DATE <u>TUESDAY</u> MAY 1, 2018

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, MAY 1, 2018, PURSUANT TO ADJOURNMENT ON TUESDAY, APRIL 24, 2018, AT THE HOUR OF 4:04 P.M., AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS

PRESENT: JENNIFER WILSON

RICHARD SNELGROVE

JIM BRADLEY

ARLYN BRADSHAW STEVEN DEBRY

AIMEE WINDER NEWTON, Chair

COUNCIL MEMBERS

EXCUSED: MICHAEL JENSEN

MAX BURDICK

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR

SIM GILL, DISTRICT ATTORNEY

COUNCIL MEETING

By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY

PLANNING & ZONING MEETING

By: ZACHARY SHAW, DEPUTY DISTRICT ATTORNEY JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE

SHERRIE SWENSEN, COUNTY CLERK

By: NICHOLE WATT & LINDA DUFFY, DEPUTY CLERKS

Council Member Newton, Chair, presided.

*** *** *** ***

Mr. Allen Muhlestein, Assessor's Office, led the Pledge of Allegiance to the Flag of the United States of America.

*** *** *** ***

Council Member Bradshaw, seconded by Council Member DeBry, moved to approve the minutes of the Salt Lake County Council meeting held on Tuesday, April 17, 2018. The motion passed unanimously, showing that all Council Members present voted "Aye."

*** *** *** ***

DATE TUESDAY MAY 1, 2018

Council Member Sam Granato, District 4, passed away on Wednesday, April 25, 2018. Council Members shared their memories of Council Member Granato's friendship, compassion, and dedication to family and community.

*** *** *** ***

Mayor Ben McAdams read the following proclamation declaring May 2018 as Drug Court Month in Salt Lake County:

PROCLAMATION

WHEREAS, there are now more than 3,000 treatment courts nationwide; and

WHEREAS, treatment courts are the cornerstone of justice reform sweeping the nation; and

WHEREAS, treatment courts have served more than 1.4 million individuals and are now recognized as the most successful justice system intervention in our nation's history; and

WHEREAS, treatment courts save up to \$27 for every \$1 invested and up to \$13,000 for every individual they serve, and

WHEREAS, treatment courts improve education, employment, housing and financial stability, promote family reunification, reduce foster care placements, and increase the rate of addicted mothers delivering babies who are fully drug free; and

WHEREAS, treatment courts facilitate community-wide partnerships, bringing together public safety and public health professionals; and

WHEREAS, treatment courts demonstrate that when one person rises out of substance use and crime, we all rise; and

WHEREAS, there are six active drug courts in Salt Lake County, including one that serves veterans, and a new court started just this past year; and

WHEREAS, there are 564 active drug court participants in the drug court program, focusing on their sobriety and on the path to self-reliance; and

WHEREAS, 46 Salt Lake County drug court graduates will be honored at a ceremony this month at the Utah State Capitol;

NOW, THEREFORE, I, Ben McAdams, Mayor of Salt Lake County, do hereby proclaim May 2018 as

Drug Court Month

DATE TUESDAY MAY 1, 2018

and urge all residents to recognize the benefits of drug court programs and to support individuals who utilize this resource as a path to recovery and person success.

Adopted this 1st day of May, 2018

By /s/ BEN McADAMS

Mayor

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to approve the proclamation. The motion passed unanimously, showing that all Council Members present voted "Aye."



Mayor Ben McAdams read the following resolution affirming the Charter for Compassion:

Salt Lake County Compassionate Community Joint Resolution

WHEREAS, compassion is a unifying value and ideal that guides and compels people of all backgrounds, perspectives, creeds, and cultures to treat all living beings with equality, civility, respect and justice; and

WHEREAS, we acknowledge our responsibility to make compassion a clear and empowering force for children, families, neighborhoods and communities; and

WHEREAS, the Salt Lake County Council and Mayor recognize that compassionate actions and policies produce positive benefits in all sectors of civic and community life, including safety, education, faith, public health, business, politics and international relations; and

WHEREAS, Salt Lake County residents are a diverse spectrum of racial, ethnic, cultural, social, and faith groups of all ages who demonstrate compassion in their homes, schools, businesses and community; and

WHEREAS, Salt Lake County Mayor Ben McAdams co-chairs the Utah Civil and Compassionate Communities Initiative, which aims to inspire others to be more civil, welcoming, inclusive, caring and compassionate, and to act on those intentions; and

WHEREAS, Salt Lake County is committed to a collective approach to addressing issues and has demonstrated this through partnerships and initiatives such as Collective Impact, Criminal Justice and Welcoming Salt Lake, which have facilitated greater opportunity, deep connection and full belonging for members of challenged communities within Salt Lake County's population, and

DATE TUESDAY MAY 1, 2018

WHEREAS, Salt Lake County has previously demonstrated its commitment to compassion through events such as the 2016 Citizen Summit, in which Salt Lake County partnered with Utah Civil and Compassionate Communities, interfaith communities and civic organizations to highlight and celebrate policy objectives that have been achieved through non-partisan collaborative approaches; and

WHEREAS, in December 2016, the Salt Lake County Council and Mayor affirmed the County's commitment to the tenets of the Utah Civil and Compassionate Communities Initiative which encourages individuals, communities and institutions to become "more civil, welcoming, inclusive, caring and compassionate" and

WHEREAS, Salt Lake County has continued to demonstrate its commitment to compassion by co-hosting the 2018 Utah Citizen Summit along with compassionate community leader and philanthropist, Gail Miller, in which Salt Lake County, partnering with Utah Civil and Compassionate Communities, highlighted the benefits of civic expression through dialog and the arts; and

WHEREAS, the International Campaign for Compassionate Communities Initiative is a global network of 824 communities, including Washington, D.C., that challenges its partners to make the ethic of reciprocity (i.e., Golden Rule) the central moral principle in all sectors of public life including government, education, faith, business, law enforcement, healthcare and nonprofit organizations; and

WHEREAS, joining the Compassionate Communities Initiative deepens the quality and commitment of Salt Lake County in affirming and stimulating compassion in community services, projects, initiatives and policies.

NOW, THEREFORE, BE IT RESOLVED that the Salt Lake County Council and Mayor hereby affirm the Charter for Compassion and authorize Salt Lake County to be registered with the International Campaign for Compassionate Communities Initiative in which residents, government and institutions work together to embrace and apply compassionate solutions and encourage community service to meet the needs of individuals, families and communities throughout the world.

ADOPTED this 1^{st} day of May, 2018.

By <u>/s/ BEN McADAMS</u> Mayor By <u>/s/ AIMEE WINDER NEWTON, Chair</u> District 3

By <u>/s/ JENNY WILSON</u> At Large A By <u>/s/ RICHARD SNELGROVE</u> At Large B

By <u>/s/ JIM BRADLEY</u> At Large C By /s/ ARLYN BRADSHAW District 1 These are draft minutes and are subject to change until approved by the County Council. DATE TUESDAY MAY 1, 2018 By /s/ MICHAEL JENSEN By /s/ STEVEN DeBRY District 2 District 5 By /s/ MAX BURDICK District 6 Council Member Bradshaw, seconded by Council Member Wilson, moved to approve the resolution. The motion passed unanimously, showing that all Council Members present voted "Ave." Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting an interim budget adjustment of \$1,000,000 to recognize funds from Draper City, which will be used to design and construct a field house by the new Draper Recreation Center. Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting an interim budget adjustment of \$49,000 to replace the bouldering activity landing surfaces at the Taylorsville Recreation Center with industry-standard safe impact surfacing. Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting an interim budget adjustment of \$26,000 to replace wiring and underwater pool lights at the Taylorsville Outdoor Pool. Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting an interim budget adjustment of \$45,000 to replace bouldering activity landing surfaces at the Dimple Dell Recreation Center with industry-standard safe impact surfacing. Mr. Kade Moncur, Director, Flood Control Engineering Division, submitted a letter

requesting an interim budget adjustment of \$252,373 to true-up capital projects and add a new

capital project along the South Jordan Canal at Kodiak Creek.

DATE TUESDAY MAY 1, 2018

Mr. Kade Moncur, Director, Flood Control Engineering Division, submitted a letter requesting an interim budget adjustment of \$6,492 to complete the 900 East 3900 South to 4500 South project.

_ _ _ _ _ _ _ _ _ _ _ _ _ _

Mr. Scott Baird, Director, Public Works and Municipal Services Department, submitted a letter requesting an interim budget adjustment of \$351,900 in order to make the final payment for the VUE Works project.

Mr. Rory Payne, Director, Facilities Management Division, submitted a letter requesting an interim budget adjustment of \$70,000 to remodel the offices for the Mayor's Finance Division.

Council Member Bradshaw, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the County Chief Financial Officer to effect the same, showing that all Council Members present voted "Aye."

*** *** *** ***

Mayor Ben McAdams submitted letters requesting the Council's advice and consent to the appointment of **Laynee Jones** as an alternate member of the Mountainous Planning District Planning Commission to serve a partial term. Her term will begin May 1, 2018, and end December 8, 2019.

Council Member Bradshaw, seconded by Council Member DeBry, 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."

***** *** *** *****

Mr. Brad Johnson, Deputy District Attorney, submitted the following ordinance entitled Optional Sales and Use Tax to Fund Highways and Public Transit:

ORDINANCE NO. <u>1829</u> DATE: <u>May 1, 2018</u>

AN ORDINANCE ENACTING CHAPTER 3.09, OF THE SALT LAKE COUNTY CODE OF ORDINANCES, ENTITLED OPTIONAL SALES AND USE TAX TO FUND HIGHWAYS AND PUBLIC TRANSIT

DATE <u>TUESDAY</u> MAY 1, 2018

The Legislative Body of Salt Lake County ordains as follows:

SECTION I. Section 3.09.010 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.010 Provisions.

The ordinance codified in this chapter shall be known as the "optional sales and use tax to fund highways and public transit."

SECTION II. Section 3.09.020 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.020 Purpose.

The ordinance codified in this chapter is enacted to provide a source of revenue to provide its residents with public transit and safe highways and the council directs that the provisions hereof be interpreted and construed to accomplish this stated purpose.

SECTION III. Section 3.09.030 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.030 Statutory Authority.

The authority for imposing this tax is derived from Title 59, Chapter 12, Part 22, Utah Code Ann. (1953).

SECTION IV. Section 3.09.040 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.040 Imposition--Amount.

Pursuant to Utah Code Ann. Section 59-12-2219, subject to the conditions in Chapter 3.090.050, and in addition to other taxes imposed by this title, the county does impose a levy for collection a 0.25 percent sales and use tax upon the retail sales and uses in the county as such sales and uses are described in Section 59-12-103(1), subject to the exemptions provided for in Section 59-12-104. The foregoing tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The provisions of this chapter shall be subject to the provisions of the sales and use tax laws of Utah to which reference is hereinafter made in this chapter, and which are enacted and made a part of this chapter as though fully set forth herein. The funds received from the imposition of this tax shall be used and expended as allowed by state statute.

SECTION V. Section 3.09.050 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.050 Conditions for Imposition of Tax.

DATE <u>TUESDAY</u> MAY 1, 2018

The tax imposed by Chapter 3.09.040 shall not be imposed until the following conditions have been met:

a. The Council Clerk of Salt Lake County has certified to the Utah State Tax Commission that cities, towns, and metro townships representing sixty-seven percent (67%) of the Salt Lake County Population as estimated by the United States Census Bureau as of July 1, 2017 have adopted a resolution supporting the imposition of the sales and use tax; and

b. In no event shall the tax be imposed prior to May 8, 2018.

SECTION VI. Section 3.09.060 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows:

3.09.060 Deadline for Adoption of Resolutions by Cities, Towns, and Metro Townships.

If the cities, towns, and metro townships representing sixty-seven percent (67%) of the Salt Lake County population as estimated by the United States Census Bureau as of July 1, 2017 have not adopted a resolution supporting the imposition of the tax by June 22, 2018, the tax will not be imposed by this ordinance.

SECTION VII. Section 3.09.070 of the Salt Lake County Code of Ordinances, 2018, is enacted to read as follows: 3.09.070 Collection.

Any records, tax returns or other information of any person, corporation, company or other group or organization subject to the taxes imposed by this chapter that relates to the calculation, collection or remittance to the State Tax Commission of said taxes shall be subject to review, inspection, and auditing by Salt Lake County.

SECTION VIII. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County. This effective date does not alter the imposition and contingency dates specified in the ordinance.

APPROVED and ADOPTED this 1^{st} day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u> Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

Council Member Bradshaw, seconded by Council Member DeBry, moved to approve the ordinance. The motion passed unanimously, authorizing the Chair to sign the same, directing the County Clerk to attest his signature, and to publish the ordinance summary in a

DATE TUESDAY MAY 1,2018

newspaper of general circulation, showing that all Council Members present voted "Aye."

*** *** *** ***

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reappointment of **Kele Griffone** as a member of the Behavioral Health Services Advisory Council to serve a three-year term. Her term began April 1, 2018, and will end March 31, 2021.

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reappointment of **Gordon Wolf** as a member of the Cultural Facilities Support

Program Advisory board to serve a three-year term. His term will begin May 1, 2018, and end April 30, 2021.

Mayor Ben McAdams submitted letters requesting the Council's advice and consent to the appointments of **Victoria Bourns** and **Ryan Benson** as members of the Cultural Facilities Support Program Advisory Board to serve three-year terms. Their terms will begin May 1, 2018, and end April 30, 2021.

_ _ _ _ _ _ _ _ _ _ _ _ _ _

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reappointment of **Tanja Kari** as a member of the Parks and Recreation Advisory Board to serve a three-year term. Her term began April 24, 2018, and will end April 23, 2021.

Mayor Ben McAdams submitted letters requesting the Council's advice and consent to the reappointments of **Scott Brown, William Cosgrove**, and **Dorothea Verbrugge** as members of the Salt Lake County Board of Health to serve three-year terms. Their terms will begin July 1, 2018, and end June 30, 2021.

Mayor Ben McAdams submitted letters requesting the Council's advice and consent to the appointments of **Lynette Wendel** and **Darrell Robinson** as members of the Parks and Recreation Advisory Board to serve three-year terms. Their terms will begin May 1, 2018, and end April 30, 2021.

DATE <u>TUESDAY</u> <u>MAY</u> 1, 2018

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent that **Brett Tolman** serve as the representative of an affiliated industry voting member on the Equestrian Park Advisory Board. His term will remain unchanged from April 12, 2017 through April 11, 2020.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent that **Steven McIntyre** serve as the representative of the equestrian community at Large voting member on the Equestrian Park Advisory Board. His term will remain unchanged from April 12, 2017 to April 11, 2020.

Council Member Bradshaw, seconded by Council Member DeBry, 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."

*** *** *** ***

Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of a CONTRIBUTION AGREEMENT between Salt Lake County and **Salt Lake City Bike Share d/b/a Green Bike** – Contribution of County Transportation Funds. Salt Lake County will transfer up to \$2,300,000 of its Transportation Funds to Salt Lake City Bike Share d/b/a Green Bike for reimbursement of certain capital and operating costs incurred to complete and operate the Green Bike transportation project. This agreement shall take effect upon the completion of terms outlined.

RESOLUTION NO. <u>5356</u>

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN SALT LAKE COUNTY AND SLC BIKE SHARE D/B/A/ GREEN BIKE PROVIDING FOR A CONTRIBUTION OF COUNTY TRANSPORTATION FUNDS FOR A TRANSPORTATION PROJECT

DATE: MAY 1, 2018

RECITALS

A. Salt Lake County (the "County") is a county existing pursuant to Article XI, Section 1 of the Utah Constitution. SLC Bike Share d/a/a/ Green Bike (the "Recipient") is a nonprofit organization meeting the requirements of Section 501(c)(3) of the Internal Revenue Code that operates a bike share program in the Salt Lake City area.

DATE <u>TUESDAY</u> <u>MAY</u> 1, 2018

- B. During the 2015 General Session, the State Legislature amended Section 72-2-121 of the Utah Transportation Code, Utah Code Ann. §§ 72-1-101 *et seq.*, to provide for the transfer of certain funds from the County of the First Class Highway Projects Fund to the legislative body of the County to be used for certain transportation purposes (hereinafter "County Transportation Funds").
- C. The County desires to use the County Transportation Funds to further regional transportation by financing all or a portion of the costs of transportation projects throughout the County in accordance with Section 72-2-121 of the Utah Transportation Code and all other applicable federal, state and local laws, rules and regulations.
- D. The County and the Recipient now desire to enter into the Contribution Agreement attached hereto as ATTACHMENT A (the "Agreement"), which provides for the transfer of up to Two Million Three Hundred Thousand Dollars and No Cents (\$2,300,000) of County Transportation Funds to the Recipient on certain terms and conditions to reimburse the Recipient for certain capital costs and operating costs incurred by the Recipient to complete and operate the transportation project described in the Agreement, so long as such costs are consistent with the allowable uses for County Transportation Funds described in Subsection 72-2-121(4)(i) of the Transportation Code.
- E. In the judgment of the County Council, its contribution and assistance under the Agreement will contribute to the prosperity, moral well-being, peace and comfort of Salt Lake County residents.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that:

- 1. The Agreement between the County and the Recipient is approved, in substantially the form attached hereto as ATTACHMENT A and that the Salt Lake County Mayor is authorized to execute the same.
- In the judgement of the County Council, its contribution and assistance to the Recipient under the Agreement will contribute to the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of Salt Lake County residents as outlined in Utah Code Ann. § 17-50-303(3).
- 3. The Agreement will become effective as stated in the Contribution Agreement.

APPROVED and ADOPTED in Salt Lake City, Salt Lake County, Utah, this 1st day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

DATE <u>TUESDAY</u>

MAY

1, 2018

DATE: MAY 1, 2018

Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

Council Member Bradshaw, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to execute the resolution and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye."



Ms. Talia Butler, Director, Animal Services Division, submitted a letter advising that Utah FACES has offered to donate \$11,400 to be used for sterilization and injured animal surgeries.

Council Member Bradshaw, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to sign the Declaration of Gift form and directing the County Clerk to attest her signature and forward it to Utah FACES, showing that all Council Members present voted "Aye."



Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Parks and Recreation Division and **Draper City** – Draper Recreation Center Field House. Draper City will waive all building and impact fees and contribute \$1 million to the County for the design and construction of the field house. Salt Lake County will design and construct the field house, grant Draper City the right to have priority for programming and waive rental fees for the first ten years for the use of the field house by Draper City. The agreement should take effect upon execution and shall end ten years thereafter.

RESOLUTION NO. <u>5355</u>

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING ADOPTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY FOR ITS DIVISION OF PARKS AND RECREATION AND DRAPER CITY FOR A FIELD HOUSE TO BE INCLUDED WITH THE NEW DRAPER RECREATION CENTER

WHEREAS, Salt Lake County ("County") and Draper City ("City") anticipate entering into a related Interlocal Cooperation Agreement for the County to construct a recreation facility located in the City of Draper using proceeds of the 2016 voter-approved Recreation Bond (the "Facility"); and

DATE TUESDAY MAY 1,2018

WHEREAS, subsequent to the City's application to the County for the construction of the Facility, the City determined that a need existed to add a field house to the Facility; and

WHEREAS, the County desires to accommodate the City's need for a field house; and

WHEREAS, County and City desire to enter into an Interlocal Cooperation Agreement ("the Agreement") whereby the County will construct a field house to connect with the Facility and City will contribute \$1M in cash and other consideration to that end; and

WHEREAS, the adoption of the Agreement is in the best interests of the parties and in furtherance of the public interest; and

WHEREAS, the Agreement requires the County to construct an improvement to real property thereby requiring approval of the County's legislative body pursuant to the Utah Interlocal Cooperation Act, U.C.A. § 11-13-202.5; and

WHEREAS, the adoption of the Agreement is made pursuant to the Utah Interlocal Cooperation Act, U.C.A. § 11-13-101 et seq.;

NOW, THEREFORE, be it resolved by the Salt Lake County Council that the Interlocal Cooperation Agreement between the County and the City be accepted and approved, and the Mayor of Salt Lake County is hereby authorized to execute the Interlocal Cooperation Agreement.

DATED this 1^{st} day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u>
Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

Mr. Derrick Sorensen, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION authorizing purchase of property located at 13300 S. Grandville Ave., South Jordan, from **VP Daybreak Investments, LLC** for \$293,367:

RESOLUTION NO. 5357 DATE: MAY 1, 2018

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING THE PURCHASE OF A 2.563 ACRE PARCEL OF LAND FROM VP DAYBREAK INVESTMENTS LLC

DATE <u>TUESDAY</u> MAY 1, 2018

RECITALS

- A. VP Daybreak Investments LLC (the "Owner"), owns real property located at approximately 13300 South Grandville Avenue, South Jordan, Utah, identified as Parcel No. 26-24-176-001 (the "Property").
- B. Salt Lake County ("County") desires to purchase a two and a half acre portion of Property (the "Library Parcel") for \$293,367.00, which has been determined to be fair and adequate compensation by the Salt Lake County Real Estate Section. The Library Parcel is proposed to be used for the benefit and purpose of Salt Lake County Library Services.
- C. The terms and conditions for the acquisition of the Library Parcel are contained in the Purchase and Sale Agreement and Joint Escrow Instruction ("Purchase Agreement"), attached hereto as Exhibit A.
- D. An express condition of the Purchase Agreement is that the Owner record a plat, creating a separate 2.563 acre parcel for the Library Parcel and construct certain improvements.
- E. It has been determined that the best interests of the County and the general public will be served by paying the Owner \$293,367.00 for the Library Parcel under the terms and conditions of the attached Purchase Agreement. The execution of the Purchase Agreement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the attached Purchase Agreement, attached hereto as Exhibit A and incorporated herein by this reference, is approved, and the Council ratifies the Mayor's signature on Purchase Agreement and otherwise authorizes the Mayor to execute the Purchase Agreement and all other documents, including but not limited to the Partial Assignment and Assumption of Master Development Agreement, the Notice of Purchase Rights, and the Access Agreement (forms of which are attached to the Purchase Agreement), necessary to close the purchase on behalf of Salt Lake County.

APPROVED and ADOPTED this 1^{st} day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u>
Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

DATE TUESDAY MAY 1, 2018

Mr. Derrick Sorensen, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION authorizing sale of surplus property located at 5361 South 4220 West and 4175 West 5345 South, Kearns, to the **Salt Lake Community Action Program** for \$670,000:

DATE: MAY 1, 2018

RESOLUTION NO. 5358

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION OF THE ATTACHED PURCHASE AND SALE AGREEMENT WITH SALT LAKE COMMUNITY ACTION PROGRAM DBA UTAH COMMUNITY ACTION AND RELATED DOCUMENTS

WITNESSETH

- A. Salt Lake County (the "County") owns fee title to several parcels of real property at 5361 South 4220 West and 4175 West 5345 South, Kearns, Utah, where the Library Facility Operations Center is located, identified as Parcel Nos. 21-17-477-002, 21-070477-003, 21-07-477-015, and 21-07-477-016 (the "County Property").
- B. The County Property is held in the name of the County for the benefit of the Salt Lake County library system.
- C. The County intends to relocate the Library Operations Center and the County Property will no longer be needed for library purposes.
- D. The County previously held a public hearing and declared the Property surplus on April 10, 2018.
- E. The Salt Lake Community Action Program dba Utah Community Action, a Utah non-profit corporation ("UCA") has approached the Salt Lake County Library Board ("Library Board") about purchasing the County Property.
- F. The County obtained an appraisal that concludes the value of the County Property is \$670,000.00, which has been reviewed and approved by Salt Lake County Real Estate Division as a fair market value for the County Property.
- G. UCA is offering to purchase the County Property for this fair market value pursuant to the terms and conditions of a Purchase and Sale Agreement attached hereto as Exhibit 1.
- H. The Library Board has voted to surplus the County Property and has approved the sale of the County Property to UCA.
- I. Having held a public hearing and having provided notice, the County may now declare the County Property surplus and now dispose of it.

DATE TUESDAY MAY 1,2018

J. It has been determined that the best interests of the County and the general public will be served by conveying the County Property to UCA as proposed in the attached Purchase and Sale Agreement. The conveyance of the County Property will comply with all applicable state statutes and County ordinances.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that, the County Property shall be conveyed to UCA by special warranty deed in accordance with the terms of the Purchase and Sale Agreement attached hereto as Exhibit 1 and by this reference made a part of this Resolution; and the Mayor is hereby authorized to execute said Agreement.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized to execute such other documents as may be reasonably necessary to effectuate the closing contemplated by the approved Purchase and Sale Agreement included but not limited to the Special Warranty Deed attached hereto as Exhibit 2 and the Lease Agreement attached as Exhibit B to the Purchase and Sale Agreement.

APPROVED and ADOPTED this 1^{st} day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u> Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Mr. Derrick Sorensen, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION authorizing purchase of property located at 9786 South Prosperity Road, West Jordan, from **Wadsworth Bingham, LLC** for \$5,600,000:

RESOLUTION NO. 5359 DATE: MAY 1, 2018

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING THE PURCHASE OF A PARCEL OF LAND FROM WADSWORTH BINGHAM, LLC

RECITALS

A. Wadsworth Bingham, LLC (the "Owner"), owns a parcel of real property located at 9786 South Prosperity Road, West Jordan, Utah, identified as Parcel No. 26-11-151-005 (the "Property").

DATE TUESDAY MAY 1,2018

- B. Salt Lake County ("County") desires to purchase the Property for \$5,600,000.00, which has been determined to be a fair market value by the Salt Lake County Real Estate Section. The Property is proposed to be used for the benefit and purpose of Salt Lake County Library Services.
- C. The terms and conditions for the acquisition of the Property are contained in the Agreement for Purchase and Sale of Real Property and Escrow Instructions ("Agreement"), attached hereto as Exhibit A.
- D. It has been determined that the best interests of the County and the general public will be served by paying the Owner \$5,600,000.00 for the Property under the terms and conditions of the attached Agreement. The execution of the Agreement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the attached Agreement, attached hereto as Exhibit A and incorporated herein by this reference, is approved, and the Council hereby ratifies the Mayor's signature on the Agreement and otherwise authorizes the Mayor to execute the Agreement and sign all other documents necessary to close the purchase on behalf of Salt Lake County.

APPROVED and ADOPTED this 1^{st} day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u>
Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

Council Member Bradshaw, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to execute the resolutions and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye."

*** *** *** ***

Mr. Scott Tingley, County Auditor, submitted letters recommending reduction of taxes on the following properties, pursuant to an order of the Utah State Tax Commission. He also recommended that refunds in the amounts indicated, plus the appropriate interest, be issued to the taxpayers:

<u>Taxpayer</u> <u>Parcel No.</u> <u>Year</u> <u>Reduction</u> <u>Refund</u>

DATE	TUESDAY	A Y M A Y		1, 2018	
Mary Bates C&N Investm	nents na Thurgood Iyan Burr zaei	28-09-279-005 27-01-151-022 28-21-177-097 21-22-227-029 21-36-477-025 22-04-109-010 20-14-329-004	2017 2017 2017 2017 2017 2017 2016	\$ 4,317.39 to \$ 4,177.25 \$46,799.08 to \$45,402.00 \$ 5,090.54 to \$ 4,994.22 \$ 4,301.57 to \$ 4,080.19 \$ 6,391.93 to \$ 4,974.82 \$ 2,268.86 to \$ 2,186.66 \$ 1,106.61 to \$ 991.72	\$ 140.14 \$1,397.08 \$ 96.32 \$ 221.38 \$1,417.11 \$ 82.20

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending abatement of 2018 personal property taxes in the amounts indicated for the following taxpayers, as these taxpayers qualify for Railroad Revitalization and Regulatory Reform Act tax relief:

<u>Taxpayer</u>	Account No.	<u>Amount</u>
Rapco Distributing Harrington Trucking Swift Refrigerated Montana Brand Produce James H. Clark & Son Le Bus Godfrey Trucking	111682 087356 082104 084865 083103 085483	\$ 6.86 \$ 28.47 \$1,045.68 \$ 23.33 \$ 39.53 \$ 71.79 \$ 321.13

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending abatement of the delinquent 2013 property taxes on the following **Echo Ridge** properties in the amounts indicated. These properties are common area; therefore, exempt from property taxes:

Parcel No.	<u>Amount</u>
26-10-230-002	\$ 641.78
26-10-230-011	\$ 696.96

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending that a refund in the amount of \$34.78 be issued to **AT&T** for overpayment of personal property taxes on property identified as Account No. 13 700684, pursuant to a notification from the Utah State Tax Commission that this property will be centrally assessed.0

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

DATE TUESDAY MAY 1, 2018

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending approval of the personal property tax exemption report indicating the taxpayers whose personal property taxable value is computed at \$10,300.00 or less, filed using "EV Taxable" (a complete declaration listing personal property) or "EZ Taxable" (a signed certification under penalty of perjury of the personal property value). The property tax exemption report is summarized as follows:

Total "EV Taxable" Value	\$ 5,476,987
Total "EZ Taxable" Value	\$ 17,164,585
Total Taxable Value Exempted	\$ 22,641,572
Total Tax Exemption	\$314,527.74
Total Accounts Exempted	8,836

Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of the requests of the following taxpayers for waiver/refund of the penalty imposed for late payment of prior year's personal property taxes:

Taxpayer	Parcel No.
Rattle & Hum	22-05-181-010
Mitchell, Ryan C. & Troy J.	21-20-327-004
Frotus Brothers II	08-23-479-003
Bennion, Ardonna	28-31-176-017

Mr. Neff also recommended denial of the requests of the following taxpayers for waiver/refund of the penalty imposed for late payment of prior year's personal property taxes:

Taxpayer	Parcel No.
Jacob & Cherie Van Ry	27-10-476-033
Segura, Margarito	14-33-204-009
Chambers, Rick L.	28-22-403-019
Tobermory Ridge HOA	22-08-428-026
Dynasty Intl. Food Service	22-29-476-028
EH Aspen Plaza	28-05-387-176 28-05-387-177 28-05-387-178 28-05-387-179 28-05-387-180

DATE <u>TUESDAY</u> <u>MAY</u> 1, 2018

28-05-387-181 28-05-387-182

Wayne R. Shields Family 22-07-478-076

Christensen, Joan 22-05-181-010

Barron, Mary L. 22-03-329-011

Council Member Bradshaw, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the County Treasurer to effect the same, showing that all Council Members present voted "Aye."

*** *** *** ***

The following employees of the Center for the Arts submitted Disclosure of Private Business Interests forms:

Name Business Position

Lisa Hoyt University of Utah Adjunct Assistant Professor

Ballet West Academy Faculty Member

Eastern Arts Independent Contractor

Matthew Castillo Equality Utah Board Member

Salt Lake Arts Council Foundation Board Member

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _

The following board members of the Cultural Core Budget Committee submitted Disclosure of Private Business Interests forms:

Name Business Position

Victoria Gowski AA Access Board Member

David E. Gee Daughter Shaleane Gee is on Mayor's staff

Council Member Bradshaw, seconded by Council Member DeBry, moved to accept the disclosure forms and make them a matter of record. The motion passed unanimously, showing that all Council Members present voted "Aye."

***** *** *** *****

DATE TUESDAY MAY 1, 2018

Mr. Jim Nakamura, Planning & Development Services Division, reviewed the following ordinance which was heard during the April 10, 2018, Council meeting and forwarded to today for formal consideration:

<u>Application #30333</u> – **Andrew Beagley** to reclassify property located at 14072 South 7530 West from an A-2 to an A-1 zone.

Council Member Bradshaw, seconded by Council Member DeBry, moved to approve Application #30333 and the following ordinance:

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE A-2 (AGRICULTURE, 1 ACRE MINIMUM LOT SIZE) ZONE TO THE A-1 (AGRICULTURE, 10,000 SQUARE FEET SIZE) ZONE.

The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances, 2001, is hereby amended, as follows:

The property described in Application #30333 filed by Andrew Beagley and located at **14072 S 7530 W and 7538 W 14000 S** within Salt Lake County, is hereby reclassified from the A-2 (Agriculture, 1 acre minimum lot size) Zone to A-1 (Agriculture, 10,000 square feet size) Zone, said property being described as follows:

PARCEL #: 32-04-451-001-0000

LEGAL DESCRIPTION: LOT 4, BEAGLEY SUBDIVISION. 10269-1805 10318-8344 10333-2229

CONTAINS: 1.46 AC M OR L

PARCEL #: 32-04-451-014-0000

LEGAL DESCRIPTION: BEG S 0^14'13" W 4025.72 FT & S 89^50'17" E 353.21 FT FR THEN 1/4 COR OF SEC 4, T4S, R2W, SLM; S 89^50'17" E 972.45 FT; S 0^19'27" W 549.743 FT; S 89^40'33" E 10.684 FT; S 0^07'00"W 111.861 FT; S 89^57'35" W 329.888 FT; N 0^06'55" E 15 FT; S 89^57'35" W 648.876 FT; N 0^05'36" W 156.71 FT; N 89^54'24" E 318.188 FT; N 0^05'36" W 192.778 FT; S 89^54'24" W 173.688 FT; S 0^05'36" E 42.778 FT; S 89^54'24" W 144.50 FT; N 0^05'36" W 343.38 FT TO BEG. LESS & EXCEPT BEG N 0^05'36" W 1326.702 FT & N 89^57'30" E 663.52 FT FR THE S 1/4 COR OF SEC 4, T4S, R2W, SLM; SW'LY ALG A 28 FT RADIUS CURVE TO THE R 23.065 FT (CHD S 23^50'07" W 22.418 FT); SE'LY ALG A 28 FT RADIUS CURVE TO THE R 23.065 FT (CHD N 23^21'41" W 22.418 FT); N 0^14'13" E 0.243 FT; S

DATE TUESDAY

MAY

1, 2018

89^57'30" W 50 FT TO BEG. 13.12 AC M OR L. 10318-9021

CONTAINS: 13.12 AC M OR L

In accordance with Section 19.90.060 of Salt Lake County Code of Ordinances, 2001, development of the property is subject to the following conditions:

1. Maximum density of two (2) dwelling units per acre.

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County Code of Ordinances, 2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this 1st day of May, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ AIMEE WINDER NEWTON</u> Chair

By <u>/s/ SHERRIE SWENSEN</u> County Clerk

The motion passed unanimously, authorizing the Chair to sign the ordinance, and directing the County Clerk to attest her signature and publish it in a newspaper of general circulation, showing that all Council Members present voted "Aye."



The Planning & Development Services Division requested that a hearing be scheduled for the following application:

Application #30650 – **Olympia Land LLC** on behalf of The Last Holdout LLC, to amend the Southwest Community General Plan and to rezone property located at approximately 6300-8500 West and 12400-13100 South from an A-2 to a P-C/zc zone.

Council Member Bradshaw, seconded by Council Member DeBry, moved to set the date of Tuesday, May 22, 2018, at 4:00 p.m., to accept public comment and consider the rezoning requests. The motion passed unanimously, authorizing the County Clerk to place the Notice of Public Hearing in a newspaper of general circulation, and authorizing the Planning &

rnese are dra	in minutes and are subject	.o change until	approved by the Cot	inty Council.
DATE	TUESDAY	N	1 A Y	1, <u>2018</u>
	Services Division to notify the sent voted "Aye."	ne surrounding	property owners, sho	wing that all Council
	*** *	** *** ***	* ***	
the meeting w	THERE BEING NO FURTI as adjourned at 4:26 p.m. u			
		SHERRIE S	SWENSEN, COUNT	Y CLERK
		Ву	Deputy Clerk	
CHAIR, SALT	LAKE COUNTY COUNCIL	<u> </u>		
	*** *	** *** **	* ***	
	*** *	** *** **	* ***	