

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, AUGUST 1, 2017, PURSUANT TO ADJOURNMENT ON TUESDAY, JULY 18, 2017, AT THE HOUR OF 4:08:38 PM AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

JENNIFER WILSON¹
RICHARD SNELGROVE
ARLYN BRADSHAW
AIMEE WINDER NEWTON
MAX BURDICK
STEVEN DEBRY, Chair

JIM BRADLEY
MICHAEL JENSEN
SAM GRANATO

BEN MCADAMS, MAYOR
By: KIMBERLY BARNETT, ASSOCIATE DEPUTY MAYOR
SIM GILL, DISTRICT ATTORNEY
PLANNING & ZONING MEETING
By: ANGELA LANE, DEPUTY DISTRICT ATTORNEY
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE
SHERRIE SWENSEN, COUNTY CLERK
By: GAYELENE GUDMUNDSON & KIM STANGER, DEPUTY
CLERKS

Council Member DeBry, Chair, presided.

Mr. Reid Demman, Salt Lake County Surveyor, led the Pledge of Allegiance to the Flag of the United States of America.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to approve the minutes of the Salt Lake County Council meetings held on Tuesday, July 11, 2017, and Tuesday, July 18, 2017, and the Joint Hearing held with the Utah County Commissioners

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on Tuesday, July 11, 2017. The motion passed unanimously, showing that all Council Members present voted “Aye.”

Ms. Alexandra Eframo spoke under “Citizen Public Input” stating she is very unhappy with the proposed annual salary increase of \$5,000 for Amber Liechty who works in the Council Office. She will ask the District Attorney’s Office to look into this. Also, all drugs should be legalized. This would reduce the number of prisoners in the jail. Savings from this reduction could be used to help rehabilitate people who are addicted to drugs, alcohol, and cigarettes.

Mr. Sim Gill, District Attorney, stated as far as he knew all policies and procedures were followed relating to this request. It is within the domain of the Council to determine if a pay raise is warranted.

Ms. Alene Schwei, Utah Public Employee Association (UPEA), stated UPEA is supportive of the Human Resource Policies #4-200 – Leave Practice and #4-600 – FMLA, which are on the agenda for consideration. These two policies are critical in attracting qualified job applicants.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Jami McCart** as a member of the Career Services Council to serve a three-year term. Her term will begin August 2, 2017, and end June 30, 2020.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Burdick, seconded by Council Member Jensen, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, 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 **Terry Wood** as a member of the Dimple Dell Park Advisory Board to serve a one-year term. His term will begin August 2, 2017, and end August 1, 2018.

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Mayor Ben McAdams submitted letters requesting the Council's advice and consent to the appointments of **Anna McNamer** and **Peter Jensen** as members of the Dimple Dell Park Advisory Board to serve three-year terms. Their terms will begin August 2, 2017, and end August 1, 2020.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Kael Weston** as a member of the Open Space Trust Fund Advisory Committee to serve a four-year term. His term will begin August 2, 2017, and end August 1, 2021.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reassignment of **Carl Fisher** from a District 1 representative to an At-Large member of the Open Space Trust Fund Advisory Committee. The remainder of his four-year term will begin August 2, 2017, and end December 2018.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Yolanda Francisco-Nez** as a member of the Council of Diversity Affairs to serve a three-year term. Her term will begin August 2, 2017, and end August 1, 2020.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Heather Davis** as the Hospitality Representative and member of the Convention Facilities Advisory Board to serve a three-year term. Her term will begin August 2, 2017, and end August 1, 2020.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of **Gwen White** as a member of the Housing Authority of Salt Lake County to serve a four-year term. Her term will begin August 2, 2017, and end August 1, 2021.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the appointments and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mr. Reid Demman, Salt Lake County Surveyor, spoke under “Report of Elected Officials” providing an update on the boundary adjustment between Salt Lake County and Utah County, which the Council approved during its July 11, 2017, joint meeting with the Utah County Commissioners. He stated all work has been finalized and the boundary adjustment was recorded on Wednesday, July 26, 2017.

Council Member DeBry reviewed the Notice of Vacancy letter regarding the resignation of Gary Ott, Salt Lake County Recorder, to be sent to the Salt Lake County Republican Party.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the letter 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 Council Chair to send the letter to the Salt Lake County Republican Party, showing that all Council Members present voted "Aye."

The Council reviewed the proposal for an annual salary increase of \$5,000 for Amber Liechty, Administrator Coordinator, Council Office, to be effective July 1, 2017.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the pay increase and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."

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The Council reviewed issues relating to the Recorder's Office.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member DeBry, seconded by Council Member Newton, moved that the Salt Lake County Council cease and decessate all of its investigations relating to Mr. Ott, and instruct the Administrative Services Department not to fill any requests relating to new signage, letterhead, or business cards within the Recorder's Office until after the Republican Central Committee makes its appointment. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."

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Ms. Aliisa N. Leon, an employee of the District Attorney's Office, submitted a Disclosure of Private Business Interest form advising the Council that she is employed by West Jordan City as an ethics commissioner.

Ms. Cami Hadley, an employee of the District Attorney's Office, submitted a Disclosure of Private Business Interest form advising the Council that she is employed by House of Hookahs as a cashier.

Ms. Anna Galckin, an employee of the District Attorney's Office, submitted a Disclosure of Private Business Interest form advising the Council that she is employed by Immortal Knights Public Safety Motorcycle Club as a secretary.

Ms. Sarah Pearce, an employee of the Center for the Arts, submitted Disclosure of Private Business Interest forms advising the Council that she serves on the advisory board for Salt Lake Community College and is a consultant for the Sundance Institute.

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

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending refunds in the amounts indicated be issued to the following taxpayers for overpayment of vehicle taxes:

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Carl John Wall Trust	2016	\$ 10.00
Carl J. Wall	2017	\$ 80.00

<u>Taxpayer</u>	<u>Account No.</u>	<u>Refund</u>
Edward G. Hashimoto	35 112460	\$ 10.57
Autoworld	21 160990	\$ 1.63
Foreclosure Connections	61 160067	\$ 12.56
Sandy Visions	35 134476	\$ 272.14
Carpet Guy	61 140551	\$ 148.74
Humble Dwellings	55A 168021	\$ 36.92
Chemworld	14B 169164	\$ 80.28
Utah GTMS	46B 167378	\$ 50.29
Big Deluxe Tatto & Piercing	13 130766	\$ 30.00
Aetna Life Insurance	36H 153869	\$13,146.57
Hogi Yogi/Teriyaki Stik	39N 167045	\$ 335.33
Blues At The Depot	01N 152518	\$ 364.54
ProBar	13E 159019	\$ 104.89
R&R Partners	13 087632	\$ 915.82
United Industries	13E 156222	\$ 1,573.07
Wharton Hardwood Floors	36E 083984	\$ 630.40
Castle Grass Landscape	37Z 142047	\$ 534.45
BA BBQ Sandy	36D 168346	\$ 3.20
Paul or Carol Cunningham	37 207219	\$ 187.11
Mary O. Hyler	14 031603	\$ 39.66
Atlas Seals	14 154795	\$ 2,493.82

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Reduction</u>
West Valley City	14-23-478-018	2013	\$1,380.59 to \$0
		2014	\$1,324.18 to \$0
		2015	\$1,339.95 to \$0
		2016	\$1,310.33 to \$0

Utah Department of Transportation	22-04-151-027	2013	\$ 666.75 to \$0
		2014	\$ 655.35 to \$0
		2015	\$ 659.57 to \$0

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending that a refund of \$2,608.19 be issued to **Calltower Inc.** for overpayment of 2017 personal property taxes.

Mr. Kevin Jacobs, County Assessor, submitted a letter recommending abatement of \$4,320.61, along with any accrued interest, be credited to **Calltower Inc.** for overpayment of 2016 personal property taxes.

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the requests of the following taxpayers for 2017 tax relief:

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Type of Relief</u>
Clinton G. Simon	15-11-405-011	Hardship
Sally Snow	21-02-153-045	Indigent
Pamela L. Stevens	21-07-453-003	Indigent
Boyd M. Stewart	21-13-454-025	Indigent
Joan Tadd	20-01-479-018	Hardship

Ms. Fehrmann also recommended denial of the requests of the following taxpayers for tax relief:

<u>Taxpayer</u>	<u>Parcel No.</u>
Clinton G. Simon	15-11-405-011
Joan Tadd	20-01-479-018

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Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the requests of the following taxpayers for 2016 veteran's tax exemptions:

<u>Taxpayer</u>	<u>Parcel No.</u>
Scott D. Bennion	08-36-437-055
Gail T. Bocage	20-23-402-035
Larry R. Skogerboe	20-01-203-014
William H. Smith	28-11-104-024

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted letters recommending approval of the requests of the following taxpayers for primary residential exemption and refund of taxes, and applicable interest and penalty:

<u>Taxpayer</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Refund</u>
Scott & Michelle Van Leeuwen	22-27-151-055	2015	\$1,328.90
Brad Romney	09-31-340-080	2015	\$3,212.56

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending denial of the request of **Robert & Julie Baxter** for a waiver/refund of penalty imposed for late payment of 2016 property taxes.

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval to grant a 2016 property tax exemption as a charitable organization to the **Church of Jesus Christ of Latter-Day Saints** on property identified as Parcel No. 16-04-400-004.

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Gene and Elisabeth Barry** to grant a 2014 and 2015 primary residential exemption on property identified as Parcel No. 16-20-458-132. She also recommended that all taxes plus interest and penalties be refunded.

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Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted an amended letter recommending approval of the request of **Biofire Diagnostics** for waiver/refund of the penalty and interest imposed for late payment of 2016 real property taxes on property identified as Parcel No. 16-03-400-002-2002.

Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted an amended letter recommending approval of the request by **Centro de Avivamiento Para Las Naciones Ministerio Internacional** to grant a property tax exemption as a religious organization for the 2015 tax year on Parcel No. 21-07-234-010. She also recommended a partial year exemption for 2014. A tax balance due of \$1,037.89 remains for the 2014 prorated year exemption.

Mr. Wayne Cushing, County Treasurer, submitted letters recommending partial release of tax liens on the following properties. These properties were transferred or conveyed to new owners without satisfaction of all outstanding property tax obligations. He also requested authorization to reapply all liens for delinquent taxes, interest, penalties, and administrative costs and to bill the co-owners for their respective portion based on the owner's interest compared to the whole.

<u>Taxpayer</u>	<u>Parcel No.</u>
Julia T. & John A. Kruger	16-34-251-050
Tracy S. & Melody Mower	26-12-279-020
Salt Lake City Corporation	16-06-331-002
Utah Dept. of Transportation	21-18-226-003
Douglas D. & Judith A. Bouldin	33-08-403-001
Silverhawk Enterprises	33-08-401-007
Monroe Street Commercial	27-01-426-052
Herriman Storage	27-01-426-003
Greg Kennard	22-03-105-012 22-03-105-013
Burbs	22-01-352-021

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw,

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“Bid” means an offer submitted by a bidder in response to a request for bids or request for bids and resulting contract by the county.

“Bilateral contract” is a written agreement between the county and a provider of goods or services, which is signed by both parties.

“Cardholder” means the county employee issued a purchasing card or proprietary /charge card. The cardholder's name appears on the card.

“Claim” means (i) a demand presented for money or damages; or (ii) a cause of action presented for money or damages. “Claim” does not mean a routine, uncontested, or regular payment, including a bill, purchase, or payroll.

“Committee” means the RFP selection committee established by county ordinance and policy for the review of proposals.

“Contract” means a legally binding agreement between the county and a supplier to buy or sell goods or services. This may be in the form of a purchase order.

“Cooperative agreement” means an agreement resulting from a competitive solicitation by one or more public purchasing agencies or association of public purchasing agencies that allows other public purchasing agencies, such as the county, to procure goods or services according to the agreement.

“Cooperative procurement” means procurements conducted by, or on behalf of, two or more public purchasing agencies to procure from the same supplier or multiple suppliers using a single solicitation to bid or request for proposal in order to obtain advantages of volume procurement discounts, administrative savings and other benefits.

“Council” means the Salt Lake County Council.

“County” means Salt Lake County.

“Countywide contract” means a contract available for use by all county agencies for goods or services repeatedly purchased.

“Electronic copy” means a solicitation or document received electronically through the county's designated system.

“Emergency” means there is a threat to public health, welfare, or safety. The existence of such an emergency creates an immediate and serious need for goods or services that precludes full and open competitive procurement.

“Emergency procurement” means a situation which creates a threat to public health, welfare or safety such as may arise by reason of floods, epidemics, riots, equipment failures, earthquakes, or other reason as proclaimed by the mayor. The existence of such conditions must seriously threaten:

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- (1) The functioning of county government;
- (2) The preservation or protection of property; or
- (3) The health or safety of any person.

“Equal, or equal” means a phrase used to indicate the acceptability of goods of similar or superior function, purpose, design, or performance.

“Exigency” means the need for goods or services is of such an unusual and compelling urgency that the county would be seriously injured unless the county is permitted to preclude full and open competitive procurement.

“Exigency procurement” means procurement under an exigency.

“Expedited request for proposals” means a selection pursuant to the expedited procedures in Section 3.22.100. The cost limit for an expedited request for proposals is fifty thousand dollars.

“Formal advertised solicitation” means a solicitation for bids or proposals issued by the county for procurements greater than fifty thousand dollars formally advertised to vendors, service providers, or contractors for their response.

“GRAMA” means the Utah Government Records Access and Management Act, as defined by Utah law.

“Health care preference” means the preference granted to a vendor who currently has and will maintain the following through the term of the contract with the county: a health benefit plan, as defined by Utah law, made available to the vendor's covered employees and their dependents.

“Interlocal agreement” means those agreements authorized by the Interlocal Cooperation Act, as defined by Utah law.

“Local business preference” means the preference granted to a vendor who currently has and will maintain all of the following through the term of the contract with the county:

- (1) A completed and signed local certification form, which includes a street address within the county that is not a post office box; and
- (2) A copy of a current business license issued by the county or any city within the boundaries of the county.

“Master agreement” means a procurement agreement established to permit county agencies to utilize the same underlying state contract or cooperative agreement for repetitive purchases. There is no maximum cost per transaction.

“Mayor” means the elected chief executive officer of the county or designee, unless a designation is prohibited by ordinance or statute.

“Mayor's financial administration (MFA)” means the office of financial administration

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under the mayor's office, including the divisions within the office of accounting, fixed and controlled assets, and budget.

“Multiple-award contract” means a contract awarded to more than one vendor for similar goods or services.

“Non-capitalized item” means a single asset with a unit cost less than the established capitalized limit.

"Official copy" means the copy of the contract kept in accordance with GRAMA.

“Preference system” means a system that encourages responsible business practices and benefits local businesses by granting preferences in procurement.

“Procurement” means the buying, purchasing, or acquisition of goods or services and all related acquisition processes.

“Professional service” means labor, effort, or work that requires an elevated degree of specialized knowledge and discretion, including but not limited to labor, effort, or work in the field of:

- (1) Accounting;
- (2) Architecture;
- (3) Construction design and management;
- (4) Engineering;
- (5) Financial services;
- (6) Information technology;
- (7) The law;
- (8) Medicine;
- (9) Psychiatry; or
- (10) Underwriting.

“Proposal” means a response to a request for proposals.

“Proposer” means any person submitting a proposal in response to a request for proposals by the county.

“Purchase orders (PO)” means a binding contract, which is used to accept the offer of a vendor to provide goods or services. The division of contracts and procurement is authorized to issue purchase orders.

“Purchasing agent” means the director of the division of contracts and procurement. The mayor, by executive order, will designate the purchasing agent's signing authority.

“Purchasing card” means a charge card issued to an employee of the county for the purpose of making authorized purchases on behalf of the county.

“Purchasing card program administrator” means the employee assigned to oversee the

purchasing card program for the county.

“Quote” means pricing for goods or services informally solicited from a vendor, provider or contractor.

“Request for bids (RFB)” means a solicitation for goods or services where price is the primary consideration.

“Request for bids and resulting contract (RFC)” means a RFB that includes a written description of goods or services required by the county to be purchased repetitively during a specified contract term. This document, with all supporting terms, conditions, and specifications, and signed by the authorized county agent, becomes a written contract.

“Request for proposals (RFP)” means a solicitation for proposals when price is just one of several criteria necessary to make a decision and thus awarding the contract to the lowest responsive and responsible bidder is not necessarily advantageous to the county.

“Request for qualifications (RFQ)” means a solicitation to receive a statement of qualifications.

“Responsible proposer or bidder” means a person or company who has the ability to perform in full the contract requirements, as well as the integrity and reliability that will assure good faith performance.

“Responsive proposer or bidder” means a person or company whose bid or proposal conforms in all material respects to the terms and conditions required by the county in the formal advertised solicitation.

“Sealed bid” means paper bids in sealed envelopes or bids received electronically through the county's designated system.

“Sealed proposal” means paper proposals in sealed envelopes or proposals received electronically through the county's designated system.

“Service contract” means any contract entered into by the county with a vendor for the furnishing of services to or for the county utilizing the vendor's employees to provide the services. A “service contract” may include the purchase of goods along with the providing of services.

“Signing authority” means the authority to sign contracts on behalf of the county as designated by the mayor or set forth in ordinance.

“Small cost blanket” means a purchase order that is issued in response to ongoing purchases made during a specific period of time to a single vendor under which a county agency may release payments for small cost purchases. Without the use of a small cost blanket, those ongoing goods and services would require the issuance of a purchase order for each and every invoice received.

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“Small cost purchases” means purchases of goods or services having a cost up to five thousand dollars.

“Sole source procurement” means a procurement where the purchasing agent has justified in writing why a good or service is only reasonably available from a single supplier.

“Solicitation” means any request by the county for vendors to offer bids, quotes, or proposals.

“Specification” means a description of what the purchaser seeks to buy and, consequently, what a bidder or proposer must be responsive to in order to be considered for the award of a contract.

“Standard form contract” means a contract approved by the attorney pursuant to 3.28.020(D).

“Standardization” means the procurement of goods or services by the county to assure consistency of equipment and interchangeability or integration of goods or services which may require procurement without competition pursuant to Section 3.20.030(A)(5).

“State contract” means term contracts established by the state of Utah, for goods or services procured by state agencies and other political subdivisions.

“Tie bids” means the low responsive bids from responsible bidders that are identical in price, delivery, and payment terms.

“Transitional costs” mean the costs of changing from an existing provider of, or type of, a procurement item to another provider of, or type of, procurement item. “Transitional costs” include: training costs; conversion costs; compatibility costs; system downtime; disruption of service; staff time necessary to put the transition into effect; installation costs; and ancillary software, hardware, equipment, or construction costs. “Transitional costs” do not include: the costs of preparing for or engaging in a procurement process; or contract negotiation or contract drafting costs.

“Vendor” means a person or company selling goods or services.

“Veteran” means a current or former member of the United States Armed Forces who is currently in good standing or has been honorably discharged and meets one of the following criteria:

- (1) Active duty service for at least one hundred eighty (180) consecutive days;
- (2) Reserve service in a campaign or expedition for which a campaign medal has been authorized; or
- (3) Service-related injury or disability incurred in the line of duty.

“Veterans hiring preference” means the preference granted to a vendor who currently has and will maintain all of the following through the term of the contract with the county:

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- (1) A completed and signed certificate explaining its program to actively recruit and employ veterans that includes the success rate of its program by listing the percentage of its workforce that qualifies as veterans under this policy;
- (2) A completed and signed certificate verifying that a vendor has employed, and is currently employing, at least one veteran under its recruitment program;
- (3) A drug and alcohol testing policy that applies to all covered individuals employed or hired by the vendor and requires covered individuals to submit to random testing;
- (4) A job training program recognized by a federal, state, or local governmental entity; and
- (5) Job safety program that complies with job safety and health standards of the Occupation and Safety Health Administration (OSHA) or the state standards which are at least as effective as the federal standards.

SECTION III. Section 3.28.020 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.28.020 Contracts management—Powers and duties.

A. The division of contracts and procurement shall act as a repository for all county contracts and purchase orders.

B. Upon receipt of a contract or contract preparation package from a county agency, the purchasing agent will:

1. Ensure that the contract is approved as to form by the attorney's office;
2. Ensure that the contract is reviewed and authorized [approved] by the director or director's designee of the requisitioning agency; and
3. Enter the contract in the county's financial system to ensure [Ensure that Mayor's Financial Administration has reviewed] the availability of funds prior to the contract being used [executed by either the purchasing agent or the mayor]

C. After the contract has been approved and entered into the financial system, the purchasing agent will send the contract to be executed by the mayor or proper signing authority[7]. The [the] purchasing agent will make available a fully executed copy of the contract to the appropriate agencies and to the vendor or contractor. Additionally, a copy of the fully executed contract, the contract preparation package, and any other documents ~~[or correspondence relating]~~ relevant to the [acquisition] establishment of the contract will be maintained by the contracts and procurement division.

D. Under circumstances approved by the purchasing agent and the attorney, standard form contracts may be used. Contracts using a standard format prepared by the attorney's office do not need to be individually approved as to form. The designation, "Standard Form Contract," form number, and date the standard form was approved shall be included in the contract title. Any alteration of the standard form language without approval of the attorney shall render the agreement void and without effect which will be stated in an appropriate part of the contract. The attorney shall approve as to form any changes to the

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boilerplate language in standard form contracts.

E. The purchasing agent may designate certain revenue agreements that the mayor or designee may execute ~~[the following agreements]~~ without processing through the division of contracts and procurement, provided they are approved as to form by the attorney, and delivered to ~~[without processing through the division of]~~ contracts and procurement after execution. Examples of such agreements include:

1. Promoter's and facility or equipment rental agreements, and contracts for providing utility services, to exhibitors at the Salt Palace, South Towne Center, and Center for the Arts facilities;
2. Planetarium show distribution, and rental of equipment and facility rental contracts;
3. Recreation facility and equipment rental agreements, recreation facility license agreements, and recreational program agreements; and
4. Library facility and equipment rental agreements.
5. Senior Center rental agreements.

F. Agreements under the Interlocal Cooperation Act shall be executed as provided therein.

G. Each agency will administer the operation of its contracts.

SECTION IV. Section 3.28.045 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.28.045 Amended contracts.

A. Contracts shall only be amended pursuant to the provisions of the original agreement. Any amendment to the contract must be authorized and processed according to the requirements of this chapter. The total cost of both the original and amended contract must be used to determine the appropriate procurement and contracting method.

B. The amendment must be in writing, and in the same form as the original agreement, and expressly specify all terms and conditions amended and which terms remain unchanged. The same parties that signed the original agreement must sign the amended agreement unless an authorized assignment is part of the amendment.

C. Contract amendments shall not be used to procure a new product, project or service that is not within the scope of the original agreement. Amendments including change orders should be used to procure goods or services that are compatible with the terms and conditions of the original agreement but were unforeseen at the time of contracting.

D. After all renewals have been exercised, the county shall have the right to extend an agreement for a period not to exceed six months for the purpose of procuring a new contract. In the event that an agreement is materially affected by changes to Medicaid funding and requirements, after all renewals have been exercised, the county shall have the right to extend

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RESOLUTION NO. 5236

DATE: AUGUST 1, 2017

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION AND DELIVERY OF A QUIT CLAIM DEED AND A TEMPORARY CONSTRUCTION EASEMENT TO THE UTAH DEPARTMENT OF TRANSPORTATION.

RECITALS

- A. Salt Lake County ("the County") owns a certain parcel of real property located at approximately 3564 South 5600 West, West Valley City, also identified as Parcel No. 14-35-228-021 (the "Property").
- B. The County acquired the Property by tax deed following a tax sale in 1971, and the Property is not currently in public use.
- C. The Utah Department of Transportation ("UDOT") is conducting a project to construct the Mountain View Corridor.
- D. UDOT has offered to purchase a 13-square-foot portion of the Property and a temporary construction easement (collectively the "UDOT Acquisition") from the County for \$100.00, which amount has been reviewed and approved by the County Real Estate Section as full and adequate consideration.
- E. Proceeds from the sale of the UDOT Acquisition will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
- F. It has been determined that the best interests of the County and the general public will be served by executing the UDOT Right of Way Contract, Quit Claim Deed and Temporary Easement attached to this Resolution. The grant of said Quit Claim Deed and Temporary Easement 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 Property, including that portion constituting the UDOT Acquisition, is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that sale and conveyance of the UDOT Acquisition by quit claim deed and temporary easement is hereby approved, and the Mayor is authorized and directed to execute the UDOT Right of Way Contract, attached hereto as Exhibit A, and any other related document necessary to complete this transaction.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized, consistent with the terms of the UDOT Right of Way Contract to execute the Quit Claim Deed and the Temporary Easement attached hereto as

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purchase price. 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 Property described in the Real Estate Purchase Contract attached hereto as Exhibit A, be and the same is 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 deed to MC Development as provided in the Real Estate Purchase Contract for the agreed purchase price of Three Hundred Fifty-Two Dollars and Seventy-Three Cents (\$352.73) is hereby approved; and the Mayor and County Clerk are hereby authorized to execute the Real Estate Purchase Contract and, when appropriate, the Quit-Claim Deed, attached hereto as Exhibit B and by this reference made a part of this Resolution, and to deliver the fully executed documents to the County Real Estate Section for delivery to MC Development in accordance with the terms of the Real Estate Purchase Contract.

APPROVED and ADOPTED this 1st day of August, 2017.

SALT LAKE COUNTY COUNCIL

ATTESTED:

By: /s/ STEVEN DEBRY
Chair

By: /s/ SHERRIE SWENSEN
County Clerk

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the resolutions and forward them 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 resolutions and directing the County Clerk to attest his signature, showing that all Council Members present voted “Aye.”



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

#4-200 - Leave Practices (Recruitment)

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Bradshaw, moved to approve Policy 4-200 with the 80 hours as a recruitment option, provided the hiring manager obtains approval from the department director, and to forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed 6 to 2 with Council Members Wilson and Snelgrove voting in opposition.] The Council motion

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passed unanimously, authorizing the Chair to sign the policy, directing the County Clerk to attest his signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye."

#4-200 – Leave Practices (Vacation)

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Snelgrove, seconded by Council Member Bradshaw, moved to approve the remaining proposed changes to Policy 4-200 regarding leave practices, and forward the policy 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, directing the County Clerk to attest his signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye."

#4-600 - Family and Medical Leave Act (FMLA)

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Jensen, seconded by Council Member Newton, moved to approve changes to Policy 4-600 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, directing the County Clerk to attest his signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye."



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

#2-700 - Job Candidate Agreements and Relocation Reimbursement

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Snelgrove, seconded by Council Member Bradshaw, moved to approve Policy #2-700 and the ordinance and forward them 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, directing the County Clerk to attest his signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye."



Mr. K. Wayne Cushing, County Treasurer, submitted a letter recommending that 10 uncollectible returned checks totaling \$11,230.98, and uncollectible returned check fees and charges totaling \$3,280.00 be purged from the records, and the items and related files transmitted to archives for destruction.

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Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the request and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."



Mayor Ben McAdams letters requesting approval of the recommendation of the Contribution Review Committee for the following community contributions to be approved from the Mayor's 2017 budget:

Pastor France A. Davis Scholarship Fund	\$750.00 Coffee Table Book Clark Planetarium gift card Golf gift card
Omega Psi Phi Fraternity	\$500.00 (2) golf gift cards (2) Clark Planetarium gift cards
United Way of Salt Lake	Golf gift card Clark Planetarium gift card Photography book

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the recommendations, finding the County received fair and adequate consideration for the contributions, and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, 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 \$15,162.50 to the Animal Services Division to be used for sterilization surgeries, microchips, and vaccines.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to accept the gift and forward the Declaration of Gift form 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

Declaration of Gift Form, and directing the County Clerk to attest his signature and forward it to Utah FACES, showing that all Council Members present voted "Aye."

Mr. Sim Gill, District Attorney, submitted a letter requesting approval for an interim budget adjustment of \$17,400 for a comprehensive syringe exchange program offered through the Salt Lake County Health Department. This will entail using Asset Forfeiture funds.

Mr. Randy Allen, Planning and Development Services Division, submitted a letter requesting approval for an interim budget adjustment to transfer \$18,132,575 from an incorrect account code in the Unincorporated Municipal Services budget to the correct account code.

Mr. Randy Allen, Planning and Development Services Division, submitted a letter requesting approval for an interim budget adjustment to transfer \$3,450,000 from Fund 235 in the Unincorporated Municipal Services budget from both revenues and expenses to the appropriate metro townships' budgets to account for the 911 surcharge and the District Attorney's prosecution/indigent legal services.

Mr. Randy Allen, Planning and Development Services Division, submitted a letter requesting approval for an interim budget adjustment to transfer funds out of Fund 235 in the Unincorporated Municipal Services budget to Fund 735 in both revenues and expenses for Justice Court and Sheriff Law Enforcement services.

Judge Shauna Graves Robertson, Justice Courts, submitted a letter requesting approval for an interim budget adjustment to fill a vacant Certified Public Accountant position with someone with accounting knowledge and administrative skills to help oversee the Justice Court.

Mr. Scott Carver, Acting-in Sheriff, submitted a letter requesting approval for an interim budget adjustment to reclassify a Housing Secretary FTE position to an Office Coordinator FTE position.

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Ms. Maren Slaugh, Manager, Records Management and Archives Section, submitted a letter requesting approval for an interim budget adjustment to transfer \$6,000 from the Information Services Division to Records Management and Archives Operations for programs. This will entail using under expend from the Information Services Division budget.

Mr. Rory Payne, Director, Facilities Management Division, submitted a letter requesting approval for an interim budget adjustment of \$33,000 to update/repair the CGC emergency communications systems in the north and south buildings of the Government Center.

Mr. Scott Baird, Director, Public Works and Municipal Services Department, submitted a letter requesting approval for an interim budget adjustment to fix a reconciliation error in BRASS. When capital projects were moved out of Department 5600 into either the Municipal Services District or the County Department that owned the asset, prior years' funding was not entered in BRASS.

Mr. Kade Moncur, Director, Flood Control Engineering, submitted a letter requesting approval for an interim budget adjustment to transfer \$146,300 from under expend from completed capital projects to new capital projects.

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

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Mr. Rory Payne, Director, Facilities Management Division, submitted a letter requesting approval to make changes to the County Design Standards.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the design standards as recommended and forward this request to the 4:00 p.m. Council meeting for formal

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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
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

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District;

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

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

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the advice and consent of the county council to fill the vacancy.

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 – MPD 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

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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SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL