DATE <u>TUESDAY</u> <u>MAY</u> <u>22, 2018</u>

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, MAY 22, 2018, PURSUANT TO ADJOURNMENT ON TUESDAY, MAY 15, 2018, AT THE HOUR OF 4:17 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<sup>1</sup> RICHARD SNELGROVE JIM BRADLEY ARLYN BRADSHAW MICHAEL JENSEN STEVEN DEBRY MAX BURDICK AIMEE WINDER NEWTON, Chair

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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Council Member Newton, Chair, presided.

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**Ms. Pam Tueller**, Clerk's Office, led the Pledge of Allegiance to the Flag of the United States of America.

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**Mayor Ben McAdams** introduced the 2018 Miss Kearns Royalty: 2nd Attendant Kaylei Powers, 1st Attendant Mollie Howard, and Miss Kearns Queen Alysa McNatt.

#### \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Dianne R. Orcutt, Deputy District Attorney, submitted the following ordinance setting forth the composition of the Tax Advisory Board consistent with the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act:

<sup>&</sup>lt;sup>1</sup> Participated electronically

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# ORDINANCE NO. 1830

# DATE: <u>MAY 22, 2018</u>

AN ORDINANCE AMENDING SECTION 3.10.055, ENTITLED "TOURISM, RECREATION, CULTURAL AND CONVENTION FACILITIES TAX ADVISORY BOARD" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, SETTING FORTH THE COMPOSITION OF THE TAX ADVISORY BOARD CONSISTENT WITH THE "TOURISM, RECREATION, CULTURAL, CONVENTION, AND AIRPORT FACILITIES TAX ACT."

The Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineation.

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

3.10.055 – Tourism, recreation, cultural and convention facilities tax advisory board.

- A. There is created a tourism, recreation, cultural and convention facilities tax advisory committee consisting of nine members chosen as follows:
  - 1. [Five mayors chosen by the municipal members of the Salt Lake County of Governments] Four members shall be residents of the county appointed by the county council;
  - 2. [One member representing the unincorporated area of the county chosen by the county council;] Five members shall be mayors of cities and towns within the county.

[3. Two members of the public residing in incorporated cities or towns chosen by the county council; and

4. One member of the public at large chosen by the county council.]

- 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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frequency of the meetings, and the compensation, if any, of the members, the conduct of its members, and such other matters as it deems appropriate and as consistent with state statute, county ordinances, policies and law.

- 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.

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 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 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.

# \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

The Council reviewed a request from Eye Care 4 Kids Foundation to contribute \$1,000 to the foundation from the Council's Contribution Fund.

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.

# \*\*\* \*\*\* \*\*\* \*\*\*

The Council reviewed a request to withhold compression raises to employees who do not meet certain performance standards.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting to give compression raises to all

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compressed employees. The motion passed unanimously, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

#### \*\*\* \*\*\* \*\*\* \*\*\*

Mr. Michael Ongkiko, Director, Human Resources Division, submitted a letter recommending approval of the following Human Resources Policies and Procedures:

#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

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 policies and procedures, directing the County Clerk to attest her signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

#### \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Erin Litvack, Chair, Steering Committee, submitted a letter recommending approval of the following Countywide Policy and Procedure:

#1450 - Charitable Solicitation of County Employees

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.

#### \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Angela Lane, Deputy District Attorney, introduced an ordinance amending the flood control violation enforcement and appeals process. (Final adoption of this ordinance will be considered at the Tuesday, June 5, 2018, Council meeting).

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.

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### \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Angela Lane, Deputy District Attorney, submitted a letter recommending approval of the following RESOLUTION amending the civil penalty schedule for flood control violations:

#### RESOLUTION NO. 5363

DATE: MAY 22, 2018

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

#### WITNESSETH

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 Title 17 of the Salt Lake County Code, which identifies the County's flood control facilities and provides regulations against the obstruction and destruction of these facilities, and provides for the enforcement of these 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, County Council has adopted Salt Lake County Code 17.32.060(D) which provides that "The division may charge a reasonable administrative hearing fee for this appeal;" and

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

WHEREAS, Salt Lake County Flood Control desires for the County Council to adopt the administrative hearing fee and other changes as set forth in the attached 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

WHEREAS, it has been determined that the best interests of Salt Lake County and the general public will be served by the attached Flood Control Civil Penalty Schedule, as this measure will aid Salt Lake County Flood Control in efficiently enforcing violations of Title 17 and prevent unnecessary harm to the County's flood control facilities and public and private property.

#### RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the fees imposed in the attached Flood Control Violation Civil Penalty Schedule are approved and adopted. It shall become effective upon its adoption.

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

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

By /s/ SHERRIE SWENSEN

County Clerk

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 execute the resolution and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote. [This resolution would not take effect until the same time as the ordinance relating to this issue.]

#### \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Erin Litvack, Chair, Steering Committee, submitted a letter recommending approval of the following Countywide Policy and Procedure:

#1029 – Trip Reduction

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. Derrick Sorensen, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION declaring property located at 3733 South

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5450 West, West Valley City, as surplus and authorizing conveyance of a portion of the property to adjacent property owner **MD & L, LC** for the appraised value of \$6,000:

### RESOLUTION NO. 5364

DATE: <u>MAY 22, 2018</u>

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 MD & L, LC

# RECITALS

- 1. Salt Lake County (the "County") owns a parcel of real property, Parcel No. 14-36-152-030, located at approximately 3733 South 5450 West, West Valley City, Utah (the "Property"), which was struck off to the County after the tax sale in 1968.
- 2. MD & L, LC ("MD & L"), has offered in writing to purchase a portion of the Property (the "Parcel") from the County for \$6,000.00, which amount has been approved by the County Real Estate Section as fair market value. This offer is in the form of a Tax Sale Property Purchase Agreement (the "Agreement") attached hereto as Exhibit A.
- 3. The County has determined that the Parcel is not in public use. Proceeds from the sale of the Parcel will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
- 4. It has been determined that the best interest of the County and the general public will be served by the sale and conveyance of the Parcel to MD & L. The sale and conveyance 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 Parcel, described in Exhibit 1 of the Agreement is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and conveyance of the Parcel by quit-claim deed to MD & L as provided in the Agreement for the agreed appraised value of Six Thousand Dollars and Zero Cents (\$6,000.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are hereby authorized to execute the Quit-Claim Deed, attached to the Agreement as Exhibit 2, and to deliver the fully executed documents to the County Real Estate Section for delivery to MD & L upon payment of the agreed upon purchase amount.

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 2018.

ATTEST (SEAL)

# SALT LAKE COUNTY COUNCIL

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

By /s/ SHERRIE SWENSEN

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County Clerk

#### \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_

Mr. Derrick Sorensen, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an EASEMENT GRANT between Salt Lake County for its Real Estate Section and **Questar Gas Company dba Dominion Energy Utah**. Salt Lake County will grant Questar Gas Company dba Dominion Energy Utah a 20-foot wide perpetual easement across property located at approximately 604 West 6960 South, Midvale City, to construct, maintain, and repair an underground gas pipeline to provide gas service to a County sandbag shed.

# RESOLUTION NO. 5365

# DATE: <u>MAY 22, 2018</u>

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

# RECITALS

- 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.

- DATE <u>TUESDAY</u> MAY <u>22, 2018</u>
  - F. It has been determined that the best interests of the County and the general public will be served by executing the Easement Agreement. The terms and conditions of the Easement Agreement are in compliance with all applicable state statues and county ordinances.

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

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 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 declaring property located at 3130 North 2200 West, Salt Lake City, as surplus and authorizing conveyance of a portion of the property to adjacent property owner **Osvaldo Mendoza** for the appraised value of \$7,775.00:

RESOLUTION NO. 5366

DATE: <u>MAY 22, 2018</u>

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

- 1. Salt Lake County (the "County") owns a parcel of real property, Parcel No. 8-09-251-012, located at approximately 3130 North 2200 West, Salt Lake City, Utah (the "Property"), which was struck off to the County after the tax sale in 1989.
- 2. Osvaldo Mendoza, also known as Osvaldo Arturo Mendoza and Osvaldo A. Mendoza ("Buyer"), owns three parcels of land adjacent to the Property.
- 3. Buyer has offered to purchase a portion of the Property that is adjacent to Buyer's three parcels from the County (the "Acquisition Parcels") for appraised value, which has been reviewed and approved by the County Real Estate Division, and has paid a fee of \$100, which amount shall be credited towards the purchase prices of the Acquisition Parcels.

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This offer is in the form of a Tax Sale Property Purchase Agreement (the "Agreement") attached hereto as Exhibit A.

- 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.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Acquisition Parcels described in Exhibits 2 and 3 of the Agreement are hereby declared surplus property.

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.

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 2018.

ATTEST (SEAL)

SALT LAKE COUNTY COUNCIL

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

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

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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 Planning & Development Services Division and **Millcreek** – Improvement Bond Agreements. Salt Lake County will assign and convey all of its rights and delegate its duties and interests in bond agreements to Millcreek, for agreements the County entered into with developers for improvements within Millcreek's municipal boundaries. The agreement will take effect upon execution of the agreement.

RESOLUTION NO. 5367

DATE: <u>MAY 22, 2018</u>

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# A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH MILLCREEK FOR ASSIGNMENT OF IMPROVEMENT BOND AGREEMENTS

# WITNESSETH

WHEREAS, Salt Lake County ("County") and Millcreek ("City") are local governmental units and "public agencies" that are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101 et seq., Utah Code Annotated (the "Interlocal Act"), to enter into agreements with each other for joint and cooperative action to make the most efficient use of their powers on a basis of mutual advantage; and

WHEREAS, County has entered into bond agreements with a number of developers for completion of improvements, thereafter referred to as "Bond Agreements";

WHEREAS, the Bond Agreements are for projects within Millcreek's municipal boundaries;

WHEREAS, County provided planning and development services for Millcreek via contract from January 1, 2017 through on or about March 31, 2018, which included enforcing and administering the terms of the Bond Agreements;

WHEREAS, as of on or about March 31, 2018, Millcreek has been providing its own planning and development services, including the enforcement and administration of the terms of the Bond Agreements;

WHEREAS, the parties desire to enter into an Interlocal Assignment Agreement so that Millcreek can assume responsibility for the enforcement and administration of the Bond Agreements;

# RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the attached Interlocal Assignment and Assumption 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.

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 2018.

ATTEST (SEAL)

# SALT LAKE COUNTY COUNCIL

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

By /s/ SHERRIE SWENSEN

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County Clerk

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 execute the resolutions and directing the County Clerk to attest her signature, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

#### \*\*\* \*\*\* \*\*\* \*\*\*

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Michael Peterson** as the TRCC representative on the Cultural Facilities Support Program Advisory Board to serve a three-year term. His term will begin May 22, 2018, and end May 21, 2021.

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Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reappointment of **Marcus Kaller** as a member of the Salt Lake County Bicycle Advisory Committee to serve a three-year term. His term began January 1, 2018, and will end December 31, 2020.

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.

#### \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

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 and the **Jordan River Commission** – Stream Gauging Equipment. The Jordan River Commission will donate stream gauging equipment valued at \$72,000 or less to Salt Lake County. The agreement will take effect upon execution of the agreement and end December 31, 2018.

# RESOLUTION NO. 5368

DATE: <u>MAY 22, 2018</u>

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH JORDAN RIVER COMMISSION FOR STREAM GAUGING EQUIPMENT

#### WITNESSETH

WHEREAS, the Parties are local governmental units and "public agencies" that are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101 *et seq.*, Utah

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Code Annotated (the "Interlocal Act"), to enter into agreements with each other for joint and cooperative action to make the most efficient use of their powers on a basis of mutual advantage; and

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, as part of this cooperative effort, the Jordan River Commission will provide County with certain equipment as set forth in the attached Interlocal Cooperation Agreement; 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.

# RESOLUTION

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

APPROVED and ADOPTED this <u>22<sup>nd</sup></u> day of <u>May</u>, 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 Jensen, 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." Council Member Bradley was absent for the vote.

#### \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

Ms. Erin Litvack, Chair, Steering Committee, submitted a letter recommending approval of the following Countywide Policy and Procedure:

#1006 – Donation of Property or Funds to Salt Lake County

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.

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 Tax Administration Office to file the appropriate Notice of Lien with the County Recorder, showing that all Council Members present voted "Aye."

#### \*\*\* \*\*\* \*\*\* \*\*\* \*\*\*

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.

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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

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 effect the same, showing that all Council Members present voted "Aye."

#### \*\*\* \*\*\* \*\*\* \*\*\*

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

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submission of an application for tax abatement on or before the filing deadline, 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, 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."

#### \*\*\* \*\*\* \*\*\* \*\*\*

Mr. Brad Neff, Chair, Property Tax Committee, submitted letters recommending 2017 remaining real property tax delinquencies be rolled over into the deferral and to reinstate the deferral to the following taxpayers under the conditions that: 1) the balance of the 2017 real property tax delinquencies be added to the deferral, 2) down payments be made in the amount shown on the schedule for each deferral, 3) monthly payments be made in the amount shown on the schedule for each deferral, 4) all subsequent taxes be paid on or before the due date annually, 5) the participant retain their ownership interest in the property during the entire deferral period, 6) the property remain occupied during the entire deferral period as the participant's primary residence, 7) yearly submission of an application for tax abatement on or before the filing deadline, and 8) the deferral be reviewed annually prior to the Tax Sale for compliance with conditions of approval:

Taxpayer	Parcel No.
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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DATE <u>TUESDAY</u> <u>MAY</u> <u>22, 2018</u>

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."

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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:

<u>Application #30650</u> – **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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This P-C zone project involves 8,765 total units: 1,497 detached single-family units, 2,485 townhomes, and 4,783 apartment-style units in the town center, which is a higher density area. A Utah State University (USU) campus will be included in the plan.

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 (JVWCD) 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 JVWCD, 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.

When the public hearing is concluded, the Council will be asked to vote on approval on three separate issues:

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

**Mr. Cory Shupe**, Landscape Architect & Planner, Blue Line Designs, stated he was representing developer Doug Young. He had his first meeting with USU this past Wednesday. The university is excited about bringing its services to this area. He also noted that development needed to house the increase in Utah population can only be done on the west bench.

**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.

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

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.

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**Council Member Burdick** stated a lot of work has been done on this plan and it has a great resume of successful developers. This plan is a good way to have some order in the development and address transportation and moderate income housing issues.

**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.

**Council Member Snelgrove** stated he has spent several hours reviewing presentations on this development and has done his own due diligence. He also drove around the area and up Butterfield Canyon. He concluded that this is the right development in the right location at the right time. It is a model for what is in the best interest of the west bench. He will be supportive of the application.

**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.

Council Member DeBry asked if density was based on water availability.

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

**Council Member DeBry** asked why Herriman and South Jordan would be so averse to this project.

**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.

**Council Member Jensen** stated he was in favor of this project. In 1999, when the County Commission formed Herriman as a town, it had less than 1,000 people. Today there are 44,000 people and the Commission did not think about how those people would get to the freeway. Today, developers now take that into consideration. Along Mountain View Corridor there is much higher density than 9.5 units per acre. Fire, police, and the Municipal Services District are all willing to provide services to this project.

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**Council Member Wilson** stated she supported the project. This developer is taking into account good planning, outreach, and density. Utah has an explosion of jobs in the tech industry and individuals will need places to live. This is a unique and visionary project. She has not heard the concerns from Herriman City officials and would like to hear from them directly.

**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.

Mayor Ben McAdams stated he recognized that Salt Lake County is not the only jurisdiction in this area. The Council will have the future opportunities to approve the development agreement and address transportation issues.

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.

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

Ву \_\_\_\_\_

Deputy Clerk

 DATE
 TUESDAY
 MAY
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CHAIR, SALT LAKE COUNTY COUNCIL

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