

DATE TUESDAY JUNE 12, 2018

COUNCIL MEMBERS

JENNIFER WILSON
RICHARD SNELGROVE
JIM BRADLEY
ARLYN BRADSHAW
MICHAEL JENSEN
ANN GRANATO
STEVEN DEBRY
MAX BURDICK
AIMEE WINDER NEWTON, Chair

BEN MCADAMS, MAYOR
SIM GILL, DISTRICT ATTORNEY
By: GAVIN ANDERSON, DEPUTY DISTRICT ATTORNEY
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE
SHERRIE SWENSEN, COUNTY CLERK
By: NICHOLE WATT & LINDA DUFFY, DEPUTY CLERKS

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It is the Council's intent that it work with local southwest elected officials and other officials to look at the area regionally and not just in isolated municipalities. There has not been a lot of coordination between cities in the southwest area. One of the first things that needs to be addressed is the regional transportation system. He suggested the Council ask the developers to fund a transportation study from a regional perspective. The Council would pick the planner to

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The Council should also discuss a possible building moratorium on the entire southwest area of the valley. New growth comes with such challenges as infrastructure problems, school districts, pupil/teacher ratio, and other issues. The County wants to do something that works for everybody, not just the first one who comes to the table.

Another question to address is how Utah State University, which is scheduled to receive a donation of 100 acres from the developer, will impact the area. Once the donation is finalized, the State and University then set their rules. The County wants to be out in front of this, especially as to how student housing will affect the density.

Council Member Jensen, seconded by Council Member Burdick, moved that the Council place last week's zoning matter, Application No. 30650, Olympia Land, LLC, on the Council agenda next week, June 19, 2018, to discuss whether the Council should rescind or amend its prior action on the three ordinances voted upon last week.

1. An Ordinance amending the Southwest Community General Plan.
2. An Ordinance rezoning property described in Application #30650 to the P-C Zone, with the associated revised Master Development Agreement.
3. An Ordinance approving Application #30650 a P-C Zone Plan and the associated revised Master Development Agreement.

Council Member Wilson stated the Council has heard from its constituents. Despite a laborious and required process to get to this point, it is clear the public did not have the opportunity to engage. The Mayor is also reaching out to citizens asking for feedback. She also noted the challenge facing the community with the large amount of growth projected in the Salt Lake valley. The challenge is how to balance the exciting things that come with growth with quality of life. Patience is needed to work through the legal, technical, and public aspects of this matter.

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4. An Ordinance amending the Southwest Community General Plan.
5. An Ordinance rezoning property described in Application #30650 to the P-C Zone, with the associated revised Master Development Agreement.
6. An Ordinance approving Application #30650 a P-C Zone Plan and the associated revised Master Development Agreement.

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These are draft minutes and are subject to change until approved by the County Council.

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- B. Each county constable will furnish a policy of general liability insurance written by a carrier on a form acceptable to the risk manager and in an amount set by the council covering each constable and deputy constable and naming Salt Lake County as an additional insured and shall furnish a copy of the certificate of insurance to the constable liaison and risk manager. No person shall exercise any of the powers of a constable or discharge any of the duties of a constable in the absence of such insurance. Anyone violating this requirement is guilty of a class B misdemeanor and in addition to any other penalty imposed by law is subject to removal from office.

2.50.030 - Jurisdiction.

County constables shall be appointed on a county-wide basis and may serve civil and criminal process pursuant to ~~[Section 17-25a-1, et seq., Utah Code Annotated, 1953 (amended in 1990)]~~ state law.

2.50.040 - Independent contractors.

County constables are independent contractors and are responsible for their own actions and for the actions of their deputies, agents and employees, and any liability resulting therefrom. When executing civil process, constables are acting as agents of the litigant or litigant's attorney who employs their services. Constables, as officers of the court, are also acting in their official capacity as special function officers empowered by law to enforce the lawful orders of any court of competent jurisdiction.

2.50.050 - Notice of constable position.

When the council determines that one or more constables should be appointed, it shall advertise the position(s) by publishing a notice thereof at least twice in a newspaper of general circulation in the county. The notice of an open constable position shall include the address of the personnel division where applications for the vacancy can be obtained for completion and filing for consideration by the nominating commission. The time for which applications can be submitted for the vacancy shall be no less than fifteen days after the first day of publication of the vacancy. Personnel policies and procedures regarding recruitment of applicants will apply to filling this position.

2.50.060 - Nominating commission.

When a county constable position is to be opened, the council shall establish a constable nominating commission. The nominating commission shall consist of the following individuals or their designees:

1. A council member;
2. The sheriff;
3. A judge of the justice or district court;
4. The attorney; and

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5. A private citizen of Salt Lake County appointed by the council.

2.50.070 - Nominating process.

- A. Upon being appointed, designated or informed of the request of the council that the nominating commission is to be convened, the members so designated will meet within ten days' time and develop the criteria for the selection and ranking of applicants for the position. Applicants must meet the eligibility criteria established by ~~[Section 17-25a-2, Utah Code Annotated, 1953, as amended,]~~ state law for the position of county constable.
- B. The nominating commission shall rank the applicants in order of preference and submit up to three names for each vacancy together with other recommendations to the council.

2.50.080 - Appointment—Term of office.

- A. The council, upon receipt of the nominating commission's list of successful applicants ranked in order of preference, together with its recommendations and within fifteen calendar days thereafter, shall:
1. Approve the nominating commission's recommendations and appoint the recommended applicant(s);
 2. Reject the recommended applicant(s) and select one or more of the remaining applicants on the list; or
 3. Reject all the named applicants and refer the matter back to the nominating commission for a new list and recommendation.
- B. A constable's term of office is ~~[six]~~ four years. A constable may serve more than one term if reappointed by the council.

2.50.090 - Appointment of deputy constables.

Deputy constables shall be appointed in accordance with the provisions of Section 2.12.070 of this code of ordinances. Each nominee must be certified by the division of peace officer standards and training as qualified to undertake the duties of a special function officer and by the appointing constable as having successfully passed a criminal background check. The council will not act upon any nomination until it has received a background report prepared in accordance with peace officer standards and training and sheriff's office background investigation standards and an application fee of twenty-five dollars deposited to the Salt Lake County general fund.

- A. The criminal background check may be waived if the applicant is currently employed as a peace officer as defined by ~~[Utah Code Ann., § 53-1-102]~~ state law. The applicant must submit a current letter from the employing law enforcement agency stating that the individual is ~~[POST]~~ certified as a special function peace officer, is an employee in good standing, and that there is nothing in the applicant's previous experience or background

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B. The criminal background check may be waived if the applicant is retiring or has retired from a law enforcement agency in good standing. The applicant must submit a letter from the law enforcement agency, dated no earlier than one year prior to the date of the application, stating the date of the individual's retirement, that the individual has been ~~[POST]~~ certified as a special function peace officer and remains ~~[POST]~~ certified as of the date of retirement, is leaving or has left its employ in good standing and that there is nothing in the applicant's previous experience or background with the law enforcement agency to preclude the applicant from being a deputy constable. The individual seeking waiver of the background check must seek employment within one year of retirement from the law enforcement agency.

2.50.110 - Access to criminal history information.

- A. County constables or deputy constables shall be subject to removal by the council after a recommendation for removal has been made by an administrative tribunal convened by the council to adjudicate the matter.

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- SECTION III.** This ordinance shall become effective fifteen days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON
Chair

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to approve the ordinance. The motion passed unanimously, authorizing the Chair to sign the same, directing the County Clerk to attest her signature, and to publish the ordinance summary in a

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, showing that all Council Members present voted "Aye."

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, showing that all Council Members present voted "Aye."

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RECITALS

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RECITALS

- IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized, consistent with the terms of the Right of Way Contract to execute the Easement attached hereto as Exhibit B and to deliver the fully executed document to the County Real Estate Division for delivery to the City upon payment of the agreed upon purchase amount.

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RESOLUTION NO. 5378

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RECITALS

- NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Water Line Easement be declared surplus property.

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APPROVED and ADOPTED this 12th day of June, 2018.

By /s/ AIMEE WINDER NEWTON
Chair

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to execute the resolutions and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye."

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WHEREAS, pursuant to the provisions of the Utah Industrial Facilities and Development Act (Chapter 17 of Title 11, Utah Code Annotated 1953, as amended) (the “Facilities Act”), Utah County, Utah (the “Issuer”) is authorized to issue revenue bonds for the purposes specified in the Facilities Act and to loan the proceeds thereof to IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services (“Intermountain”), to finance, refinance or provide reimbursement for the acquisition, construction and equipping of health care facilities of Intermountain; and

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WHEREAS, the Issuer proposes to issue its hospital revenue bonds (the “Bonds”) in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$98,500,000 with respect to facilities located in Salt Lake County, Utah and loan the proceeds of the Bonds to Intermountain in order to (i) finance, refinance, or reimburse Intermountain for its prior payment of, the costs of acquiring, constructing and equipping certain of the health care facilities described below which are or will be owned by Intermountain, (ii) fund a debt service reserve fund, if deemed advisable by the Issuer and Intermountain, and (iii) pay certain expenses incurred in connection with the issuance of the Bonds, including any premium and fees associated with the credit or liquidity enhancement of the Bonds, if credit or liquidity enhancement is deemed advisable by the Issuer and Intermountain; and

Salt Lake County: (i) renovation and expansion of facilities at Primary Children's Hospital, including, but not limited to, renovation of approximately 120,000 square feet, and expansion of approximately 11,000 square feet of hospital space, located at 100 Mario Capecchi Drive, Salt Lake City, Utah — \$60,000,000; (ii) renovation and expansion of facilities, including, but not limited to, renovation of approximately 15,000 square feet, and expansion of approximately 20,000 square feet of hospital and medical clinic space, all on The Orthopedic Specialty Hospital (TOSH) campus, located directly west of Fashion Blvd (300 E), bordered generally by McMillan Ln on the north and Medical Tower Drive on the south, with a primary mailing address of 5848 S Fashion Blvd, Murray, Utah — \$20,000,000; (iii) a new approximately 21,000-square-foot medical clinic, located on a parcel of land consisting of approximately 4 acres on the Northeast corner of 7800 S and 5600 W, West Jordan, Utah — \$10,000,000; (iv) expansion of facilities at West Jordan Clinic, consisting of approximately 9,000 square feet of new medical clinic space located at 2655 W 9000 S, West Jordan, Utah — \$5,000,000; and (v) expansion of facilities at Rose Canyon Clinic, consisting of approximately 7,000 square feet of new medical clinic space located at 5541 W 13400 S, Riverton, Utah — \$3,500,000; and

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APPROVED and ADOPTED this 12th day of June, 2018.

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON
Chair

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to execute the resolution and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye."

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<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Reduction</u>	<u>Refund</u>
NAJ Investment & Development	21-33-381-001	2017	\$ 1,984.01 to \$ 1,669.61	\$ 314.40
	21-33-381-002	2017	\$ 2,056.52 to \$ 1,649.28	\$ 407.24
	21-33-381-003	2017	\$ 1,959.62 to \$ 1,649.28	\$ 310.34
	21-33-381-004	2017	\$ 1,959.62 to \$ 1,649.28	\$ 310.34
	21-33-381-005	2017	\$ 1,959.62 to \$ 1,649.28	\$ 310.34
	21-33-381-006	2017	\$ 1,959.62 to \$ 1,649.28	\$ 310.34
	21-33-381-007	2017	\$ 1,984.01 to \$ 1,669.61	\$ 314.40
Nichole & Thomas Ward	28-15-302-070	2017	\$ 5,464.00 to \$ 4,702.80	\$ 761.20
2200 West	08-21-277-003	2016	\$232,610.03 to \$214,145.20	\$18,464.83
Precision Vertical	28-09-306-012	2017	\$ 7,906.15 to \$ 5,333.65	\$ 2,572.50
Heidi Gardner	15-14-276-018	2016	\$ 6,954.80 to \$ 4,387.58	\$ 2,567.22

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Mr. Tingley also recommended a reduction of 2017 taxes on the **View Homeowners Association** property identified as Parcel No. 30-06-432-023, pursuant to an order of the Utah State Tax Commission. No payment has been made. He recommended adjustment of penalties and interest accordingly.

<u>Taxpayer</u>	<u>Year</u>	<u>Refund</u>
Tammy Hyde	2018	\$ 113.00
Richard E. Garff	2018	\$ 113.00
Peterbilt of Utah	2018	\$1,683.22
Gilbert C. Avellar	2018	\$ 13.00
Larry K. Bodine	2018	\$ 53.00
Marty Whittington	2018	\$ 13.00
South Valley Motorsports	2018	\$ 45.00
Natalie Tibbs	2018	\$ 113.00
Thomas J. Freed	2018	\$ 153.00
Kenneth L. Eatchel	2018	\$ 83.00
Jonathan Goodwin	2018	\$ 30.00
David L. Pearson	2018	\$ 35.00
Ronald B. Parkinson	2018	\$ 83.00
Katherine Affeltranger	2018	\$ 13.00
Sergio Barffuson	2018	\$ 35.00
James P. Davis	2018	\$ 38.00
Terry Fisher	2018	\$ 83.00
Robert Suman	2018	\$ 83.00
Jasper Pace	2018	\$ 98.00
Matai Ione	2017	\$ 110.00
Vanasa Petersen	2017	\$ 110.00
Kevin Shelden	2018	\$ 150.00
Wade Menlove	2018	\$ 80.00
Steinar Lovestad	2017	\$ 150.00

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to accept the disclosure form and make it a matter of record. The motion passed unanimously, showing that all Council Members present voted "Aye."

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL