

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, September 24, 2019

11:00 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 Ann Granato
Council Member Steve DeBry
Council Member Max Burdick

Call In Council Member Aimee Winder Newton

2. DISCUSSION ITEMS:**2.1 Discussion Regarding Personnel Matters**[19-1131](#)

Attachments: [Staff Report](#)

CLOSED SESSION

Presenters: Council Chair Richard Snelgrove and Council Members Arlyn Bradshaw and Michael Jensen (Approx. 30 min.)

Informational

A motion was made by Council Member Bradshaw, seconded by Council Member Granato, to close the Committee of the Whole meeting to discuss personnel matters. The motion carried by the following vote:

Aye: Council Member Ghorbani, Council Chair Snelgrove, Council Member Bradley, Council Member Bradshaw, Council Member Granato, and Council Member Burdick

Absent: Council Member Jensen, Council Member Winder Newton, and Council Member DeBry

BREAK FOR LUNCH - RECONVENE AT 1:00 P.M.**3. 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. LaVal Drechsel asked if the Council would postpone a vote on the resolution agreeing to the North Pointe Annexation by North Salt Lake until all Council Members were present, and if the Council had received Salt Lake City's expansion plan.

Council Member Snelgrove stated it is unlikely the majority of the Council would be in favor of postponing a vote today. The Council did get a public document back from Salt Lake City, which he would have tracked down.

Mr. Bart Barker, General Manager, Greater Salt Lake Municipal Services District (GSLMSD), stated Salt Lake County's Planning and Development brought the (Misty River) development proposal to him about a year-and-a-half ago, at which time his concern was the cost to service such a large residential community, with little revenue generated by the development. At that time, he encouraged the developer to look into annexing into Salt Lake City or North Salt Lake City. The GSLMSD does provide services to a few homes in that area, but that is not an intense service requirement. The proposed development would be, and it would dilute some of the GSLMSD's efforts elsewhere in the service area.

Council Member Granato asked how the airport overlay factored into this.

Mr. Paul Nielsen, Attorney's Office, Salt Lake City, stated Salt Lake County has a Flight Path Protection Overlay, which governs this area, and follows the Federal Aviation Administration (FAA) requirements for aircraft spacing, noise, and the angles of approaching planes. Salt Lake City adopted its own airport overlay, which was basically what Salt Lake County adopted. If these property owners were to annex into Salt Lake City, its airport overlay would govern the area. However, he could not find a map on North Salt Lake's website governing that.

Mr. Ken Leetham, City Manager, North Salt Lake, stated North Salt Lake does have an airport overlay zone. It does not fly through an area around Skypark Airport, located in Woodscross.

Council Member Bradshaw asked if that airport overlay zone would extend to the annexation area if the annexation took place.

Mr. Leetham stated it would, and he has expressed to the airport manager that North Salt Lake would work with the airport to do what it needed to do.

Mr. Steve McCutchan, land planner, Civil Science, delivered a PowerPoint presentation showing Noise Control and Compatibility Planning for Airports, airport restriction zones and the airport overlay zone, and federal decibel guidelines. The airport does not allow residential in areas with more than 65 decibels, and 70 percent of the annexation has less than 60 decibels. Also, the planes being used now are less impactful than the planes used

years ago. The FAA does not regulate this land, so he did not understand why the County chose to regulate it and why the airport wanted it so open. Property owners are being deprived of their property rights.

The following citizens spoke in favor of the annexation due to current airport regulations and zoning restrictions limiting what property owners could do with their property and to allow for high density housing with fewer restrictions; and because of the lack of public utilities, i.e. sewer, water, and to improve emergency response times, all of which North Salt Lake could better provide:

Dave Tolman, real estate developer, Aclaime Dynamics

Heather Limon, co-owner, Cross E Ranch

Kyle McMullin, real estate agent, on behalf of three property owners wanting to sell their property

Paxton Guymon, land use counsel for the developer

Dalon Hinckley, co-owner, Cross E Ranch

LaVal Drechsel, land owner

Zach Hartman, land advisor representing Cross E Ranch

Taylor Clark, real estate agent representing LaVal and Teresa Drechsel

Bob Elder, Ensign Engineering

Chuck Easton, CRS Engineers (performed noise analysis)

Council Member Snelgrove asked if the developer's noise analysts had included a decibel penalty for military operations, which is exempt from FAA regulations, and often uses afterburners on departure.

Mr. Easton stated no because those numbers were not publicly available.

The following citizens spoke in opposition to the annexation to protect the area from high-density housing; because the development is in a mosquito abatement area, is south of the expanding South Davis Sewer Facility, and is surrounded by light industrial; to protect the airport's overlay zone and expansion, which will increase noise; to protect the environmentally sensitive areas; confusion as to which school district children would attend; concerns with the annexation process; because residents are already getting services provided; and because this area is part of Salt Lake City's master plan with regard to future annexations:

Patrick Leary, Chief of Staff, Salt Lake City Mayor's Office

Clayton Preece, attorney representing Patty Jensen, and Lane and Gayle Jensen

Patty Jensen, land owner

Jack Ray, land owner

Dorothy Owen, chair, Westpointe Community Council

Brady Fredrickson, senior aviation planner, Salt Lake City Airport

Council Member Granato asked if the development was dependent on annexing into North Salt Lake.

Mr. Tolman stated no.

Council Member Granato asked if Salt Lake City could apply for an annexation if the resolution was approved.

Mr. Nielsen stated statutorily, the property owners have to petition for the annexation and there is a certain threshold that needs to be met. The city cannot affirmatively annex the property.

Mr. Mitchell Park, Legal Counsel, Council Office, stated this resolution is very narrow, and would only allow the petitioners to petition to annex into North Salt Lake. If they wanted to petition to annex into Salt Lake City, that would involve another process.

Council Member Burdick stated his concern was the property owner's vested rights. Right now, it seemed the rural property owners wanted their property annexed.

Mr. Nielsen stated property owners have vested rights and can utilize their properties in a way that Salt Lake County's ordinances allow. If they were to annex to Salt Lake City, the city's zoning ordinances would apply and govern the property. If they were to annex to North Salt Lake, North Salt Lake would have to amend its annexation policy plan to include this area and determine the appropriate zoning for the area.

Mr. Guymon stated because the area proposed to be annexed into North Salt Lake City is in a different county, the statute requires this body to approve a resolution before property owners can even file a petition to annex.

4. DISCUSSION ITEMS CONTINUED:

- 4.1 A Resolution of the Salt Lake County Council Agreeing to [19-1023](#)
the North Pointe Annexation by North Salt Lake**

Attachments: [Staff Report](#)
[NorthPointAnnexationResolution](#)
[ProposedNorthPointeAnnexationMap](#)
[Consent to Annexation Exhibit B.pdf](#)

Presenter: Associate Deputy Mayor Kimberly Barnett (Approx. 20 min.)
Discussion/Direction

Ms. Kimberly Barnett, Associate Deputy Mayor, reviewed the resolution agreeing to the North Pointe Annexation by North Salt Lake. If the Council approved the resolution, it would not be end of the civil process. The resolution is just one step in the legal process.

Council Member Granato asked if the Council did not approve the resolution, whether residents could come back and ask for this again.

Mr. Mitchell Park, Legal Counsel, Council Office, stated it could be brought back again if there was an unfavorable vote. In the event the Council does not approve the resolution today, the statute requires it to adopt, in writing, the reasons it has chosen not to approve it.

A motion was made by Council Member Jensen, seconded by Council Member Newton, to approve the resolution. The motion failed by the following vote:

Aye: Council Member Jensen, Council Member Winder Newton, and Council Member Burdick

Nay: Council Member Ghorbani, Council Chair Snelgrove, Council Member Bradley, Council Member Bradshaw, Council Member Granato, and Council Member DeBry

Council Member Bradshaw suggested Council Members who voted no provide a written statement to Mr. Park so he can prepare the final written statement.

Mr. Park stated that was an excellent suggestion, and he recommended the written statement be placed on the consent agenda at the next meeting.

4.2 Proposed Hire Report

[19-1120](#)

Attachments: [Proposed Hire Report 9-18-2019](#)

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

- 4.3 Budget Adjustment: Tax Administration's Request to Budget for the PUMA Project. Transfer \$200,000 from Tax Administration Stat & General to Tax Admin Capital Projects** [19-1128](#)

Attachments: [730099YE01 Tax Administration](#)

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 Burdick, 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 Budget Adjustment: Capital Improvements' Request for New Capital Project County Government Center Fuel Generator Fuel Line Detection System. \$57,421 from Under-Expend on Other Capital Projects** [19-1129](#)

Attachments: [5050000YE06 Capital Improvements](#)

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 Burdick, 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.

- 4.5 Budget Adjustment: Capital Improvements' Request to Transfer \$7,000 Between Existing Capital Projects. Concrete Maintenance to Parking Lot Overlay** [19-1130](#)

Attachments: [5050000YE05 Capital Improvements](#)

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 Burdick, 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.

- 4.6 **A Resolution of the County Council of Salt Lake County Approving and Authorizing Execution of the Following Interlocal Agreements Between Salt Lake County, Greater Salt Lake Municipal Services District, and in Some Cases Various Metro Townships: First Amended Master Agreement Re: Financial Services; Second Amended Master Agreement Re: Planning and Development Services; Addressing Services; Transfer of Assets in Conjunction With Transition of Planning and Development Services; Lease Agreement; Information Technology Services; Fleet Management Services; Records Management Services; Surveyor Services; Mail Room Services; Fitness Center Services; and Vanpool Services** [19-1126](#)

Attachments: [Staff Report](#)
[Resolution](#)
[ATTACHMENT A_Financial Services](#)
[ATTACHMENT B_Planning&Devpt](#)
[ATTACHMENT C_Addressing](#)
[ATTACHMENT D_Asset Transfer](#)
[Attachment E_Lease](#)
[Attachment F_IT services](#)
[Attachment G_Fleet](#)
[ATTACHMENT H_Records](#)
[Attachment I_Surveyor](#)
[Attachment J_Mail](#)
[Attachment K_Fitness Center](#)
[Attachment L_Vanpool](#)

Presenters: Deputy Mayor Catherine Kanter and Zachary Shaw of District Attorney's Office (Approx. 30 min.)

Discussion/Direction

Ms. Catherine Kanter, Deputy Mayor Of Regional Operations, reviewed the resolution authorizing execution of agreements for the transfer of financial services and planning and development services, and addressing services, assets in conjunction with the transition of planning and development services, a lease agreement, information technology services, fleet

management services, records management services, surveyor services, mail room services, fitness center services, and vanpool services to the Greater Salt Lake Municipal Services District (GSLMSD).

She also reviewed a memo that will be accompanying the transition of the services. Funds are likely going to be transferred September 30, 2019. The memo provides an estimate for, and background information, regarding such funds. The only way numbers would change between now and September 30th is if one or more planning employees decided to retire or took vacation or sick days. Mayors Finance and the Greater Salt Lake Municipal Services District will do a reconciliation before the actual transfer date to make sure numbers are precise.

Mayor Jennifer Wilson stated she was part of the County Council when it approved the creation of the GSLMSD. The reason for doing that was to empower local communities, but no one knew then, all the steps that would have to be taken.

Council Member Jensen asked if the County's project list was approved by the metro townships.

Mr. Bart Barker, General Manager, Greater Salt Lake Municipal Services District (GSLMSD), stated the first amendment to the master agreement commits to completing the projects the County Council appropriated funds to as a Council or when serving as the MSD Board. The GSLMSD narrowed the list to about \$3 million of projects; the rest have already been completed or are in process for 2019. The County will retain funds for contracts involving the County and the Utah Department of Transportation or claims raised against the County. If the cost of those is less than the amount being withheld, funds will be returned to the GSLMSD.

Council Member Jensen asked how the County would know which of its projects would be done with the 4th quarter money, as it will now go to the GSLMSD, and if the County would have a say where to put any leftover funds. Some funding was obtained for a specific purpose and he wanted to ensure it went for that purpose.

Mr. Barker stated the GSLMSD did not earmark money for projects. A prioritization process will take place within the GSLMSD, and funds will go

to projects that are most needful. The County as a member of the GSLMSD will have a say which projects should be done in the unincorporated area, and which projects it would like to see any additional funds go to.

A motion was made by Council Member Burdick, 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.

4.7 N2-800 (COW Room) Remodel [19-1121](#)

Attachments: [Staff Report](#)
[COW Room Presentation - Final 9.23.19](#)

Presenters: Megan Hillyard, Director of Administrative Services and Rory Payne, Director of Facilities Management (Approx. 10 min.)

Informational

Ms. Megan Hillyard, Director, Administrative Services, stated it was her understanding the Council wanted to update its Committee of the Whole room. If so, she suggested putting together a committee of two to four individuals from the Council Office to liaise with her office and Facilities Management. There is some under expend available from office moves that took place at the Government Center.

Council Member DeBry, seconded by Council Member Burdick, moved to have Richard Jaussi and Lisa Harman, Senior Policy Advisors, Council Office, work with the Administrative Services Department and the Facilities Management Division to put together recommendations on upgrades, with a price tag attached to each of those upgrades and the justification for them, and bring those recommendations back to the Council for a discussion. Council Member Ghorbani asked that Marla Kennedy, her Senior Policy Advisor, be on that committee. Council Member DeBry accepted the suggestion. The motion carried unanimously. Council Members Jensen, Newton, and Granato were absent for the vote.

4.8 Overview of Auditor's Portfolio [19-1123](#)

Attachments: [Auditor's Council Presentation 2019-09-24 Final](#)

Presenter: Auditor Scott Tingley (Approx. 30 min.)

Informational

Mr. Scott Tingley, County Auditor, delivered a PowerPoint presentation on the Auditor's Office, explaining in detail who the Auditor's Office is; the

mission, duties and responsibilities, and strategic initiatives and programs of the Property Tax Division; the mission and initiatives and programs of the Audit Services Division; and the current challenges in the Auditor's Office, which include employee retention and recruitment and the Electronic Document Management Systems (SIRE) Replacement Project, and ways to address those challenges.

4.9 Overview of Surveyor's Portfolio [19-1124](#)

Attachments: [Staff Report](#)
[Outline presentation 092419 Updated](#)

Presenter: Surveyor Reid Demman (Approx. 15 min.)
Informational

This agenda item was not discussed.

4.10 Update and Overview of GIS Efforts [19-1135](#)

Attachments: [Staff Report](#)

Presenter: Surveyor Reid Demman (Approx. 15 min.)
Informational

This agenda item was not discussed.

4.11 Discussion Regarding Potential Litigation [19-1134](#)

Attachments: [Staff Report](#)

CLOSED SESSION

Presenter: Council Chair Richard Snelgrove (Approx. 15 min.)
Informational

This agenda item was not discussed.

5. CONSENT ITEMS:

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

5.1 Appointment of Amy de la Garza to the Behavioral Health Services Advisory Council. Her first term would begin [19-1105](#)

October 1, 2019 and end September 30, 2022

Attachments: [Staff Report](#)
[Amy de la Garza - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.2 **Appointment of Marc Perry to the Dimple Dell Park Advisory Board. His first term would begin October 1, 2019 and end September 30, 2022** [19-1106](#)

Attachments: [Staff Report](#)
[Marc Perry - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.3 **Appointment of Deb Hall as a member of the Council for Aging and Adult Services. Her first term began September 1, 2019 and would end August 31, 2022** [19-1107](#)

Attachments: [Staff Report](#)
[Deb Hall - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.4 **Appointment of Traci Lee as a member of the Council for Aging and Adult Services. Her first term would begin September 1, 2019 and end August 31, 2022** [19-1108](#)

Attachments: [Staff Report](#)
[Traci Lee - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.5 **Appointment of Tracy Altman as a member of the Council for Aging and Adult Services. Her first term would begin September 1, 2019 and end August 31, 2022** [19-1109](#)

Attachments: [Staff Report](#)
[Tracy Altman - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.6 Appointment of Xia Erickson as a member of the Council for Aging and Adult Services. Her first term would begin September 1, 2019 and will end August 31, 2022** [19-1110](#)

Attachments: [Staff Report](#)
[Xia Erickson - application, resume, approval form](#)

This consent item was approved and forwarded.

- 5.7 Contribute \$1,250.00 to KUED to provide support for an event on October 7, 2019 in partnership with Salt Lake County. This community event will premiere the KUED documentary on Marriner S. Eccles, the chairman of the Federal Reserve under President Franklin D. Roosevelt, and it will give the public an opportunity to hear remarks from the special guest, The Honorable Jerome Powell, current chairman of the Federal Reserve** [19-1115](#)

Attachments: [Staff Report](#)
[KUED - application, 501c3, approval form](#)

This consent item was approved and forwarded.

- 5.8 Contribute \$500.00 to the Utah Justice Coalition-Housing Assistance services. To support the Utah Justice Coalition and, more specifically, its efforts in providing housing assistance services. The Utah Justice Coalition (frequently in close partnership with Project Empathy) assists homeless clients in transitioning into more permanent housing and in obtaining employment.** [19-1116](#)

Attachments: [Staff Report](#)
[Utah Justice Coalition - application, 501c3, approval form](#)

This consent item was approved and forwarded.

- 5.9 Contribution of \$30,500 to Ballet West to repair flooring in the Ballet Center.** [19-1133](#)

Attachments: [Staff Report](#)
[Ballet West Request for Contribution](#)

This consent item was approved and forwarded.

- 5.10 Resolution of the Salt Lake County Council approving execution of an interlocal cooperation agreement with the city of South Jordan providing for the transfer of \$3,000,000.00 to Salt Lake County for the construction of Bingham Creek Regional Park [19-1127](#)**

Attachments: [Staff Report](#)
[Resolution South Jordan Bingham Creek Park](#)

This consent item was approved and forwarded.

6. ITEMS FROM COUNCIL MEMBERS

- 6.1. Internal Business

7. APPROVAL OF MINUTES

- 7.1 Acceptance of September 17, 2019 Committee of the Whole Minutes [19-1137](#)**

Attachments: [091719 COW Min.](#)

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

3:45 PM - ADJOURN FOR BOARD OF EQUALIZATION

The meeting was adjourned at 3:45 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL