

SALT LAKE COUNTY

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



Meeting Minutes

Tuesday, February 4, 2020

12:45 PM

Room N2-800

Committee of the Whole

1. CALL TO ORDER

Present

Council Member Shireen Ghorbani
Council Member Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Michael Jensen
Council Member Aimee Winder Newton
Council Member Ann Granato
Council Member Steve DeBry
Council Chair Max Burdick

2. 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.

3. DISCUSSION ITEMS:**3.1 CLOSED SESSION Regarding Council Personnel Matter [20-0087](#)**

Presenter: Council Chair Max Burdick (Approx. 1 hr.)

A motion was made by Council Member Bradshaw, seconded by Council Member Winder Newton, to close the Committee of the Whole meeting to discuss personnel matters. The motion carried by a unanimous vote. Council Member DeBry was absent for the vote.

The Council voted to re-open the Committee of the Whole meeting during the closed session.

3.2 Agenda Preparation for Committee of the Whole and Council Meetings [20-0053](#)

Attachments: [Staff Report](#)
[Proposed Leg Intent on Council Agendas](#)
[Salt Lake County Council Central Staff Management 01.28.2019 Draft](#)
[Salt Lake County Council Central Staff Management 01.28.2019 Final](#)

Presenters: Council Members Michael Jensen and Arlyn Bradshaw (Approx. 10 min.,)

Discussion/Direction

A motion was made by Council Member Jensen, seconded by Council Member Granato, to have Mitchell Park, Legal Counsel, Council Office, review the legislative intent on agenda preparation that was handed out to the Council Members, and to change the management plan based on discussion creating a new title and include additional language, and to change the two job descriptions as discussed during the closed session. This is to be brought back before the Council next week. The motion passed 7 to 2 with Council Members Snelgrove and DeBry voting in opposition.

Mr. Mitchell Park, Legal Counsel, Council Office, stated he would revise the documents and put them on next week's agendas.

3.3 Proposed Hire Report

[20-0088](#)

Attachments: [Proposed Hire Report 1-29-2020](#)

Presenter: Brad Kendrick

Mr. Brad Kendrick, Budget and Policy Analyst, Council Office, reviewed the proposed hires. He stated he usually does not have anything to report and asked if the Council wanted to continue hearing from him, or if this item could be placed under "Consent Items" on the agenda.

Council Member Jensen stated it is important to keep the Council informed on what is happening within the County relating to new hires.

Council Member Bradshaw stated since the Council does not approve the hires, he thought it would be best if this was placed under "Internal Business" instead of "Consent Items." By doing that, the Council could see the report and hear from Mr. Kendrick if there was a question.

3.4 2019 Budget Adjustment: Treasurer's Request for \$5,000 Appropriation Unit Shift (Operations to Personnel) for 2019 Personnel Costs

[20-0091](#)

Attachments: [2019_970000YE01 Treasurer Appropriation Unit Shift](#)

Presenter: Brad Kendrick

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

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

3.5 Budget Adjustment: TRCC's Request to Correct Accounting Allocations for Two Contributions: Draper City Playground and Millcreek City Playground [20-0092](#)

Attachments: [107000IA01_Correct_TRCC_Contributions_Managed_by_P_R_012120.pdf](#)

Presenter: Brad Kendrick

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

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

3.6 Verification of 72,000 Salt Lake County Signatures Regarding Referendum on Taxes [20-0086](#)

Attachments: [Staff Report](#)

Ms. Sherrie Swensen, County Clerk, stated her office received 2,032 packets containing over 86,000 signatures regarding the referendum on taxes. It was the responsibility of the Clerk's Office to verify those signatures. Staff was called on to work extended hours from 7:00 a.m. to 7:00 p.m., and temporary staff was hired to help accomplish this task before the deadline. On January 28, 2020, when the count was called off, there was a total of 46,347 verified signatures. Salt Lake County needed 43,211 signatures to get this tax increase placed on the ballot. On January 28, 2020, Governor Gary Herbert repealed the law, and on January 29, 2020, it was decided to no longer verify signatures because there was no need to continue in order to repeal a law that no longer existed.

Council Members Snelgrove, Ghorbani, and Newton stated this was put

on the agenda in order to recognize and thank the Clerk's Office for the herculean effort it did. There was no way of knowing that this was coming. The Clerk's staff handled it professionally and in a very cheerful matter.

3.7 Legislative Update

[20-0099](#)

Ms. Kara Trevino, Intergovernmental Relations Manager, Council Office, reviewed the following legislative bills and proposals.

-S.B. 83 Voter Registration Information Amendments

Ms. Trevino stated this bill allows political parties or candidates to have access to voter information that is marked private. The Clerk's Office and the Clerk's affiliates oppose this bill.

Ms. Sherrie Swensen, County Clerk, stated this bill would undo all the previous bills passed to protect personal information of a registered voter. The bill would require the Lieutenant Governor to send out a letter to all of those who have classified their record as private giving them 30 days to sign an affidavit to keep their record private if they are a member of law enforcement, member of the armed forces, federal, state, or local elected official, are protected by a protective order, and/or reside with an individual who is a victim of domestic violence or is likely to be a victim.

Council Member Snelgrove stated this bill would discourage people from participating in the electoral process.

A motion was made by Council Member Snelgrove, seconded by Council Member Jensen, to oppose SB 83. The motion carried by a unanimous vote.

-S.B. 35 Circuit Breaker Amendments

Ms. Trevino stated this bill modifies the qualifications for circuit breaker tax relief by changing the consumer price index to adjust annual income qualifications.

A motion was made by Council Member DeBry, seconded by Council Member Jensen, to support S.B. 35. The motion carried by a unanimous vote.

-H.B. 32 Crisis Services Amendments

Ms. Trevino stated this bill creates a behavioral health receiving center pilot program to provide mental health crisis services. It would also establish a statewide warm line.

Mr. Tim Whalen, Director, Behavioral Health Services, stated the State is looking to implement a statewide warm line similar to what Salt Lake County has done. If this bill passes, the State would pay for this statewide, resulting in a savings for the County.

A motion was made by Council Member DeBry, seconded by Council Member Jensen, to support S.B. 32. The motion carried by a unanimous vote.

-H.B. 35 Mental Health Treatment Access Amendments

Mr. Whalen stated this bill requires the Forensic Mental Health Coordinating Council to study the long-term need for adult patient beds at the state hospital. It also allocates \$4.8 million in on-going funding to open a 50-bed forensic unit at the state hospital.

Council Member Jensen asked for a definition of forensic in this text.

Ms. Darcy Goddard, Deputy District Attorney, stated the term forensic patient is for an individual who needs restoration services before they can stand trial. In the past, if a forensic patient was found to be non-restorable, the state hospital allowed the District Attorney to keep the individual in a forensic bed even though the commitment was changed to a civil commitment. This is no longer allowed due to the Disability Law Center settlement. These non-restorable individuals must be moved to a civil bed. Once an individual is in a civil bed, then Medicare requires a discharge plan for them.

A motion was made by Council Member Jensen, seconded by Council Member DeBry, to support H.B. 35. The motion carried by a unanimous vote.

-H.B. 38 Substance Use and Healthcare Amendments

Ms. Goddard stated this bill directs the State Medicaid Office to apply for a waiver at the federal level to allow for the use of Medicaid funds to provide services for inmates in their last 30 days of the stay in jail. This bill would also provide up to a \$10,000 tax credit for people who were willing to work 30 hours or more a week in a correctional facility. It is

hoped this will provide an incentive to get more and better applicants willing to work in a correctional facility.

A motion was made by Council Member DeBry, seconded by Council Member Jensen, to support H.B. 38. The motion carried by a unanimous vote.

-Behavioral Health Workforce Reinvestment Proposal (not numbered yet)

Mr. Whalen stated this bill provides a funding mechanism to address the critical shortage of mental health providers in Utah. Among other incentives, it would provide \$10,000 to graduate students (upfront) who commit to three years of service working in a private, non-profit, or a governmental sector job.

A motion was made by Council Member Ghorbani, seconded by Council Member Jensen, to support this bill. The motion carried by a unanimous vote.

-H.B. 133 Trail Improvement Amendments

Ms. Trevino stated this bill would reinstate the ability to use eminent domain for certain types of trails. The trail must be part of a “regionally significant trail system” and included in the master plan. In the past, the County Council has supported the use of eminent domain for trails.

Mr. Martin Jensen, Director, Parks & Recreation Division, stated one of his division’s core services is to provide regional trails. This would be another tool in the toolbox to use on regional trail development if needed.

Council Member DeBry stated he thought the use of eminent domain to acquire trails was wrong. Ownership of property is a fundamental right in the United States.

Council Member Jensen stated the County has used eminent domain rarely in the 20 years that he has been on the Council. This is just a good tool to help when acquiring land for trails.

A motion was made by Council Member Bradley, seconded by Council Member Snelgrove, to support H.B. 133. The motion carried by a vote of 8 to 1, with Council Member DeBry voting in opposition.

-H.B. 198 Eminent Domain Limitations

Ms. Trevino stated this bill addresses concerns from South Jordan City with the “century farm” property.

Mr. Jensen stated he is working with South Jordan City to help it understand there are a lot of different ways that are available other than eminent domain, which the city might have overlooked when addressing this issue. His office has identified two or three ways that could be used. South Jordan is looking into those areas. Hopefully, this bill will be tabled or pulled.

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, to oppose H.B. 198. The motion carried by a unanimous vote.

-H.B. 210 Insurance Coverage for Children Amendments

Mr. Trevino stated this bill enacts provisions to provide continuous coverage for children on Medicaid. It would also allow the automatic payment of CHIP premiums and looks for other efficiencies.

A motion was made by Council Member Ghorbani, seconded by Council Member Bradshaw, to support H.B. 210. The motion carried by a unanimous vote.

-S.B. 37 Electronic Cigarette and other Nicotine Product Amendments

Mr. Gary Edwards, Director, Salt Lake County Health Department, stated this bill puts an excise tax on electronic cigarettes. The tax would be used to fund the enforcement, education, and some broader substance abuse intervention efforts in public safety.

A motion was made by Council Member DeBry, seconded by Council Member Jensen, to support S.B. 37. The motion carried by a unanimous vote.

-H.B. 23 Tobacco Retailer Amendments

Mr. Edwards stated this bill clarifies what a tobacco retailer is. When the federal government raised the age to 21, it did not change the federal rule to that same age. Utah’s law is tied to the federal rule, which has caused enforcement problems statewide.

Ms. Goddard stated a revised version of this bill clarifies that issue. The revision changes the age to 19 effective immediately.

A motion was made by Council Member DeBry, seconded by Council Member Jensen, to support H. B. 23. The motion carried by a unanimous vote.

- H.B. 88 School and Child Care Center Water Testing Requirements

Mr. Edwards stated this bill requires all schools and licensed childcare facilities to test their water for lead concentrations and requires action if lead test results are above a certain level. There is a three-year phase in for the first test, with additional testing every five years.

A motion was made by Council Member Jensen, seconded by Council Member Ghorbani, to support H.B. 88. The motion carried by a unanimous vote.

-SJR 2 Joint Resolution encouraging action to reduce the number of Utah children with elevated blood lead levels.

Mr. Edwards stated this resolution encourages more standardized testing for lead when children visit the doctor.

A motion was made by Council Member Bradshaw, seconded by Council Member Ghorbani, to support SJR 2. The motion carried by a unanimous vote.

-ISEE Appropriation \$200,000 one-time converted to on-going

Ms. Trevino stated last year ISEE, which includes 10 groups, received an appropriation of \$200,000 one-time money. The request is to make these funds ongoing.

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, to support this appropriation. The motion carried by a unanimous vote.

-Animal Care Standards Amendments (not numbered yet)

Ms. Trevino stated this bill amends cruelty to animal provisions to address animals in

extreme weather conditions and animal care.

Mr. Robert Lewis, Animal Services Division, stated this bill would provide the state with a definition of animal cruelty as far as sheltering and extreme weather care. It is supported by the Association of Animal Control Officers and most shelters in the state. The Farm Bureau has not responded to any attempt to reach out to it.

Council Member Granato asked if this applies to farm animals that are kept outside.

Mr. Lewis stated the bill has language that would incorporate all the livestock, including horses and cows. It does not target livestock owners, but enhances what they are doing and helps them to better provide care for their animals. It will not affect them at all; it will protect them.

A motion was made by Council Member Bradshaw, seconded by Council Member Granato, to support the Animal Care Standards Amendment bill. The motion carried by a unanimous vote.

-Salt Lake County Inland Port Appointments (not numbered yet)

Council Member Newton stated current statute allows the Salt Lake County Mayor to appoint an individual to the Inland Port Authority, but it does not include advice and consent from the County Council. The statute also specifically lists “the director of the Salt Lake County Office of Regional Economic Development” to serve on this board. She asked that the Council take a position to support amending these appointments to say the County Mayor gets two appointments, with the advice and consent from the County Council.

Mayor Jennifer Wilson stated she would be opposed to any changes to this bill. This is a highly complex issue and she did not want to take the chance of Salt Lake County losing its two seats at the table. Also, she would like more information and discussion before any recommendation is made.

Council Member Bradshaw stated he would support this amendment if the County’s legislative team proceeded with caution.

Council Member Newton stated she would be willing to not change the one appointment relating to the director of the Salt Lake County Office of Regional Economic Development. However, she still wanted to include the advice and consent of the Council

to the other appointment.

A motion was made by Council Member Newton, seconded by Council Member DeBry, to add with the advice and consent of the Council and to direct the County's legislative team to proceed with caution with this change. If the legislative team felt the Legislature would be open to make the change to the Board then to proceed. The motion carried with a vote of 5 to 3 to 1, with Council Members Granato, Bradley, and Ghorbani voting in opposition and Council Member Jensen abstaining from the vote.

-Transportation Bond

Council Member Jensen stated the legislature is considering a transportation bond this year. He would like to ask the County's lobbying team to lobby in favor of this bond and to try to acquire funds in the southwest area for:

- Bangerter Highway and 13400 South
- Mountain View Corridor from 10800 South going south through 13400 South
- Bacchus Highway U111 through Magna

These projects would all be funded through the transportation bond using state funds. Then, he would like to propose a plan for a circulator bus route in this area that the County could do. He will bring the plan back in a couple of weeks for the Council's review.

Mayor Wilson stated instead of asking for specific projects, the lobby team could just advocate for a bond. This would give her transportation team time to go through area by area and fine tune what projects should be on the bond.

Council Member Jensen stated this needs to be done now while there was so much publicity on transportation needs in the southwest area. Other projects could be added to the bond, but these three projects needed to be put in the line.

Council Member DeBry stated this request is not meant to influence the vote on the rezone in this area; it is only an acknowledgment that there is a transportation problem in the area that needs to be addressed.

A motion was made by Council Member Jensen, seconded by Council Member Bradshaw, to ask the lobby team to advocate for a transportation bond and to place the following three projects on the list:

- Bangerter Highway and 13400 South
- Mountain View Corridor from 10800 South going south through 13400 South
- Bacchus Highway U111 through Magna

The motion carried by a unanimous vote.

3.8 Infectious Disease Emergency Response Plan

[20-0105](#)

Attachments: [Staff Report](#)
[2019 CoV communication to Council](#)
[IDER \(002\)](#)

Presenters: Karen Crompton, Director of Human Services; Gary Edwards, Director of Salt Lake County Health Department; and Dr. Dagmar Vitek of Salt Lake County Health Department (Approx. 20 min.)

Informational

Ms. Karen Crompton, Director, Human Services Department, asked that this item be pulled for one week.

3.9 CLOSED SESSION Regarding Real Estate Matter

[20-0109](#)

Presenters: Council Members Jim Bradley, Aimee Winder Newton and Council Chair Max Burdick (Approx. 15 min.)

Informational

A motion was made by Council Member Bradshaw, seconded by Council Member Ghorbani, to close the open session of the Committee of the Whole meeting to discuss real estate. The motion carried by a unanimous vote. Council Members Bradley, Jensen, and DeBry were absent for the vote.

4. CONSENT ITEMS:

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the consent agenda and forward it to the 4:00 p.m. Council agenda to be ratified. The motion carried by a unanimous vote.

4.1 A Resolution of the Salt Lake County Council Approving and Authorizing the Mayor to Grant a Perpetual Easement to Magna Water District.

[20-0093](#)

Attachments: [Staff Report](#)
[Resolution for Easement to Magna Water](#)

This consent item was approved and forwarded.

5. ITEMS FROM COUNCIL MEMBERS

5.1. Internal Business

5.1.1 Notice of Cancellation of February 18, 2020 Committee of the Whole Meeting [20-0100](#)

6. APPROVAL OF MINUTES

6.1 Acceptance of Amended Committee of the Whole Minutes for January 14, 2020 [20-0106](#)

Attachments: [Amended COW Minutes for 011420](#)

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

3:45 P.M. ADJOURN FOR BOARD OF EQUALIZATION

The meeting was adjourned at 3:55 PM.

SHERRIE SWENSEN, COUNTY CLERK

By _____
DEPUTY CLERK

By _____
CHAIR, SALT LAKE COUNTY COUNCIL