5, which allows a maximum of four horses for private use, to FR-2.5, which has no maximum on the horses.

The rezone is in harmony with the Southwest General Plan map, but the General Plan does not specifically touch on horses. However, the northwest portion of the property is contained within a Drinking Water Source Protection Zone. So, depending on the number of animals and the amount of manure produced/contained on the property, the land use may be restricted under the County's Drinking Water Source Protection ordinance. The Salt Lake County Health Department would require animal manure to be removed at least once a week or more frequently to avoid creating a nuisance and to avoid needless proliferation of pests. Control measures would also need to be put into place to keep the manure contained on the property and out of Rose Creek.

While the Health Department regulations and ordinances are silent on the number of horses permitted per property, the Salt Lake County Integrated Watershed Plan and Utah's Division of Water Quality (DWQ) have identified Rose Creek as having an impaired designation, based on elevated levels of E Coli. DWQ has also identified Rose Creek as a medium priority of a Total Max Daily Load, which would require additional protections and restrictions moving forward. The Health Department is encouraging the Council to do more research into the impacts of allowing an increase of horses near this watercourse.

Council Member Snelgrove asked if approving this would open the County up for any increased exposure from the Environmental Protection Agency or any other regulatory agency.

Mr. Robert Thompson, Flood Control Engineering, stated the County should not be doing anything that will increase nutrient levels for E. Coli. It will be getting an updated UPDES permit soon, which will require it to be prepared to handle those nutrient levels.

Mr. Mitchell Park, Legal Counsel, Council Office, stated because part of the property is in a Drinking Water Source Protection area, variances will have to be approved by both the Salt Lake County Health Department and the municipality.

Mr. Scott Baird, Director, Public Works Department, stated there are two water quality concerns - one is the corner of the property that is in the Drinking Water Source Protection area, and the other is Rose Creek itself. If the Council rezoned this property, the County could have problems in the future because of its UPDES permit and possible future provisions of that. Today, he was just asking the Council to set a public hearing for December 10, 2019.

A motion was made by Council Member Bradshaw, seconded by Council Member Newton, that a hearing be set for December 10, 2019. The motion carried by a unanimous vote. Council Member Granato abstained from the vote, as she is a previous owner of property in this area. Council Member DeBry was absent for the vote.

3.5 CLOSED SESSION: Discussion regarding reasonably [19-1348](#) imminent litigation

Attachments: [Staff Report](#)

This matter was not discussed.

4. CONSENT ITEMS:

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to approve the consent agenda. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

4.1 Contribute \$500.00 from the Mayors Contribution Fund to support the OCA Asian Pacific Islander American Advocates' Community Awards Gala. The gala will be on Saturday, November 9, 2019, and the purpose of the event is to honor Asian Pacific Islander elders and the legacy they have created as well as to recognize community champions. [19-1338](#)

Attachments: [OCA Asian Pacific Islander American Advocates - application, 501c3, approval form](#)
[Staff Report](#)

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 \$70,330.00 of County Corridor Preservation funds to the city of Cottonwood Heights to be used by the city to acquire certain property for transportation purposes. [19-1344](#)

Attachments: [Staff Report](#)
[Corridor Preservation ILA - Cottonwood Heights 4Nov2019_AATF](#)
[Resolution Corridor Preservation - Cottonwood Heights - 04Nov2019_AATF](#)

This consent item was approved and forwarded.

- 4.3 A resolution of the Salt Lake County Council declaring surplus real property and approving the conveyance of the same by quit-claim deed to the 1995 Fitzgerald Family Trust, dated October 27, 1995. [19-1349](#)

Attachments: [Tax Sale Property Resolution - Fitzgerald](#)
[RE 3820 Fitzgerald Agreement](#)
[Staff Report](#)

This consent item was approved and forwarded.

- 4.4 A resolution of the Salt Lake County Council approving the acquisition of a fee interest in certain real property from the Michael R. Weiler living trust, dated September 6, 2007, as part of the surplus canal project and the transfer of the county's excess real estate interests in adjacent property to the trust. [19-1350](#)

- Attachments:** [Staff Report](#)
[Resolution for Surplus Canal - Weiler Trust approved](#)
[MRW LIV Trust Agreement & Deeds](#)

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 October 29, 2019 [19-1356](#)

- Attachments:** [102919 COW Minutes](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, to approve this agenda item. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

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

The meeting was adjourned at 3:00 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL