

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, JULY 18, 2017, PURSUANT TO ADJOURNMENT ON TUESDAY, JULY 11, 2017, AT THE HOUR OF 4:00 PM AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

PRESENT: JENNIFER WILSON  
JIM BRADLEY  
ARLYN BRADSHAW  
AIMEE WINDER NEWTON  
SAM GRANATO  
MAX BURDICK  
STEVEN DEBRY, Chair

EXCUSED: RICHARD SNELGROVE  
MICHAEL JENSEN

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR  
By: ERIN LITVACK, DEPUTY MAYOR  
SIM GILL, DISTRICT ATTORNEY  
COUNCIL MEETING  
By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY  
PLANNING & ZONING MEETING  
By: CHRIS PRESTON, DEPUTY DISTRICT ATTORNEY  
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE  
SHERRIE SWENSEN, COUNTY CLERK  
By: KIM STANGER & NICHOLE WATT, DEPUTY CLERKS

Council Member DeBry, Chair, presided.

**Mr. Rex Alley**, Intern, Council Office, led the Pledge of Allegiance to the Flag of the United States of America.

Council Member Bradshaw, seconded by Council Member Granato, moved to approve the minutes of the Salt Lake County Council Public Hearing held on Tuesday, June 20, 2017, and Salt Lake County Council meeting held on Tuesday, June 27, 2017. The motion passed unanimously, showing that all Council Members present voted "Aye."

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**Mr. Steve Van Maren** spoke under “Citizen Public Input” stating he presumed the Council would not know if it was going to do a tax increase this year until after the election.

Ms. Megan Hillyard, Director, Administrative Services Department, submitted a letter notifying the Council that the Mayor appointed **Zach Posner** as the new Chief Information Officer.

Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Burdick, moved to acknowledge the appointment and forward it to the 4:00 p.m. Council meeting. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted "Aye." Council Members Bradley and Wilson were absent for the vote.



**Council Member Bradshaw** spoke under “Report of Council Members” reporting that the Records Management and Archives Section held a celebration today recognizing the Government Center’s 30<sup>th</sup> birthday. He stated Council Member Bradley and he attended, along with former Commissioners Tom Shimizu and Bart Barker. One of the reasons the Government Center was built was because County employees were spread out in many different buildings throughout the County, and it enabled them to come together in one building. Another interesting fact is that Council Member Bradley campaigned against the construction of the building, but he apologized for that.

Mr. Rod Kitchens, Director, Budget & Planning Division, Mayor's Financial Administration, submitted a letter recommending approval of the following budget calendar for the 2018 budget workshop sessions and 2017 year-end budget adjustments:

- October 3, 2017 – Revenue and economic update
- October 24, 2017 – Mayor’s proposed budget
- October 24 – November 21, 2017 – Budget workshop sessions
- December 5, 2017 – Public hearing and adoption of 2018 budget.

He also recommended setting the date of October 24, 2017, as the last day to approve any 2017 budget adjustments. After that date, all budget adjustments, unless exigent in nature, would be considered after the budget workshop sessions were completed.

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Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Wilson, moved to adopt the budget calendar and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Newton was absent for the vote.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."

Council Member DeBry reviewed the Notice of Vacancy letter regarding the resignation of Jim Winder, Salt Lake County Sheriff, to be sent to the Salt Lake County Democratic Party.

Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Wilson, moved to approve the letter and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Newton was absent for the vote.] The Council motion passed unanimously, authorizing the Council Chair to send the letter to the Salt Lake County Democratic Party, showing that all Council Members present voted "Aye."

Ms. Maren Slaugh, an employee of the Records Management and Archives Section, submitted a Disclosure of Private Business Interests form advising the Council that she is a volunteer on Fred Ross' campaign for Sheriff.

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Mr. Ben Poulson, an employee of the Information Services Division, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the University of Utah as a systems analyst.

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Ms. Stormy Hannay, an employee of the Salt Lake County Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Community Nursing Services (CNS) as an immunization nurse.

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Ms. Diane P. Stewart, a member of the Center for the Arts Advisory Board, submitted a Disclosure of Private Business Interests form advising the Council that she is the

owner of Modern West Fine Art. She is also a member of the Utah Symphony/Opera Board of Trustees.

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Council Member Bradshaw, seconded by Council Member Granato, moved to forward the ordinance to the August 1, 2017, Council meeting for formal consideration. The motion passed unanimously, showing that all Council Members present vote "Aye."



Ms. Kimberly Barnett, Associate Deputy Mayor, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Community Services Department and the **University of Utah** – Contribution of TRCC Funds for Kingsbury Hall. Salt Lake County will provide \$12,720.00 in Tourism, Recreation, Cultural and Convention (TRCC) funds to the University of Utah for certain equipment improvements in Kingsbury Hall. The agreement will terminate upon the University of Utah's full expenditure of the TRCC funds and completion of the associated reporting requirements.

RESOLUTION NO. 5233

DATE: JULY 18, 2017

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY  
APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL  
COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND  
UNIVERSITY OF UTAH FOR A CONTRIBUTION OF TRCC FUNDS TO HELP  
FUND THE UPGRADE OF CERTAIN EQUIPMENT AT KINGSBURY HALL

## RECITALS

A. Salt Lake County (the “County”) and University of Utah (the “University”) are “public agencies” as defined by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 et seq. (the “Cooperation Act”), and, as such, are authorized by the Cooperation Act to enter into this Agreement to act jointly and cooperatively on the basis of mutual advantage in order to provide facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.

B. The County receives funds ("TRCC Funds") pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act, Utah Code. Ann. §§ 59-12-601 et seq. (the "TRCC Act"). The TRCC Act provides that TRCC Funds may be used, among other things, for the development, operation, and maintenance of publicly owned or operated recreation, cultural, or convention facilities.

C. In 2016, the University requested TRCC Funds from the County—through the County’s Cultural Facilities Support Program—to help it fund the project described in its Cultural Facilities Support Program Application. More specifically, the University requested TRCC Funds to help it fund the upgrade of certain equipment at Kingsbury Hall to improve services for: (1) the hearing impaired; (2) individuals who are mobility disabled; and (3) people with sensory sensitivity, including people with autism (the “Project”). The County Council appropriated TRCC Funds for this purpose in the 2017 Salt Lake County Budget.

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D. The University and the County now desire to enter into the Interlocal Cooperation Agreement attached hereto as ATTACHMENT A (the “Interlocal Agreement”) wherein the County agrees to grant TRCC Funds to the University to help fund the Project and wherein the University agrees to abide by the terms and conditions outlined in the Agreement.

E. The County Council believes that its contribution and assistance under the Agreement will contribute to the prosperity, peace, and comfort of Salt Lake County residents.

## RESOLUTION

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

1. That the Interlocal Agreement between Salt Lake County and University of Utah is approved, in substantially the form attached hereto as ATTACHMENT A, and that the Salt Lake County Mayor is authorized to execute the same.

2. That the Interlocal Agreement will become effective as stated in the Interlocal Agreement.

APPROVED and ADOPTED in Salt Lake City, Salt Lake County, Utah, this 18<sup>th</sup> day of July, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ STEVE DEBRY  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

Ms. Kimberly Barnett, Associate Deputy Mayor, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Community Services Department and the **University of Utah** – Contribution of TRCC Funds for Museum of Fine Arts. Salt Lake County will provide \$42,500.00 in Tourism, Recreation, Cultural and Convention (TRCC) funds to the University of Utah to help fund the Dumke Auditorium technology upgrades project at the Utah Museum of Fine Arts. The agreement will terminate upon the University of Utah's full expenditure of the TRCC funds and completion of the associated reporting requirements.

RESOLUTION NO. 5234

DATE: JULY 18, 2017

DATE TUESDAY JULY 18, 2017

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY  
APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL  
COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND  
UNIVERSITY OF UTAH FOR A CONTRIBUTION OF TRCC FUNDS TO HELP  
FUND THE DUMKE AUDITORIUM TECHNOLOGY UPGRADES PROJECT AT  
THE UTAH MUSEUM OF FINE ARTS.

## RECITALS

A. Salt Lake County (the “County”) and University of Utah (the “University”) are “public agencies” as defined by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 et seq. (the “Cooperation Act”), and, as such, are authorized by the Cooperation Act to enter into this Agreement to act jointly and cooperatively on the basis of mutual advantage in order to provide facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.

B. The County receives funds ("TRCC Funds") pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act, Utah Code. Ann. §§ 59-12-601 et seq. (the "TRCC Act"). The TRCC Act provides that TRCC Funds may be used, among other things, for the development, operation, and maintenance of publicly owned or operated recreation, cultural, or convention facilities.

C. In 2016, the University requested TRCC Funds from the County—through the County’s Cultural Facilities Support Program—to help it fund the project described in its Cultural Facilities Support Program Application. More specifically, the University requested TRCC Funds to help fund technical upgrades to projection equipment, sound systems, assistive listening devices, theatrical lighting, speakers, and video/sound recording equipment for the Dumke Auditorium (the “Project”). The County Council appropriated TRCC Funds for this purpose in the 2017 Salt Lake County Budget.

D. The University and the County now desire to enter into the Interlocal Cooperation Agreement attached hereto as ATTACHMENT A (the “Interlocal Agreement”) wherein the County agrees to grant TRCC Funds to the University to help fund the Project and wherein the University agrees to abide by the terms and conditions outlined in the Agreement.

E. The County Council believes that its contribution and assistance under the Agreement will contribute to the prosperity, peace, and comfort of Salt Lake County residents.

## RESOLUTION

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

DATE TUESDAY JULY 18, 2017

1. That the Interlocal Agreement between Salt Lake County and University of Utah is approved, in substantially the form attached hereto as ATTACHMENT A, and that the Salt Lake County Mayor is authorized to execute the same.
2. That the Interlocal Agreement will become effective as stated in the Interlocal Agreement.

APPROVED and ADOPTED in Salt Lake City, Salt Lake County, Utah, this 18<sup>th</sup> day of July, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ STEVE DEBRY  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

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Ms. Antigone Carlson, Contracts Administrator, Contracts & Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County and the **City of Millcreek, Copperton Metro Township, Magna Metro Township, Emigration Canyon Metro Township, Kearns Metro Township, and White City Metro Township** – CDBG and HOME Investment Programs. Salt Lake County will enter into an interlocal agreement with Millcreek and the metro townships of Magna, Copperton, Kearns, White City, and Emigration Canyon in order for the County to be requalified as an urban county for federal fiscal years 2017, 2018, and 2019. As part of an urban county, these entities will then qualify for participation in the Community Development Block Grant (CDBG) and HOME programs.

RESOLUTION NO. 5235

DATE: JULY 18, 2017

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH CITY OF MILLCREEK, COPPERTON METRO TOWNSHIP, EMIGRATION CANYON METRO TOWNSHIP, KEARNS METRO TOWNSHIP, MAGNA METRO TOWNSHIP AND WHITE CITY METRO TOWNSHIP RELATING TO THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM

The Legislative Body of Salt Lake County resolves as follows:

WHEREAS, the County participates as an “urban county,” as defined by federal regulation, in the Community Development Block Grant (“CDBG”) and the HOME Investment



Partnership (“HOME”) programs administered by the U.S. Department of Housing and Urban Development (“HUD”);

WHEREAS, the County entered into an interlocal cooperation agreement in 2006 with Herriman City, Holladay City, and Cottonwood Heights City governing the parties participation in the CDBG and HOME programs as required by HUD as part of the urban county qualification process;

WHEREAS, HUD has required the County to enter into an interlocal agreement with the Cities in order for the County to be requalified as an urban county for federal fiscal years 2017, 2018, and 2019.

WHEREAS, under the Utah Interlocal Cooperation Act, Utah Code Annotated, 11-13-101 *et seq.*, (2017) any two or more public agencies may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental service activity or undertaking which each public agency entering into the contract is authorized by law to perform.

APPROVED and ADOPTED this 18<sup>th</sup> day of July, 2017.

ATTEST (SEAL)

DATE TUESDAY JULY 18, 2017

By /s/ STEVE DEBRY  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Wilson, moved to approve the resolutions and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Newton was absent for the vote.] The Council motion passed unanimously, authorizing the Chair to execute the resolutions and directing the County Clerk to attest his signature, showing that all Council Members present voted "Aye."

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

## #1019 – Authorization and Payment of Travel Related Expenses

Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Burdick, moved to approve the amended policy and procedure and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the Chair to sign the policy and procedure, directing the County Clerk to attest his signature, and authorizing the Mayor's Office to distribute the same, showing that all Council Members present voted "Aye."

Ms. Talia Butler, Director, Animal Services Division, submitted a letter advising the Council that ASPCA has offered to donate \$5,000 to be used by the Animal Services Division.

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Mr. Paul Leggett, Director, Aging and Adult Services Division, submitted a letter advising the Council that Rocky Mountain Power has offered to donate \$2,011 to be used for the Meals on Wheels program.

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Mr. Paul Leggett, Director, Aging and Adult Services Division, submitted a letter advising the Council that Carol Varney has offered to donate \$3,000 to be used at the West Jordan Senior Center.

Mr. Paul Leggett, Director, Aging and Adult Services Division, submitted a letter advising the Council that Intermountain Healthcare has offered to donate \$3,750 to be used for the Aging Mastery Program.

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Mr. Rory Payne, Director, Facilities Management Division, submitted a letter requesting an interim budget adjustment of \$2,219,661 for Phase 2 of the HVAC replacement project.

Mr. Scott Baird, Director, Public Works and Municipal Services Department, submitted a letter requesting an interim budget adjustment of \$24,222 to postpone two reduction in force positions in the Office of Township Services through July 31, 2017, and two positions in the Animal Services Division through August 31, 2017. This will require transferring funds from the Judgment Levy.

Mr. Carlton Christensen, Director, Office of Regional Transportation, Housing, and Economic Development, submitted a letter requesting an interim budget adjustment to reclassify a Manager position to a Municipal Economic Development Director.

Council Member Bradshaw, seconded by Council Member Granato, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Newton, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Wilson was absent for the vote.] The Council motion passed unanimously, authorizing the County Chief Financial Officer to effect the same, showing that all Council Members present voted "Aye."

**Mr. Max Johnson**, Planning and Development Services Division, reviewed the following request that was heard during the July 11, 2017, Council meeting and continued to today for formal consideration:

Application #30267 – **Salt Lake County** to amend the General Plan to include the County Resource Management Plan.

This County Resource Management Plan was mandated by the Legislature. Legislation requires it be adopted by August 1<sup>st</sup>. It deals with federally-owned public lands, and incorporates things from the County's general plan process for the canyons. The County has gone through an extensive public process to reach this point.

Council Member Wilson, seconded by Council Member Newton, moved to open the public hearing. The motion passed unanimously.

**Mr. Steve Van Maren** stated the verbiage in the draft County Resource

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Management Plan was fine, but the maps were not descriptive enough. They show the Mountain View Corridor, but not U-111 as it runs around the corner to Herriman, nor do they show 11400 when it crosses the valley and enters U-111 at 11800. These were important landmarks and should be in every map.

**Mr. Johnson** stated since the plan addressed federally-owned public lands, it was not necessary to show arterials on these maps. However, electronic versions were available whereby viewers could zoom in.

**Council Member Wilson** suggested approving the request today since electronic copies were available, but asking the Planning and Development Services Division to work with the consultant who prepared the Resource Management Plan to replace these maps with cleaner images and better screen shots as they roll out the plan.

Council Member Wilson, seconded by Council Member Burdick, moved to close the public hearing and approve Application #30267. The motion passed unanimously, directing the Planning and Development Services Division to work with the consultant who prepared the Resource Management Plan to replace the current maps with cleaner images and better screen shots as they roll out the plan, showing that all Council Members present voted "Aye."



**Mr. Max Johnson**, Planning and Development Services Division, reviewed the following ordinance amendment that was heard during the July 11, 2017, Council meeting and continued to today for formal consideration:

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Application #30253 – **Salt Lake County** to amend how the Mountainous Planning District Planning Commission members are chosen.

This is a refinement of the Mountainous Planning District Planning Commission Ordinance concerning the composition of the planning commission. It identifies three major components, the first that four of the nine seats be designated as city seats for the cities of Salt Lake, Cottonwood Heights, Millcreek, and Sandy. When a seat is due, the County Mayor will inform the city, and it will have sixty days to respond with a list of three names. Then, the Mayor will choose a name from that list and take it to the Council for its advice and consent. The two alternate seats and remaining seats will be determined by the County. Secondly, instead of one seat being a representative of the Mountainous Planning District, there will be two seats. One of the seats must be a resident of the district; the second can be a resident or owner of property in the district. The third is a reporting component, whereby in November, the County must send a report to the Legislature letting it know what the Mountainous Planning District Planning Commission accomplished.

Council Member Wilson, seconded by Council Member Newton, moved to open the public hearing. The motion passed unanimously.

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No one spoke in favor of or in opposition to the ordinance.

Council Member Bradshaw, seconded by Council Member Burdick, moved to close the public hearing and approve Application #30253 and the following ordinance:

ORDINANCE NO. 1814

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# MOUNTAINOUS PLANNING DISTRICT AND PLANNING COMMISSION

AN ORDINANCE AMENDING CHAPTER 19.07 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ESTABLISHING A PLANNING COMMISSION FOR THE MOUNTAINOUS PLANNING DISTRICT AND PROVIDING FOR THIS PLANNING COMMISSION'S COMPOSITION, AUTHORITY, RULES AND PROCEDURES, AND MAKING OTHER RELATED CHANGES.

The County legislative body of Salt Lake County ordains as follows:

**SECTION I.** The amendments made here are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

**SECTION II.** Chapter 19.07 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

**19.07.010 – MOUNTAINOUS PLANNING DISTRICT AREA DESIGNATED**

A. Mountainous planning district map. The area of the mountainous planning district is hereby designated according to the mountainous planning district map that is on file with the county clerk, and such map is made by this reference a part of this title as if fully described and detailed herein. The map of the mountainous planning district may be examined by the public subject to any reasonable regulations established by the county clerk. All of the area within the mountainous planning district map meets the following criteria:

1. The area is primarily used for recreational purposes, including canyons, foothills, ski resorts, wilderness areas, lakes and reservoirs, campgrounds, or picnic areas within the Wasatch Range;
2. The area is used by residents of the county who live inside and outside the limits of a municipality;
3. The total resident population in the mountainous planning district area is equal to or less than five percent of the population of the county; and
4. The area was within the unincorporated area of the county before May 12, 2015; and

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5. The area includes land designated as part of a national forest on or before May 9, 2017.

B. Boundary location rules. Where uncertainty exists as to the boundary of the mountainous planning district, the following rules shall apply:

1. Wherever the boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of the street, alley or block, or such property line shall be construed to be the boundary of the mountainous planning district.

2. Whenever such boundary line of the mountainous planning district is indicated as being approximately at the line of any river, irrigation canal, or other waterway or railroad right-of-way, or public park, or other public land, or any section line, then in such cases the center of the stream, canal or waterway, or of the railroad right-of-way, or the boundary line of such public land or such section line shall be deemed to be the boundary of the mountainous planning district.

3. Where the application of the above rules does not clarify the mountainous planning district boundary location, the land use hearing officer shall interpret the map.

**19.07.020 – MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION**

### A. Creation.

1. There is hereby created a Mountainous Planning District, consisting of the area described in Section 19.07.010 of this chapter.

2. There is hereby established a Mountainous Planning District Planning Commission ("Planning Commission").

B. Powers and Duties. The Planning Commission shall have the following powers and duties:

1. Make and recommend to the county council a general plan and amendments to the general plan for the Mountainous Planning District;

2. Prepare and recommend to the county council land use ordinances and a zoning map and amendments thereto for the Mountainous Planning District:

3. Consider and recommend to the county council a subdivision ordinance and amendments thereto for areas within the Mountainous Planning District;

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4. Recommend proposed application processes and the appropriate delegation of power to at least one land use authority and at least one appeal authority as provided in Section 17-27a-302 of the Utah Code.
5. Act as the land use authority as provided in Section 19.07.030;
6. Advise the county council on matters that the county council directs;
7. Provide other functions as specified in this chapter or as directed by the county council.

C. Membership, Appointment, Terms, Removal, and Vacancies:

1. The Planning Commission shall initially be composed of nine members ~~[to be]~~appointed~~[ment]~~ by the mayor with the advice and consent of the county council. After June 30, 2017, the nine members of the Planning Commission shall be appointed as follows:

- a. Five of the nine members of the Planning Commission, filling positions on the Planning Commission identified as MPD Planning Commission Seats 1 through 5, shall be appointed by the mayor with the advice and consent of the county council.

- b. Four of the nine members of the Planning Commission, filling positions on the Planning Commission identified as MPD Planning Commission Seats A through D, shall be appointed as provided in Subsection (C)(2) below.

2. When there is a vacancy in one of the four planning commission  
seats designated in Subsection (C)(1)(b) of this section:

- a. The mayor shall send a written request to the city associated in Subsection (C)(3) of this section, with the vacant planning commission seat to provide a list of three individuals who satisfy the requirements of Section 17-27a-301(1)(c)(iii) to fill the vacancy.

- b. The notified city shall respond to the written request within sixty (60) days after the day on which the city receives the written request.

- c. After the mayor receives the notified city's list of three individuals, the mayor shall select one individual from the list to be appointed with the advice and consent of the county council to fill the vacancy.



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d. If the notified city fails to timely respond to the written request, the mayor may proceed to appoint any individual to fill the vacancy as provided in Subsection (C)(1)(a) of this section.

3. The following cities meet the requirements of Section 17-27a-301(7)(b) and are hereby designated to be notified of any vacancy occurring in the Planning Commission seats identified in subsection (C)(1)(b) above as follows:

- a. Salt Lake City – MPD Planning Commission Seat A.
- b. Millcreek – MPD Planning Commission Seat B.
- c. Cottonwood Heights – MPD Planning Commission Seat C.
- d. Sandy City – MPBD Planning Commission Seat D.

4.\_\_\_\_\_The mayor, with the advice and consent of the county council may also appoint up to two alternate members of the Planning Commission, filling positions on the Planning Commission identified as MPD Alternate 1 and MPD Alternate 2. Alternate members must meet the qualifications as the other Planning Commission members.

5. \_\_\_\_\_[2-]All members of the Planning Commission shall serve a term of three years, except that in the case of the first Planning Commission appointed under the provisions of this section, three members shall be appointed for an initial term of one year, three members shall be appointed for an initial term of two years, and the remaining three members shall be appointed to serve a full three-year term. Any alternate members of the Planning Commission shall be appointed to serve a term of four years. In the event a term of a member shall expire without a successor having been appointed, the member shall continue to serve until a successor has been appointed and the term of the successor shall terminate on the same day as though the successor was appointed in a timely manner. Any vacancy created during the term of a member shall be filled for only the remainder of the unexpired portion of that term. No member shall serve more than two consecutive full terms.

6. ~~\_\_\_\_\_~~ [3.] The Planning Commission shall elect a chair and vice chair from among its members to sit for one year terms and may, by majority vote, adopt rules regarding its activities, which rules may not be in conflict with the Land Use, Management and Development Act, Utah Code Ann. §17-27a-101 *et. seq.*, or this Ordinance. The chair shall be considered for purposes of establishing a quorum and shall act as a voting member.

7. ~~[4. Unless otherwise provided by law]~~Except as provided in Subsection (C)(2) of this section, any vacancy occurring on the Planning Commission by reason of death, resignation, removal or disqualification shall be filled by the mayor with

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the advice and consent of the county council for the unexpired term of such member.

8.\_\_\_\_\_The mayor with advice and consent of the county council may remove for cause any member of the Planning Commission upon the filing of written charges against the member and after a public hearing on the charges conducted by a hearing officer appointed by the mayor if requested by the member.

9. [5.] Quorum: No meeting of the Planning Commission shall be official or of any effect except when a quorum of the members are present. Five members of the Planning Commission shall constitute a quorum. All actions shall require the concurring vote of a majority of the members present, unless stricter voting procedures are established by the Planning Commission.

D. Qualifications for Membership:

1. Planning Commission members must be registered voters who reside either in the unincorporated or incorporated areas of Salt Lake County.

2. At least one Planning Commission member shall reside within the Mountainous Planning District and another Planning Commission member shall either reside or own property within the Mountainous Planning District.

3. Planning Commission members shall represent areas located in the unincorporated and incorporated county. In appointing Planning Commission members, the mayor and county council shall endeavor to provide as much geographically balanced representation as is practicable.

E. Jurisdiction: The Planning Commission shall have jurisdiction regarding all pending and future planning and zoning matters and proceedings within the Mountainous Planning District Area, including areas of the Mountainous Planning District that are also located within a municipality or are unincorporated.

F. Meetings:

1. The Planning Commission shall establish a regular meeting schedule.

2. The Planning Commission must comply with Title 52, Chapter 4, Open and Public Meetings Act.

G. Reporting: The Planning Commission shall submit a report that summarizes actions it has taken and any recommendations regarding the Mountainous Planning District to the Utah State Legislature's Natural Resources, Agriculture, and Environment Interim Committee by no later than November 30 of each year as required by Section 17-27a-901(3) of the Utah Code, as amended.

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**SECTION III.** 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.

APPROVED and ADOPTED this 18<sup>th</sup> day of July, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ STEVE DEBRY  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

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

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:41 PM until Tuesday, August 1, 2017, at 4:00 P.M.

SHERRIE SWENSEN, COUNTY CLERK

By \_\_\_\_\_  
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL

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