

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, July 13, 2021

1:45 PM

AMENDED AGENDA

Room N2-800

Council Work Session

1. CALL TO ORDER

Present Chair Steve DeBry
Council Member Laurie Stringham
Council Member Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Aimee Winder Newton
Council Member Ann Granato
Council Member Dea Theodore

Call In Council Member Dave Alvord

2. CITIZEN PUBLIC INPUT

Ms. Shykell Ledford, Administrative Coordinator, Council Office, stated comments were received from Levy Woodruff and Dianne Gaschler, via email. The comments have been distributed to the Council and the Clerk's Office to be filed.

3. DISCUSSION ITEMS:**3.1 Proposed Hire and Weekly Reclassification Reports**[21-0829](#)

Attachments: [Staff Report](#)
[Proposed Hire Report 7-7-2021](#)
[Weekly Reclassification Update for Council 7-7-2021](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council Informational

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the new hires and reclassifications.

3.2 Budget Adjustment: Public Works Engineering's Request to Transfer \$120,000 from Capital Improvements to Public Works Engineering for the Killyons Canyon Project[21-0831](#)

Attachments: [Staff Report](#)
[22118-22129-22152 Killyons Canyon](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council Discussion/Direction

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

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

3.3 Budget Adjustment: Flood Control's Request to Transfer \$16,300 between Capital Projects from SW Canal Creek Study Update to Northwest Canal and Creek Study [21-0832](#)

Attachments: [Staff Report](#)
[22160 - 4610YE01](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council
Discussion/Direction

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

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

3.4 Budget Adjustment: Mayor's Finance Technical Request to Recategorize UPACA/Eccles Theater Fund Transfer to Contribution [21-0833](#)

Attachments: [Staff Report](#)
[22144 - 22151 Recategorize UPACA TXFR to Contribution](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council
Discussion/Direction

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

A motion was made by Council Member Snelgrove, seconded by Council Member Winder Newton, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a

unanimous vote. Council Member Alvord was absent for the vote.

- 3.5 Budget Adjustment: Facilities' Request to Transfer \$230,000 between Capital Projects for the Shooting Range Sand Trap and Timber Replacement Project (\$33,316 from ADC North Chiller Replacement and \$196,684 from UFA001 Security Fencing - Gates)** [21-0835](#)

Attachments: [Staff Report](#)
[22167 - Shooting Range Sand Trap and Timber Replacement](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council Discussion/Direction

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

A motion was made by Council Member Winder Newton, seconded by Council Member Stringham, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote. Council Member Alvord was absent for the vote.

- 3.6 Budget Adjustment: Request to Appropriate \$40,000 in Revenue and Expense for the Payment of Incremental Property Tax to the Convention Hotel Owner** [21-0837](#)

Attachments: [Staff Report](#)
[22157 Payment of Incremental Property Tax Revenue to Convention Hotel Owner](#)

Presenter: Brad Kendrick, Budget and Policy Analyst, Council Discussion/Direction

Council Member DeBry stated he would be a no vote to be consistent with his opposition to the convention hotel. He did not think taxpayer dollars should be used for a hotel.

A motion was made by Council Member Bradshaw, seconded by Council Member Granato, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by the following votes:

Aye: Council Member Stringham, Council Member Bradley, Council Member Bradshaw, Council Member Alvord, Council Member Winder Newton, Council Member Granato, and Council Member Theodore

Nay: Chair DeBry, and Council Member Snelgrove

3.7 Budget Adjustment for Legal Defender Association Contract

[21-0821](#)

Attachments: [Staff Report](#)
[22159 State vs Vos](#)

Presenter: Karen Crompton, Department Director, Human Services and Richard Mauro, Executive Director, Legal Defender Association (Approx. 5 mins).

Discussion/Direction

Ms. Karen Crompton, Director, Human Services Department, stated counties are statutorily required to provide and pay for indigent defense. She reviewed the Salt Lake Legal Defender Association's budget adjustment request of \$315,000 for an aggravated homicide case that has to be conflicted out. The Salt Lake Legal Defender Association is already defending an individual in this case. It has found outside counsel to take this contract on, but it does not have funding within its budget for this and it cannot enter into a contract without a budget appropriation to go with it. The money will be put in an encumbered account and used to pay for expenses.

Mr. Richard Mauro, Executive Director, Salt Lake Legal Defender Association, stated the Salt Lake Legal Defender Association handles most of these cases, but this is a conflict case. When the Salt Lake Legal Defender Association signs onto these cases and conflict counsel, it presumes the District Attorney can pursue the death penalty, and that makes the cases prohibitively more expensive. However, the decision will not be known until 60 days after arraignment, and that could occur two years from now.

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

3.8 Exigent Market Adjustment Discussion[21-0841](#)**Attachments:** [Staff Report](#)

Presenters: Dave Delquadro, Fiscal Manager, Council and Brad Kendrick, Budget and Policy Analyst, Council

(Approx. 15 mins).

Discussion/Direction

Mr. David Delquadro, Chief Financial Manager, Council Office, reviewed the proposal to adjust salaries for 126 employees, specifically prosecuting attorneys in the District Attorney's Office and employees in the jail. The notion is to: 1) ensure the County retains as many of these people as it can; 2) use these adjusted salaries as the basis for making more competitive market-based offers without having any secondary effects regarding equity; and 3) use the employees as a control group to see if the County retains them. He recommended an effective date starting July 11, 2021, which is the current pay period.

Council Member DeBry asked if the motion should include the following statement sent by Mr. Delquadro to the Council in a memorandum:

"We are not requesting any additional budgetary resources at this time. We have sufficient under-expend to fund the pay raises. We hope that these adjustments will retain our existing employees and provide the market-competitive salary offers necessary to hire additional employees"

Mr. Mitchell Park, Legal Counsel, Council Office, stated the critical action items are the spreadsheets, but it would be appropriate to include that in the record. (A copy of the complete memorandum is available in the Council Clerk's Office.)

Mr. Delquadro stated he was asking the Council to approve individual pay increases identified in the spreadsheets for the 126 encumbered positions.

A motion was made by Council Member Bradshaw, seconded by Council Member Stringham, to approve the request as stated by Mr. Delquadro and forward it to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

3.9 Salt Lake County Resolution:[21-0824](#)

Extension of the Public Health Emergency Declared by the Salt Lake County Mayor and the Executive Director of the Salt Lake County Health Department COVID-19 Pandemic

Attachments: [Staff Report](#)
[Resolution for Tenth Extension of Public Health Emergency \(7-13-21\)](#)

Sponsor: Chair Steve DeBry (Approx. 5 mins).
Discussion/Direction

Council Member DeBry reviewed the resolution stating it would be fiscally irresponsible not to approve it because of the requirements for Federal Emergency Management Agency (FEMA) funds.

Mr. Darrin Casper, Deputy Mayor of Finance & Administration, updated the Council on FEMA funds stating the County has received \$3 million from FEMA and has submitted additional projects of \$12.9 million, which are in various stages of review. The County has another \$14.5 million in projects under final preparation to be submitted, and a budget for 2021 that exceeds all of that amount. The County has only received one rejection for FEMA funds of \$20,000, and that was for vaccination incentives.

A motion was made by Council Member Bradshaw, seconded by Council Member Winder Newton, to approve this agenda item and forward it to the 4:00 PM Council meeting for ratification. The motion carried 8 to 1, with Council Member Theodore voting in opposition.

3.10 Update on Salt Lake County's Coordinated Response to COVID-19 [21-0818](#)

Attachments: [Staff Report](#)
[COVID Health Response Briefing to County Council -- 07132021](#)

Presenters: Mayor Jenny Wilson, Dr. Vitek, Ilene Risk and COVID Coordinating Office David Schuld (Approx. 10 mins).
Informational

Mayor Wilson stated the County will hit 70 percent for a first dose of the vaccination with 24 hours, but it has more work to do. There is still

continued risk in the community.

Dr. Dagmar Vitek, Medical Director, Salt Lake County Health Department, delivered a PowerPoint presentation on the COVID-19 health response reviewing rising cases over the last month, the Delta variant representing most variant cases, unvaccinated residents representing 98 percent of Salt Lake County cases in 2021, vaccination rates, and recommendations for action.

Council Member Stringham suggested sending vaccination information with the school district registration packets.

Ms. Ilene Risk, Epidemiology Bureau Manager, Salt Lake County Health Department, stated the Health Department is working with schools and school districts in providing COVID education, but that is an excellent suggestion and one she will look into.

Council Member Snelgrove stated faith leaders are trusted right up there with doctors. He suggested reaching out to faith leaders to educate people.

Mr. David Schuld, Intelligence Section Chief for COVID-19, stated the County's vaccination teams are working to identify those outreach leaders to help further educate people about vaccines.

3.11 Resolution of the Salt Lake County Council approving amendment 3 to the Naming Rights Agreement with Mountain America Federal Credit Union for the Mountain America Expo Center [21-0800](#)

Attachments: [Staff Report](#)
[Mountain America Credit Union Resolution](#)
[Mountain America Credit Union Amendment 3 - 6.22.21](#)

Presenter: Kimberly Barnett, Associate Deputy Mayor (Approx. 5 mins).
Discussion/Direction

Ms. Kimberly Barnett, Associate Deputy Mayor, stated due to the closure of the Mountain America Expo Center last November and December, and the use of the facility as a mass vaccination site from January to June of this year, Mountain America believes it lost naming rights' benefits. It acknowledges that there were benefits from the facility being turned into a

mass vaccination site, as its name was mentioned hundreds of times over the course of those months. However, it does not believe those benefits were equal to the benefits it would have received if it had been open to commercial events. After discussions, the County has agreed to discount Mountain America's payment for this year. The payment will be \$292,400, rather than the \$392,400, but going forward, the payments will not change.

Council Member Alvord asked if in the original contract, the County guaranteed a certain number of people would go through that facility.

Mr. Dan Hayes, General Manager, Mountain America Expo Center and Salt Palace Convention Center, stated nothing in the agreement describes up years or down years. However, 2020 was extraordinary with respect to the facility closures.

Council Member Alvord stated unless Mountain America demonstrated a hardship as a result of this, he could not understand why the County would change the contract midstream. The County would not get more money from Mountain America if it had a better than average year.

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried 8 to 1, with Council Member Alvord voting in opposition.

- 3.12 Presentation of an Ordinance of the Salt Lake County Council Modifying Chapters 17.04, 17.08, and 17.20 of the Salt Lake County Code Regarding the Establishment of Procedures and Standards for Conducting Hydrological Studies of Drainage Basins and Drainage Areas in Salt Lake County for the Purpose of Determining Scientifically Based Regulations Regarding the Discharge of Excess Stormwater Runoff from Developed Properties Into County Flood Control Facilities, Including Maximum Release Rates and Exceptions Thereto; and Making Other Related Changes** [21-0817](#)

Attachments: [Staff Report](#)
[2021-07-01 Chapter 17 Amendment Final AATF](#)
[2021-07-01 Title17 County Council Memo](#)

Presenters: Scott Baird, Department Director, Public Works; Kade Moncur, Division Director, Flood Control; and Zach Shaw, Deputy District Attorney (Approx. 10 mins).

Informational

Mr. Kade Moncur, Division Director, Flood Control Engineering, reviewed the proposed changes to Title 17 - Flood Control and Water Quality Ordinance, Sections 17.04, 17.08, and 17.20.

Council Member Snelgrove asked if the County was up to date on its compliance with the Environmental Protection Agency (EPA) requirements.

Mr. Moncur stated the EPA has more to do with stormwater. These changes are more about the Federal Emergency Management Agency (FEMA) requirements in making sure there is creek capacity in the dense developments that are happening on the west side and ensuring more frequent flooding does not occur there.

Mr. Scott Baird, Director, Public Works Department, stated development has outpaced what the County predicted in its Southwest Canal and Creek Study, updated in 2000.

[During the 4:00 PM Council meeting, the Council scheduled a public hearing for Tuesday, July 20, 2021, at 4:00 p.m. in the Council Chambers, to receive comments regarding the proposed changes to the ordinance.]

3.13 Changes to Countywide Policy on Information Technology Security 1400-6: 1400-6 Social Media Use Policy, 1400-6.1 Social Media Management, 1400-6.2 Social Media Terms of Use [21-0819](#)

Attachments: [Staff Report](#)
[Approved as to Form Policy 1400-6 29JUN2021](#)
[Approved as to Form Policy 1400-6.1 29JUNE2021](#)
[Approved as to Form Policy 1400-6.2 29JUNE2021](#)
[Redline Revisions Policy 1400-6 29JUN2021](#)
[Redline Revisions Policy 1400-6.1 29JUNE2021](#)
[Redline Revisions Policy 1400-6.2 29JUNE2021](#)

Presenter: Eric Biggart, Director of Special Initiatives and Constituent Affairs, Mayor's Administration (Approx. 10 mins).

Discussion/Direction

This item was pulled from the agenda.

TIME CERTAIN 2:50 PM

3.15 Central Utah Water Conservancy District - Truth in Taxation [21-0805](#) Presentation

Attachments: [Staff Report](#)
[Truth in Taxation - Presentation to Salt Lake County Council](#)
[Truth in Taxation FY 2022 - Salt Lake County](#)

Presenters: Gene Shawcroft, General Manager, CUWCD and Christine Finlinson, Assistant General Manager, CUWCD (Approx. 10 mins).
Informational

Mr. Gene Shawcroft, General Manager, Central Utah Water Conservancy District, stated he was here to notify the Council that the Central Utah Water Conservancy District's (CUWCD) Board of Trustees adopted a proposed tax rate of .0004. The CUWCD is required to make a presentation to the eight counties in its district of the purpose of the tax increase. He delivered a PowerPoint presentation on the Central Utah Water's Truth in Taxation County Report for fiscal year 2021-2022, reviewing the CUWCD's boundaries, the 2021-2022 expenditures budget, the current year certified taxes versus the current year authorized taxes, what the tax rates would cost an average household, why the CUWCD should maintain a .0004 rate, projects that need to be completed that additional revenue would help fund, and a schedule of the Truth in Taxation public hearings.

Ms. Christine Finlinson, Assistant General Manager, Central Utah Water Conservancy District, stated the CUWCD is just keeping its state authorized rate of .0004 to retrofit and keep facilities up to date and safely deliver water.

Mayor Wilson asked what the status was of the Bear River as a viable water strategy.

Mr. Shawcroft stated the state of Utah, the Jordan Valley Water

Conservancy District, and the Weber Basin Water Conservancy District have been working on that, and it will be necessary if growth and water consumption continue. However, water consumption has been dropping because people are using water more wisely and the use of the Bear River has been pushed out for several decades.

3.16 Closed Strategy Session to Discuss the Purchase, Exchange, or Lease of Real Property [21-0834](#)

Attachments: [Staff Report](#)

(Approx. 30 mins).

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be closed to talk about a real estate transaction. The motion carried by a unanimous vote.

3.17 Closed Strategy Session to Discuss Pending or Reasonably Imminent Litigation [21-0840](#)

Attachments: [Staff Report](#)

(Approx. 30 mins).

A motion was made by Council Member Bradshaw, seconded by Council Member Snelgrove, that this agenda item be closed to talk about pending or reasonably imminent litigation. The motion carried by a unanimous vote.

The Council voted in closed session to reopen the Committee of the Whole meeting.

4. CONSENT ITEMS:

A motion was made by Council Member Bradshaw, seconded by Council Member Granato, that the Consent Agenda be approved and forwarded to the 4:00 PM Council meeting for ratification. The motion carried by a unanimous vote.

4.1 A Resolution of the Salt Lake County Council Authorizing Execution of an Interlocal Agreement with the Department of Public Safety, Division of Emergency Management [21-0799](#)

Attachments: [Staff Report](#)
[Be Ready Utah Resolution Interlocal6.22.21](#)
[Be Ready Utah-Interlocal Agreement6.22.21](#)

This consent item was approved and forwarded.

- 4.2 **A Resolution of the Salt Lake County Council Authorizing Execution of an Amendment to the Interlocal Cooperation Agreement between Salt Lake County for its Division of Parks and Recreation and Salt Lake City for Improvements to the City's Oak Hills Tennis Center** [21-0815](#)

Attachments: [Staff Report](#)
[RESOLUTION-SLC-Oak Hills Tennis Amnd 1 AATF](#)
[Oak Hills Tennis Center](#)

This consent item was approved and forwarded.

- 4.3 **A Resolution of the Salt Lake County Council Ratifying the Execution of Second Amendment to an Inter-local Agreement between Salt Lake City, the Redevelopment Agency of Salt Lake City and Utah Performing Arts Center Agency, for Operation of the Theater Known as George S. and Dolores Eccles Theater** [21-0826](#)

Attachments: [Staff Report](#)
[Resolution7.12.21](#)
[Second Amendment to UPACA Ops Agreement \(7.06.21\)](#)

This consent item was approved and forwarded.

- 4.4 **A Resolution of the Salt Lake County Council Approving the Filing of Appeals before the Utah State Tax Commission** [21-0839](#)

Attachments: [Staff Report](#)

This consent item was approved and forwarded.

4.5 Donation of \$1,500 to DonorConnect [21-0827](#)

Attachments: [Staff Report](#)
[SLCo Contribution Form 7.6.2021](#)

This consent item was approved and forwarded.

4.6 ZAP Tier II Advisory Board Appointment: Mayor Dirk Burton, West Jordan [21-0803](#)

Attachments: [Staff Report](#)
[2021 ZAP Tier 2 Nomination Packet - Mayor Burton Redacted](#)
[Board Appointment Approval form Council Burton](#)

This consent item was approved and forwarded.

5. ITEMS FROM COUNCIL MEMBERS

5.1. Internal Business

6. APPROVAL OF MINUTES**6.1 Approval of Council Work Session Minutes for June 22, 2021 and June 29, 2021 [21-0802](#)**

Attachments: [062221 - CWS](#)
[062921 - CWS](#)

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

ADJOURN

The meeting was adjourned at 3:45 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL