

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, August 30, 2022

4:00 PM

Council Chambers, N1-110

County Council

1. CALL TO ORDER

- Present:** Chair Laurie Stringham
Council Member Richard Snelgrove
Council Member Dave Alvord
Council Member Aimee Winder Newton
Council Member Ann Granato
Council Member Dea Theodore
- Call In:** Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Steve DeBry

Invocation - Reading - Thought

Pledge of Allegiance

Mr. Kade Moncur led the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN PUBLIC INPUT

Mr. Steve Winters spoke about water fluoridation. People are pulling their endorsements for water fluoridation. He has been speaking to religious leaders in the community, and he would like to see the Council vote on this. He sent various emails to the Council throughout the week for inclusion with the minutes. (The emails are filed in the Council Clerk's Office.)

Mr. Lawrence Horman spoke to advocate for the homeless. While it is commonly recommended that people use no more than 30% of their income for housing, this percentage is still too much for people on the lowest end of the income scale. He requested the Council keep this in mind as it looks at low-income housing costs.

3. REPORT OF ELECTED OFFICIALS:

3.1. Council Members

Council Member Stringham stated she recently attended the “SPAYghetti & No Balls” Gala she recently attended. It was a fun time and a great opportunity to raise money for Animal Services. She was impressed to learn about a veterinarian who routinely donates her paycheck back to help pay for more services for animals in need.

Council Member Theodore stated she also attended the event and she appreciated the work Animal Services did in the community.

3.2. Other Elected Officials

3.3. Mayor

**4. PROCLAMATIONS, DECLARATIONS, AND OTHER CEREMONIAL OR
COMMEMORATIVE MATTERS**

5. PUBLIC HEARINGS AND NOTICES

5.1 Notice of Cancellation of the Tuesday, September 6, 2022 Council Meeting [22-0814](#)

Attachments: [Staff Report](#)

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

5.2 Opportunity for a Property Owner to be Heard on a “Resolution of the Salt Lake County Council Authorizing and Approving Proceedings in Eminent Domain as Necessary” as required by Utah Code Section 78B-6-504(2)(c) [22-0809](#)

Attachments: [Staff Report](#)

The property owner was not in attendance.

6. DISCUSSION ITEMS

6.1 A Resolution of the Salt Lake County Council Authorizing and Approving Proceedings in Eminent Domain as Necessary. [22-0800](#)

Attachments: [Staff Report](#)
[Resolution for Eminent Domain - M-13 \(08.23.22\) - RAFL](#)

Presenter: Derrick Sorensen, Real Estate Manager; Lizel Allen, Flood Control Engineering Associate Director (Approx. 10 mins)

Discussion/Direction

RESOLUTION NO. 5999

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING AND APPROVING PROCEEDINGS IN EMINENT DOMAIN AS NECESSARY.

RECITALS

A. Salt Lake County (“County”) works with the United States Army Corps of Engineers (the “USACE”) as the non-federal sponsor of the Surplus Canal, a project that consists of two levees approximately 18 miles in length, which is designed to divert water from the Jordan River to control flood flows.

B. As the non-federal sponsor, the County is solely responsible for the operation and maintenance of the Surplus Canal.

C. In order to maintain federal certification of the Surplus Canal, to comply with the demand of the USACE to remove identified encroachment violations that affect the structural integrity of the Surplus Canal levee, and to safely comply with federal mandates associated with the contractual obligations to operate and maintain the Surplus Canal, the County has determined that it is necessary and in the public interest to clarify and clean up its real property interests along the Surplus Canal (the “Surplus Canal Project”).

D. M-13, LP Limited Partnership (the “Owner”) owns a parcel of real property located approximately 2135 West Indiana Circle, Salt Lake City, Utah (Parcel No. 15-09-277-012) that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the “M-13 Parcel”).

E. The County has identified a 7,243 square-foot portion of the M-13 Parcel, as more particularly described in the attached Exhibit A (the “Subject Property”), as necessary to the Project and has: i) provided required notifications to the Owner pursuant to Utah Code 78B-6-504, ii) has had the Subject Property and property interests appraised by independent appraisers, iii) has 2 offered appraised amounts to the Owner; and iv) has offered to engage in mediation and further negotiations.

F. Despite these efforts, the County has not yet been able to acquire the

Subject Property by negotiation and voluntary purchase; instead, the Owner has refused to reasonably negotiate with the County, the County is facing construction and other deadlines for commencing and completing the Project, and the County believes that further negotiation would be futile.

G. The County is a political subdivision of the State of Utah and is authorized to acquire private property for public use through the exercise of eminent domain.

H. On August 30, 2022, the Salt Lake County Council (the "Council") met in regular session to consider, among other things, a resolution authorizing and approving proceedings in eminent domain as necessary

I. The County has the necessary funding to complete the project and expects to be able to complete work on the Subject Property within a reasonable time after title to the Subject Property is acquired.

J. It has been determined that the best interests of the County and the general public will be served by authorizing the use of eminent domain to acquire a fee interest in the Subject Property.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council to find, approve and direct as follows:

1. The Council finds and determines that: i) the Project and uses to which the Subject Property will be put are legitimate public uses; ii) the acquisition, construction and use of the Subject Property will commence within a reasonable time; iv) the proposed location of the Project and associated improvements are planned and located in a manner that will be most compatible with the greatest public good and the least private injury; and v) considering the equities involved and relative damages that may accrue to the parties, occupancy of the Subject Property pursuant to negotiation or by court order may be necessary prior to final acquisition of the Subject Property.

2. Accordingly, the Council directs County staff and the Salt Lake County District Attorney's Office, on behalf of the County: a) to initiate formal proceedings in eminent domain in accordance with Utah law and to prepare and prosecute the necessary condemnation in the proper court having jurisdiction thereof as is necessary for acquisition of the Subject Property; and b) if necessary, to obtain by agreement or by court order permission to

take immediate possession and use of the Subject Property for the purposes herein described.

APPROVED and ADOPTED this 30th day of August, 2022

SALT LAKE COUNTY COUNCIL

ATTEST:

By /s/ LAURIE STRINGHAM
Chair

By /s/ SHERRIE SWENSEN
County Clerk

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.

7. RATIFICATION OF DISCUSSION ITEM ACTIONS IN COUNCIL WORK SESSION

- 7.1 **Budget Adjustment: Clark Planetarium Requests to Have a Budget Neutral Adjustment to Closely Reflect their 2022 Operations and Year-End Projections.** [22-0807](#)

Attachments: [Staff Report](#)
[26135 - CP Revenue Adjustment](#)

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

- 7.2 **Budget Adjustment: Clark Planetarium Requests to Move Budgets for 1 FTE from Events & Memberships to Visitor Services Due to Job Reclassification.** [22-0808](#)

Attachments: [Staff Report](#)
[26134 - CP Personnel Adjustment](#)

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

- 7.3 **Dimple Dell Advisory Board (RE)Appointments** [22-0806](#)

Reappointment:
Pat Weber, District 6

Appointments:
Claire Larson, District 3
Brianna McCall, District 4
Talyor Berhow, District 6
Randall Seltz, District 6
Robyn MacDuff, District 4
Elizabeth Wyman, District 6

Attachments: [Staff Report](#)
[Dimple Dell Advisory Board NOMINEES Packet June 2022_Signed.pdf](#)

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

7.4 Council Discussion of Funding Options for the Salt Lake County Library System [22-0812](#)

Attachments: [Staff Report](#)

This item was pulled from the agenda.

7.5 South Salt Lake Central Pointe URA Participation Request [22-0791](#)

Attachments: [Staff Report](#)
[South Salt Lake Central Pointe - Participation Recommendations](#)
[South Salt Lake Central Pointe - Project Plan](#)
[South Salt Lake Central Pointe - Budget](#)

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

8. RATIFICATION OF CONSENT ITEM ACTIONS IN COUNCIL WORK SESSION

9. TAX LETTERS

9.1 Tax Administration's Tax Relief Letters [22-0785](#)

Attachments: [Staff Report](#)
[7.1 2022 Timely Tax Relief](#)
[7.1a Other Years Timely Tax Relief](#)
[7.2 2021 Late Tax Relief](#)
[7.3a Other Years Veteran Exemptions Filed](#)

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

9.2 Tax Administration's Letters for Hardship Settlements [22-0786](#)

Attachments: [Staff Report](#)
[7.5 Hardship Settlement Coca, Teofilo, Parcel # 21-04-476-035](#)
[7.5 Hardship Settlement Collopy, Charlotte B., Parcel # 21-14-279-006](#)
[7.5 Hardship Settlement Hall, Kim C., Parcel # 15-12-476-012](#)
[7.5 Hardship Settlement King, Patricia E., Parcel # 09-31-226-007](#)

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

9.3 Tax Administration's Letters for Change in Ownership [22-0787](#)

Attachments: [Staff Report](#)
[7.6 Change in Ownership Cross, Cade, Parcel # 27-18-206-002](#)
[7.6 Change in Ownership Hoogveldt, Gage, Parcel # 26-25-352-007](#)

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

9.4 Tax Administration's Letters for Deferrals [22-0788](#)

Attachments: [Staff Report](#)
[7.7 Deferral Allington, Linda M., 16-22-104-010_Redacted](#)
[7.7 Deferral O'Brien, Deborah L, 21-13-286-005_Redacted](#)

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

9.5 Auditor Tax Letters [22-0790](#)

Attachments: [Staff Report](#)
[2020 Property Valuation - 3193 South 7730 West, LLC - Change from \\$195,200 to \\$188,000_Redacted](#)
[2020 Property Valuation - WV Real Estate Holdings, LLC - Change from \\$188,100 to \\$180,000_Redacted](#)
[2021 Property Valuation - Ikea Property, Inc - Change from \\$39,458,100 to \\$38,121,130_Redacted](#)
[2020 Property Valuation - Legacy Plaza at 54th, LLC - Change from \\$4,291,900 to \\$2,500,000_Redacted](#)

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

9.6 Tax Administration's Waiver and Refund of Penalty and Interest Requests [22-0794](#)

Attachments: [Staff Report](#)
[Waiver Requests letter](#)
[waiver request ss](#)

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

9.7 Refund Personal Property Taxes. [22-0801](#)

Attachments: [Staff Report](#)
[22-9007 Personal Property Tax Refund \\$45,080.35 8.24.22](#)

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

10. LETTERS FROM OTHER OFFICES

11. PRIVATE BUSINESS DISCLOSURES

12. APPROVAL OF MINUTES

12.1 Approval of Aug 16, 2022 County Council Minutes

[22-0793](#)

Attachments: [081622 - Council Minutes](#)

ADJOURN

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:15 PM until Tuesday, September 13, at 4:00 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL