

DATE TUESDAY MAY 22, 2018

COUNCIL MEMBERS

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR
SIM GILL, DISTRICT ATTORNEY
By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE
SHERRIE SWENSEN, COUNTY CLERK
By: NICHOLE WATT & LINDA DUFFY, DEPUTY CLERKS

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The Legislative Body of Salt Lake County ordains as follows:

SECTION II. Section 3.10.055 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

A. There is created a tourism, recreation, cultural and convention facilities tax advisory committee consisting of nine members chosen as follows:

- B. Members initially appointed shall serve staggered terms with five serving one-year terms and four serving two-year terms chosen by lot. Thereafter, members shall be appointed to four-year terms. A member may be reappointed for one additional four-year term. Any member appointed pursuant to subsection (A) of this section who ceases to meet the qualifications for that member's appointed position shall be replaced for the balance of the unexpired term pursuant to subsection (A) of this section.
- C. The committee shall, with the approval of the county council, adopt such bylaws and policies for the governing of its business, including how meetings are to be called, the

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- D. To ensure full committee knowledge and intent, the county mayor, in collaboration with the county council, shall provide relative information, statistics and numbers as requested. Requests will be made with appropriate time allowances to prepare accurate, thorough reports for the committee.
- E. The committee shall advise the county council on the expenditures of the tax levied under this chapter for acquisition, construction, operation and maintenance of tourism, recreation, cultural and convention facilities. The county council shall provide administrative support to the committee.

Council Member Bradshaw, seconded by Council Member Jensen, 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 newspaper of general circulation, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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- #1-200 Definitions
- #2-100 Employment Status
- #4-200 Leave Practices
- #4-300 Insurance and Retirement Programs
- #5-100 Pay and Employment Practices
- #6-200 Training and Training Repayment
- #6-300 Tuition Reimbursement

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Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to sign the policy and procedure, directing the County Clerk to attest her signature, and authorizing the Mayor's Office to distribute the same, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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Council Member Bradshaw, seconded by Council Member Jensen, 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." Council Member Bradley was absent for the vote.

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

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RESOLUTION NO. 5363

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AMENDING THE CIVIL PENALTY SCHEDULE FOR FLOOD CONTROL VIOLATIONS

WHEREAS, Utah Code § 17-8-5 designates certain flood control responsibilities to the County for its flood control facilities, and provides that the County Council may “promulgate regulations to prevent the destruction or obstruction of these [flood control facilities]...and may provide for the enforcement of those regulations”; and

WHEREAS, County Council has adopted Salt Lake County Code 17.32.060(A), which provides that “any responsible person found in violation of the provisions of this title may be fined according to the Flood Control Violation Civil Penalty Schedule, adopted by the County’s governing body;” and

WHEREAS, on November 1, 2016, the County Council adopted the Flood Control Violation Civil Penalty Schedule; and

WHEREAS, pursuant to Section 3.42.040 of the Salt Lake County Code of Ordinances, new fees imposed by Salt Lake County agencies may be adopted at any time by resolution of the County Council; and

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RESOLUTION

APPROVED and ADOPTED this 22nd day of May, 2018.

ATTEST (SEAL)

By /s/ SHERRIE SWENSEN
County Clerk

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#1029 – Trip Reduction

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RESOLUTION NO. 5365

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING AND
AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY AND
EASEMENT GRANT WITH QUESTAR GAS COMPANY DBA DOMINION
ENERGY UTAH

- A. Salt Lake County (the "County") owns a parcel of real property located at approximately 604 West 6960 South in Midvale, Utah, Parcel No. 21-24-351-049, which is used by the Salt Lake County Public Works Department (the "County Property").
- B. The County is constructing a shed on the County Property to be used for bagging sand (the "Sandbag Shed").
- C. A 20-foot wide perpetual easement across a portion of the County Parks Property is necessary to allow Questar Gas Company dba Dominion Energy Utah ("Questar") to construct, maintain, and repair an underground gas pipeline and related facilities ("Gas Facilities") to provide gas services to the Sandbag Shed on the County property.
- D. It has been determined that installation and connection to Questar's Gas Facilities constitutes fair and adequate consideration for the grant of said easement, and no other fee shall be required for the easement because of the benefit the Gas Facilities will provide to the County Property.
- E. The County and Questar have prepared an Easement Grant, attached as Exhibit A hereto ("Easement Agreement"), wherein the County grants the requested easement across a portion of the County Property to Questar for the construction, maintenance, and repair of the Gas Facilities.

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NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Easement Agreement, attached hereto as Exhibit A and by this reference made a part of this Resolution, is hereby approved; and the Mayor and County Clerk are hereby authorized to execute the original of said easement and to deliver the fully executed document to the County Real Estate Section for distribution as necessary to complete the transaction

ATTEST (SEAL)

By /s/ SHERRIE SWENSEN
County Clerk

RESOLUTION NO. 5366

DATE: MAY 22, 2018

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING
SURPLUS REAL PROPERTY AND APPROVING THE CONVEYANCE OF A
PORTION OF THE SAME BY QUIT-CLAIM DEED TO OSVALDO MENDOZA

RECITALS

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4. The County has determined that the Acquisition Parcels are not currently in public use and that the Acquisition Parcels have a combined appraised value of \$7,775.00. Proceeds from the sale of the Acquisition Parcels will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
5. The best interest of the County and the general public will be served by the sale and conveyance of the acquisition Parcels to Buyer for its fair market value. The sale and conveyance will be in compliance with all applicable state statutes and county ordinances.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and conveyance of the Property by quit-claim deeds to Buyer as provided in the Agreement for the agreed appraised value of Seven Thousand Seven Hundred Seventy-Five Dollars (\$7,775.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are authorized to execute the Quit-Claim Deeds, attached to the Agreement as Exhibits 2 and 3, and to deliver the fully executed documents to the Salt Lake County Real Estate Division for delivery to Buyer in accordance with terms of the Agreement.

By /s/ AIMEE WINDER NEWTON
Chair

DATE: MAY 22, 2018

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WITNESSETH

RESOLUTION

By /s/ SHERRIE SWENSEN

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WHEREAS, the County and the Jordan River Commission desire to cooperate in undertaking a riparian restoration project on the Jordan River, including revegetation and weed control in the riparian zone using streambank bioengineering technique; and

WHEREAS, it has been determined that the best interests of the County and the general public will be served by the execution of the attached Interlocal Cooperation Agreement and by participating as required therein.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the attached Interlocal Cooperation Agreement is approved; and the Mayor is authorized to execute said agreement, a copy of which is attached as Exhibit 1 and by this reference made a part of this Resolution

ATTEST (SEAL)

By /s/ SHERRIE SWENSEN
County Clerk

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

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to sign the policy and procedure, directing the County Clerk to attest her signature, and authorizing the Mayor's Office to distribute the same, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending recording of a lien on property identified as Parcel No. 20-13-481-008, which has been deferred from sale.

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Mildred K. Allen** for prorated 2017 tax relief in the amount of \$548.32 on property identified as Parcel No. 22-30-479-009.

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Beverly L. Skaggs** for 2017 late tax relief on property identified as Parcel No. 21-07-104-003

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of abatement and acceptance of an application for deferral of delinquent taxes on the **Alona J. Harris** property identified as Parcel No. 21-07-329-019 under the following conditions: 1) monthly payments of \$100.00 beginning June 2018 applied to the delinquency, 2) all subsequent taxes be paid on or before the due date annually, 3) the participant retain their ownership interest in the property during the entire deferral period, 4) the property remain occupied during the entire deferral period as the participant's primary residence, 5) yearly

[illegible]

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, to accept the application and approve the new tax deferral, authorizing the County Treasurer to effect the abatement and remove the \$250 Tax Administrative Fee, and authorizing the County Auditor to withdraw the property from the May 2018 Tax Sale, showing that all Council Members present voted "Aye."

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<u>Taxpayer</u>	<u>Parcel No.</u>
Shelly Hoffmann	21-27-302-022
Timothy Alan Skougard	15-30-176-012
Patty Roden	15-28-104-005

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending reinstatement of the deferral previously granted to **Muhammad Mukhtar** on property identified as Parcel No. 16-31-382-043 under the conditions that: 1) down payment of \$1,400, which has already been deposited with the County Treasurer, 2) monthly payments of \$100 resuming in June be applied to the delinquency, 3) all subsequent taxes be paid on or before the due date annually, 4) the participant retain their ownership interest in the property during the entire deferral period, 5) the property remain occupied during the entire deferral period as the participant's primary residence, 6) yearly submission of an application for tax abatement on or before the filing deadline, and 7) the deferral be reviewed annually prior to the Tax Sale for compliance with conditions of approval.

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Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending reinstatement of the deferral previously granted to **Beverly L. Skaggs** on property identified as Parcel No. 21-07-104-003 under the conditions that: 1) down payment of \$1,473.17, which has already been deposited with the County Treasurer, 2) monthly payments of \$100 resuming in June be applied to the delinquency, 3) all subsequent taxes be paid on or before the due date annually, 4) the participant retain their ownership interest in the property during the entire deferral period, 5) the property remain occupied during the entire deferral period as the participant's primary residence, and 6) the deferral be reviewed annually prior to the Tax Sale for compliance with conditions of approval.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the County Treasurer to remove the Tax Sale Administrative Fee of \$250, and the County Auditor to withdraw the properties from the May 2018 Tax Sale, showing that all Council members present voted "Aye."

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending modification of terms for an existing deferral payment plan previously granted to **Laurel Livezey** on property identified as Parcel No. 28-16-130-011. The deferral payment be modified under the condition that 1) monthly payments be reduced to \$30 per month and 2) other existing deferral terms remain the same.

Council Member Bradshaw, seconded by Council Member Jensen, 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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Mr. Curtis Woodward, Planning & Development Services Division, reviewed the following rezoning application:

Application #30650 – **Olympia Land LLC** on behalf of The Last Holdout LLC, to rezone property located at approximately 6300-8500 West and 12400-13100 South from an A-2 to a P-C zone with an amendment to the Southwest Community General Plan indicating the creation of a planned community as set forth in a proposed development agreement.

Mr. Woodward stated the Salt Lake County Planning Commission recommended approval of this application with six recommendations. The Planned Community Zone (P-C Zone) that was adopted last year allows for a large-scale community to be planned in a series of applications, the first of which is the rezone application. At that time, the P-C zone plan will also be presented and a master development agreement will lay out the rules that will be followed as subsequent applications are submitted.

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It will not be possible to adopt one of the Planning Commission recommendations. The Planning Commission recommended that water availability should be confirmed by the Jordan Valley Water Conservancy District (JWCD) before the County Council takes action on the rezone. The problem is that water availability is several applications away from today's action. He spoke to the JWCD, which indicated it was premature to commit water to the property at the rezone stage. The district has other requests that have to be addressed as they come along.

1. General Plan Amendment
2. Rezone Application
3. Development Agreement

Mr. John Gust, Arbor Commercial Property, stated he is a partner on this project. When the Council approved the P-C zone it started a bonfire on the west side of the valley. The Council in Magna is also adopting the same zone.

No one appeared in favor of or in opposition to the petition.

Council Member Snelgrove, seconded by Council Member Jensen, moved to close the public hearing. The motion passed unanimously, showing that all Council Members present voted "Aye."

Mr. Zach Shaw, Deputy District Attorney, stated the Council should make three separate motions on the individual elements of this application.

Council Member Burdick, seconded by Council Member Jensen, moved to approve the general plan amendment.

[illegible]

Council Member DeBry stated representatives from Herriman City have contacted him with concerns about this project. They are concerned with the impact of 9,000 new residents on infrastructure, transportation, water, public safety, etc. The County needs to be a good neighbor to Herriman and should not be hasty in its approval. Herriman needs to be onboard with the plan.

Mr. Woodward stated by state law a developer cannot record a subdivision plat without sign off by the appropriate water district. Whether maximum density is achieved will depend on a variety of other approvals, such as by water and fire authorities. Any water shortage will mean a developer will have to adjust the plans. When it did its transportation and traffic studies, it took into consideration the master plan improvements of surrounding cities. In addition, each phase will have its own transportation study to make sure the system is not overloaded.

Mr. Woodward stated yes. If the water district or sewer district cannot handle the capacity, it will put the brakes on any further development.

Mr. Woodward stated Herriman built assumptions into its future plans. One assumption is that Butterfield Canyon Road will be opened to Tooele. That will put thousands of cars coming to Salt Lake County on that road. However, due to the expense of opening that road, he is not convinced that will happen. Herriman is concerned about being overwhelmed. He did not have the same concerns. Herriman's plans involve future annexation of this property and land use plans that involve horse property and larger lots.

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Council Member Newton stated this is a great project. Mixed use development is good for the community; she liked the balance in this plan. She understood the transportation concerns of Herriman. Over time, the County may have some transportation funds that could be allocated for corridors in that area.

Council Member Burdick, seconded by Council Member Jensen, moved to approve the general plan amendment. The motion passed 7 to 1, showing that Council Member DeBry voted "Nay."

Council Member Burdick, seconded by Council Member Bradshaw, moved to approve the rezone application. The motion passed 7 to 1, showing that Council Member DeBry voted “Nay.”

Council Member Burdick, seconded by Council Member Snelgrove, moved to approve the development agreement as well as the P-C zone plan. The motion passed 7 to 1, showing that Council Member DeBry voted “Nay.”

Mr. Shaw stated the development agreement has a few loose ends that need to be tied up. He will make those changes before the second reading and bring that back to the Council for final approval.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:59 p.m. until Tuesday, June 5, 2018, at 4:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

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CHAIR, SALT LAKE COUNTY COUNCIL

