THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, AUGUST 8, 2017, PURSUANT TO ADJOURNMENT ON TUESDAY, AUGUST 1, 2017, AT THE HOUR OF 4:17:13 PM, AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS

PRESENT: JENNIFER WILSON

RICHARD SNELGROVE

JIM BRADLEY

ARLYN BRADSHAW MICHAEL JENSEN MAX BURDICK¹ STEVEN DEBRY, Chair

COUNCIL MEMBERS

EXCUSED: SAM GRANATO

AIMEE WINDER NEWTON

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR

By: ERIN LITVACK, DEPUTY MAYOR OF COUNTY

SERVICES

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 DeBry, Chair, presided.

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Mr. Richard Jaussi, Senior Policy Advisor, Council Office, led the Pledge of Allegiance to the Flag of the United States of America.

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Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointments of **Andy Beerman** as the Wasatch Back's representative to the Central Wasatch Commission and **Carlos Braceras** as the Utah Department of Transportation's (UDOT) representative to the Central Wasatch Commission.

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

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¹ Participated electronically

seconded by Council Member Jensen, moved to consent to 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."



The Council reviewed a request to prepare a zoning ordinance for the southwest corner of Salt Lake County.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Jensen, seconded by Council Member Wilson, moved to direct County staff to prepare an ordinance to help plan this area, and start the public notice and public hearing process for the ordinance. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted "Aye."



Mr. Jason Rose, Legal Counsel, Council Office, submitted a letter requesting approval of the appointment of **Michael Ludwig** as a deputy constable under Constable Larry Bringhurst.

Mr. Jason Rose, Legal Counsel, Council Office, submitted a letter requesting approval of the appointment of **Cody Cortes Child** as a deputy constable under Constable Robert Reitz.

Council Member Bradshaw, seconded by Council Member Jensen, 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, requesting Messrs. Ludwig and Child take their oaths at the County Clerk's Office, showing that all Council Members present voted "Aye."



The Council reviewed a request by Chief Deputy Pam Lofgreen, Sheriff's Office, to contract with Utah County for 128 jail beds at a rate of approximately \$72 a day.

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 Snelgrove, moved to approve the request with legislative intent to ask the Sheriff's Administration to continue to work on a plan on what would happen after January, and to bring the plan back to the Council as soon as possible 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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Mr. Zachary Posner, an employee of the Information Services Division, submitted a Disclosure of Private Business Interests form advising the Council that he has performed consulting work for Osprey Packs and has stock options from his previous employer, Black Diamond.

Council Member Bradshaw, seconded by Council Member Jensen, moved to accept the Disclosure Form and make it a matter of record. The motion passed unanimously, showing that all Council Members present voted "Aye."

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

<u>Taxpayer</u>	<u>Year</u>	<u>Refund</u>
John Cole	2017	\$ 10.00
Christopher T. Barra	2017	\$153.00
Rodney R. Cotner	2017	\$153.00
Jai D. Lebo	2017	\$113.00
Patrick J. McCauley	2017	\$ 50.00
Colleen J. Sayers	2017	\$ 10.00
Steven L. Slater	2017	\$ 83.00
Bryan B. Walker	2017	\$113.00
Olive H. Watts	2017	\$ 53.00

Council Member Bradshaw, seconded by Council Member Jensen, 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 tax matters 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 Treasurer to effect the same, showing that all Council Members present voted "Aye."

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Mr. Zachary Lancaster, Deputy District Attorney, submitted the following ordinance amendment regarding Personnel Management by providing for job candidate travel costs:

ORDINANCE NO. <u>1816</u>

AN ORDINANCE AMENDING SECTION 2.80 OF THE SALT LAKE COUNTY CODE OF ORDINANCES FOR PERSONNEL MANAGEMENT, PROVIDING THAT THE COUNTY MAY ENTER INTO A CONTRACT TO AGREE TO PAY FOR TRANSPORTATION AND LODGING FOR JOB CANDIDATE IN EXCHANGE FOR THE CANDIDATE'S PROMISE TO APPEAR IN SALT LAKE COUNTY FOR A JOB INTERVIEW.

The County Legislative Body of Salt Lake County ordains as follows:

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

SECTION II. Section 2.80.055, of the Salt Lake County Code of Ordinances is hereby enacted to read as follows:

2.80.55 - Recruitment of Job Candidates

The human resources agency, under the supervision of the director, shall be responsible for the recruitment of candidates for each job vacancy under rules adopted pursuant to the Act. The director may authorize an agreement with a candidate, in which the county agrees to provide transportation and lodging to the individual in exchange for the candidate's promise to appear in Salt Lake County to interview for a job with the county.

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 8^{th} day of August, 2017.

SALT LAKE COUNTY COUNCIL

DATE: AUGUST 8, 2017

ATTEST (SEAL)

By <u>/s/ STEVEN DEBRY</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 his signature, and to publish the ordinance summary in a newspaper of general circulation, showing that all Council Members present voted "Aye."

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Mr. David Clemence, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION declaring property located at 1300 West

North Temple (Parcel No. 08-35-351-003) as surplus, and authorizing its sale to **J-J Bakd, LC** for \$4,425.00:

RESOLUTION NO. <u>5238</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 J-J BAKD, LC

DATE: AUGUST 8, 2017

RECITALS

- 1. Salt Lake County owns a small parcel of real property, Parcel No. 08-35-351-003, located at approximately 1300 West North Temple, Salt Lake City, Utah (the "Property"), which was acquired by Tax Deed in 2016 and which is not in public u se by the County.
- J-J Bakd, LC ("J-J Bakd"), has offered in writing to purchase from the County a portion of the Property (the "Purchase Property") that is immediately adjacent to its property for \$4,425.00, which has been approved by the County Real Estate Section as fair market value. This offer is in the form of a Real Estate Purchase Contract attached hereto as Exhibit A.
- 3. The County has no need for the Purchase Property, and proceeds from the sale of the Purchase Property 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 Purchase Property to J-J Bakd. 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 Purchase 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 Purchase Property by quit-claim deed to J-J Bakd as provided in the Real Estate Purchase Contract for the agreed current fair market value of Four Thousand Four Hundred Twenty-Five Dollars and Zero Cents (\$4,425.00) is hereby approved; and the Mayor and County Clerk are hereby authorized to execute the Real Estate Purchase Contact and 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 J-J Bakd upon payment of the agreed upon purchase amount.

APPROVED and ADOPTED this 8^{th} day of <u>August</u>, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ STEVEN DEBRY</u> Chair

DATE: AUGUST 8, 2017

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

Mr. David Clemence, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION declaring property located at 830 South 800 West (Parcel No. 15-11-252-034) as surplus, and authorizing its sale to **Urban Sense, LLC** for \$30,000.00:

RESOLUTION NO. <u>5239</u>

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING SURPLUS REAL PROPERTY LOCATED AT 830 SOUTH 800 WEST AND APPROVING THE CONVEYANCE OF THE SAME BY QUIT-CLAIM DEED TO URBAN SENSE, LLC

RECITALS

- 1. Salt Lake County owns a small parcel of real property, Parcel No. 15-11-252-034, located at 830 South 800 West, Salt Lake City, Utah (the "Property"), which was acquired by Tax Deed in the 1920s and which is not in public use by the County.
- 2. Urban Sense, LLC ("Urban Sense"), has offered in writing to purchase the Property from the County for \$30,000. This offer is in the form of a Real Estate Purchase Contract attached hereto as Exhibit A.
- 3. The County has no need for the Property and the County Real Estate Section has determined that the offer constitutes full and adequate consideration for the Property. Proceeds from the sale of the Property 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 Property to Urban Sense for the agreed 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 Urban Sense as provided in the Real Estate Purchase Contract for the agreed purchase price of Thirty Thousand Dollars (\$30,000.00) 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 Urban Sense in accordance with the terms of the Real Estate Purchase Contract.

APPROVED and ADOPTED this 8th day of August, 2017.

SALT LAKE COUNTY COUNCIL

DATE: AUGUST 8, 2017

ATTEST (SEAL)

By <u>/s/ STEVEN DEBRY</u> Chair

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

Mr. David Clemence, Manager, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION declaring property located at 802 West Fayette Avenue (Parcel No. 15-11-261-031) as surplus, and authorizing its sale to **Urban Sense, LLC** for \$28,000.00:

RESOLUTION NO. 5240

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING SURPLUS REAL PROPERTY LOCATED AT 802 WEST FAYETTE AVENUE AND APPROVING THE CONVEYANCE OF THE SAME BY QUIT-CLAIM DEED TO URBAN SENSE, LLC

RECITALS

- 1. Salt Lake County owns a small parcel of real property, Parcel No. 15-11-261-031, located at 802 West Fayette Ave., Salt Lake City, Utah (the "Property"), which was acquired by Tax Deed in the 1920s and which is not in public use by the County.
- 2. Urban Sense, LLC ("Urban Sense"), has offered in writing to purchase the Property from the County for \$28,000. This offer is in the form of a Real Estate Purchase Contract attached hereto as Exhibit A.
- The County has no need for the Property and the County Real Estate Section has
 determined that the offer constitutes full and adequate consideration for the Property.
 Proceeds from the sale of the Property will be distributed in accordance with Section 592-1351.5 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 Property to Urban Sense for the agreed 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 Urban Sense as provided in the Real Estate Purchase Contract for the agreed purchase price of Twenty-Eight Thousand Dollars (\$28,000.00) 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 Urban Sense in accordance with the terms of the Real Estate Purchase Contract.

APPROVED and ADOPTED this 8th day of August, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ STEVEN DEBRY</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. [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 execute the resolutions and directing the County Clerk to attest his signature, showing that all Council Members present voted "Aye."

Mr. Wayne Cushing, County Treasurer, submitted a letter detailing the report of Deposits and Investments for Salt Lake County as of June 30, 2017, to be filed with the Utah Money Management Council.

Council Member Bradshaw, seconded by Council Member Jensen, 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 report 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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Mr. David Delquadro, Chief Financial Manager, Council Office, submitted a letter requesting approval for an interim budget adjustment to transfer \$6,800 from operations to capital to purchase a new copier.

Mr. Darrin Casper, Deputy Mayor of Finance and Administration, submitted a letter requesting approval to transfer bond proceeds to the TRCC Fund to true-it up, close Fund 481 Parks and Public Works Operations Center Fund, and appropriate funding to Fund 483 TRCC Bond Projects Fund.

Mr. Scott Tingley, County Auditor, submitted a letter requesting approval for an interim budget adjustment to reclassify an Internal Auditor 15 to a Senior Internal Auditor 16.

Mr. Tim Whalen, Director, Behavioral Health Services Division, submitted a letter requesting approval for an interim budget adjustment to recognize State Justice Reinvestment Initiative (JRI) funding of \$1,987,817 to be used to expand the Intensive Supervision Program, the Adult Drug Court, and a pilot program coupling a Mobile Crisis Outreach Team member with a Unified Police Department officer to resolve mental health crises; and to recognize Federal Opioid State Targeted Response (STR) funding of \$500,000 to be used to expand the Medication Assisted Treatment program in the West Jordan City area. The budget adjustment also includes transferring \$150,000 from Salt Lake City's contribution to the Operation Diversion project from the Stat & General Fund to Behavioral Health Services' budget for Operation Diversion residential and detox beds.

Mr. Seth Jarvis, Director, Clark Planetarium, submitted a letter requesting approval for an interim budget adjustment to reclassify an Education Program Specialist 14 to an Education Program Supervisor 15.

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

Mr. Tom Zumbado, Planning & Development Services Division, reviewed the following ordinance amendment that was heard during the August 1, 2017, Council meeting and forwarded to today for formal consideration:

<u>Application #30169</u> – **Salt Lake County** to clarify and update the County's Engineering ordinances to require Geographic Information Systems (GIS) data to be submitted for all developments approved through the County.

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve Application #30169 and the following ordinance:

DATE: AUGUST 8, 2017

ORDINANCE NO. 1817

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING TITLE 17 CHAPTER 20 AND TITLE 18 CHAPTERS 16 AND 24 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, REMOVING THE CHOICE BETWEEN BONDING AND COMPLETING STORMWATER IMPROVEMENTS AND ADDING REQUIREMENTS TO PROVIDE GEOGRAPHIC INFORMATION SYSTEM ("GIS") FILES BEFORE PLAN APPROVAL.

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 interlineations.

SECTION II. Chapter 17.20.030 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.030 - Applicability.

This chapter shall apply to all development in the unincorporated area of the county and within the incorporated area of any city <u>or metro township</u> that shall by agreement request the county to administer this program within its boundaries. This chapter shall apply to all portions of the county or <u>metro township</u> drainage system constructed or completed from and after the effective date of the ordinance codified in this chapter. The county, with the approval of the developer, where applicable, may include the application of this chapter to facilities, and benefited areas served thereby, which were under construction after January 1, 1979. (Ord. 817 § 2 (part), 1982: prior code § 7-5-3)

SECTION III. Chapter 17.20.060 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is added as follows:

17.20.060 - Engineering studies - Maximum Volumes of Excess Stormwater.

A. The division shall cause engineering studies to be made of all drainage areas within the county. These studies shall be made to determine the amount or volume, frequency, and course

of excess and stormwaters, and any drainage system now provided or to be provided for the drainage and control of excess or storm waters within said areas, including location of outfall or disposal points. Previous studies made by the county or others shall be considered in whole or in part if applicable.

- B. These studies shall from time to time be updated or amended as necessary to reflect changed conditions. Studies in individual drainage areas, developments, proposed subdivisions, existing subdivisions or other property may be completed by professional engineers for private developers under the direction of the county if the county cannot complete the studies as soon as required for development due to staff or budget constraints.
- C. In conducting the studies referred to in this section, the analysis of storm drainage flows and facilities shall be performed by professional engineers competent in hydrology and hydraulics and shall be in accordance with sound engineering practices. Location of existing storm drainage facilities will be coordinated with the division.
- D. In all cases flows shall be based upon present conditions and potential for future development of the county, taking into consideration the current elements of the land use master plan of the county, current as of the date of the study, relating to the drainage basin and other relevant factors, including changes in zoning or development which are not reflected on the master plan. E. The maximum stormwater release rate exiting the developed property into an approved system shall be based upon the results of the above studies. If unavailable, it shall be the lessor of the predevelopment release rate or 0.2 cfs/acre, unless otherwise approved by the Division for good cause.

(Ord. 1055 § 4, 1988; Ord. 990 § 2, 1986: Ord. 817 § 2 (part), 1982: prior code § 7-5-6)

SECTION IV. Chapter 17.20.070 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.070 - Control of development excess waters.

The owner or developer of land to be improved or developed shall provide, at his own expense, the unit or subdivision drainage system facilities within each development necessary for the control of excess waters within the development. He shall also provide:

- 1. The intermediate drainage system facilities required to convey such stormwaters:
- a. To a major drainage system facility in existence on the effective date of the ordinance codified in this chapter, or
- b. To a major drainage system constructed after the date of the ordinance codified in this chapter, in which case the provisions of Sections 17.20.160 or 17.20.380 shall apply, or
 - c. To a trunk line, natural tributary or final destination; or

- 2. The intermediate and major drainage system facilities required to convey such excess waters to a trunk line, natural tributary, or final destination as may be indicated on the drainage area map for the drainage area within which the development is located; or
- 3. The facilities to retain excess waters on designated portions of the land to be improved or developed or facilities upon other lands to which the stormwaters may be conveyed and upon which the owner or developer has legal right to retain such excess waters in accordance with Sections 17.20.530 through 17.20.590 of this chapter; or
- 4. A temporary area, not part of the proposed development, to allow runoff waters to absorb naturally until the intermediate or major drainage system is completed, in which case the provisions of Section 17.20.580s 17.20.160 or 17.20.380 shall apply. Said temporary area shall in no case be less than one-half of all the developed drainage area tributary to it; or
- 5. Shall meet all provisions set forth in Sections [17.20.170], 17.20.150 and 17.20.220 [and one of the following sections: Sections 17.20.180 through 17.20.210]. The owner or developer shall also be responsible for safely routing the one-hundred-year frequency flood through the development as provided for in the county flood hazard regulations. The county retains the regulatory and approval function specified in this chapter in connection with unit, intermediate and major facilities constructed by an owner or developer. (Ord. 817 § 2 (part), 1982: prior code § 7-5-7)

SECTION V. Chapter 17.20.080 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Article II. - County Drainage System

17.20.080 - Generally.

The provisions of this article apply where the county installs, at its expense, intermediate or major drainage system facilities to which intermediate or unit drainage system facilities of a subdivision or development are connected. The provisions of this article also apply to any developer or private person desiring to connect the intermediate or unit drainage facilities of a subdivision or development to the county or metro township drainage system.

(Ord. 817 § 2 (part), 1982: prior code § 7-5-8)

SECTION VI. Chapter 17.20.150 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.150 - Stormwater drainage facility p[P]lans, [and]specifications, and geographic information system ("GIS") data required.

A. Prior to the final approval of a subdivision or development plan or building permit associated with a subdivision or development plan, or in the case of a single lot development, a single building permit, the owner or developer shall:

- 1.[, a]At developer or owner's his expense, have prepared by a [licensed] professional engineer licensed to practice in the state of Utah, as required by the division, detailed plans and specifications for the construction and installation of all unit or subdivision drainage facilities for the control and drainage of excess water within the development, or the part thereof for which a building permit has been requested, and the carriage of such water to an acceptable intermediate or major drainage system facility or to a trunk line, natural tributary, a final destination as agreed to by the division, all in conformance with the master plan of the drainage area or drainage basin as approved by the county, together with the estimated total costs of these facilities.
- In addition to the above required plans and specifications, before final approval and the issuance of a building permit, the developer or owner shall provide to County GIS data corresponding to the approved plans. Any changes during construction will require additional GIS data to be submitted with the final approved as-built drawings. All GIS data shall be submitted in the following format:
 - i. All GIS data shall be submitted in conformance with County Policy 1013,
 "Standards for Geographic Information System" and the "Salt Lake County Public Works Engineering GIS Standards," as approved by the
 Salt Lake County GIS Steering Committee and on file with Salt Lake County Engineering. The County reserves the right to reject any GIS data
 that is provided and is not in compliance with the above standards.
 - ii. This shall be done at the developer or owner's expense. If a developer or owner does not provide the required GIS data, the County may complete the work in the developer or owner's behalf and the developer or owner shall pay to the County the cost of completing the work at the hourly rate approved by the County Council for such work. If the developer or owner fails to pay for such work, the County may pursue legal action to recover these costs.
 - iii. Developers with a cost as estimated by the public works department of ten thousand dollars (\$10,000.00) or less may, prior to construction, petition the Division for an exemption from the GIS requirements of this Chapter. The decision of the Public Works Director shall be final.
- B. In lieu of completion of the drainage system prior to final approval of the subdivision or development plan by the county, the developer or owner shall provide a performance bond guaranteeing actual construction and installation of the facilities pursuant to a schedule approved by the division director, and must do so before recording the plat. A developer or owner opting to complete drainage system before recording the plat shall be required by Division to post an improvement warranty period assurance of ten percent, or of the maximum allowed by state law. The Division shall not accept said facilities nor recommend the release of the final ten percent of the bond or the improvement warranty period assurance until updated as-built drawing GIS data is received by County and all other requirements are met.

- C. Upon completion of review and approval by the division director, the subdivision or development plan or building permit may be given final approval.
- <u>D. [; provided, however, that]</u> Final approval and building permits for individual homes, buildings or similar improvements (other than the subdivision and intermediate drainage system facilities) may be given final approval only if [installation of the drainage facilities is complete, or if—]the owner or developer gives acceptable assurance to the county that the drainage facilities will be constructed and installed as indicated and approved. Acceptable assurance shall consist of any one of the types of performance guarantees defined in Section 17.28.010.

(Ord. 817 § 2 (part), 1982: prior code § 7-5-8.7)

SECTION VII. Chapter 17.20.340 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.340 - Design of facilities.

The owner or developer shall have the intermediate or major drainage system facilities designed by professional engineers to accommodate the excess waters within the DS benefited area. The plans, [-and] specifications, and GIS data shall be submitted to the division for review and, if acceptable, approval. The GIS data shall meet the same requirements as set forth in 17.20.150(A)(2).

(Ord. 817 § 2 (part), 1982: prior code § 7-5-9.6)

SECTION VIII. Chapter 17.20.350 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.350 - Acquisition of easements and rights-of-way.

- A. Easements or rights-of-way or property that must be acquired for the installation of the intermediate or major drainage system facility shall be acquired by the owner or developer, at the expense of the owner or developer. In the event the owner or developer is unable to acquire any necessary easement, right-of-way or property, and upon owner's or developer's written request, the county may negotiate to acquire the necessary easement, right-of-way or property, failing which, the county [shall] may (1) submit to owner or developer a map showing an alternative route (in which event the owner or developer will endeavor to acquire the necessary easements, rights-of-way or property for such route), or (2) commence a condemnation action to acquire the easement or right-of-way for the drainage system facilities.
- B. Owner's or developer's written request for county condemnation shall (1) describe efforts to acquire the easement, right-of-way or property, and (2) state the amount offered the owner of the property. Owner or developer shall pay the county all amounts to be paid to an owner of property for the acquisition of any easements, right-of-way or property. The county shall be responsible for its own legal fees and costs of the condemnation action. (Ord. 817 § 2 (part), 1982: prior code § 7-5-9.7)

SECTION IX. Chapter 17.20.540 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.20.540 - Plans and specifications.

A. Prior to the issuance of any building permit associated with a subdivision or development plan, or in the case of a single lot development, a single building permit, the owner or developer shall:

- 1. [, a]At owner or developer's his expense, have prepared by a [licensed] professional engineer licensed in the state of Utah, detailed plans and specifications for the construction and installation of all unit or subdivision system drainage facilities and retention system for the control of drainage of excess water within the development, or the part thereof for which a building permit has been requested, and the carriage of such water to a retention area. The plans and specifications shall include provisions for overflow of stormwaters in excess of a ten-year frequency flood.
- 2. In addition to the above required plans and specifications, before final approval and the issuance of a building permit, the developer or owner shall provide to County GIS data corresponding to the approved plans. Any changes during construction will require additional GIS data to be submitted with the final approved as-built drawings. All GIS data shall be submitted in the following format:
 - i. All GIS data shall be submitted in conformance with County Policy 1013,
 "Standards for Geographic Information System" and the "Salt Lake
 County Public Works Engineering GIS Standards," as approved by the
 Salt Lake County GIS Steering Committee and on file with Salt Lake
 County Engineering. The County reserves the right to reject any GIS data
 that is provided and is not in compliance with the above standards.
 - ii. This shall be done at the developer or owner's expense. If a developer or owner does not provide the required GIS data, the County may complete the work in the developer or owner's behalf and the developer or owner shall pay to the County the cost of completing the work at the hourly rate approved by the County Council for such work. If developer or owner fails to pay for such work, the County may pursue legal action to recover these costs.
 - iii. Developers with a cost as estimated by the public works department of ten thousand dollars (\$10,000.00) or less may, prior to construction, petition the Division for an exemption from the GIS requirements of this Chapter. The decision of the Public Works Director shall be final.
- B. In lieu of completion of the drainage system prior to final approval of the subdivision or development plan by the county, the developer or owner shall provide a performance bond guaranteeing actual construction and installation of the facilities pursuant to a schedule approved by the division director, and must do so before recording the plat. A developer or owner opting to complete drainage system before recording the plat shall be required by

Division to post an improvement warranty period assurance of ten percent, or of the maximum allowed by state law. The Division shall not accept said facilities nor recommend the release of the final ten percent of the bond or the improvement warranty period assurance until updated as-built drawing GIS data is received by County and all other requirements are met.

(Ord. 817 § 2 (part), 1982: prior code § 7-5-11.1)

SECTION X. Chapter 18.16.020 of Title 18 of the Salt Lake County Code of Ordinances, 201, is added to read as follows:

18.16.020. Final approval – GIS data required.

- A. Prior to the final approval and the issuance of any building permit associated with a subdivision or development plan, or in the case of a single lot development, a single building permit, the owner or developer shall provide to County a GIS data corresponding to the approved plans for all improvements required by Chapter 18.16.020(B). Any changes during construction will require additional GIS data to be submitted with the final approved as-built drawings. All GIS data shall be submitted in the following format:
 - 1. All GIS data shall be submitted in conformance with County Policy 1013, "Standards for Geographic Information System" and the "Salt Lake County Public Works Engineering GIS Standards," as approved by the Salt Lake County GIS Steering Committee and on file with Salt Lake County Engineering. The County reserves the right to reject any GIS data that is provided and is not in compliance with the above standards.
 - 2. This shall be done at the developer or owner's expense. If a developer or owner does not provide the required GIS data, the County may complete the work in the developer or owner's behalf and the developer or owner shall pay to the County the cost of completing the work at the hourly rate approved by the County Council for such work. If developer or owner fails to pay for such work, the County may pursue legal action to recover these costs.
 - 3. Developers with a cost as estimated by the public works department of ten thousand dollars (\$10,000.00) or less may, prior to construction, petition the Division for an exemption from the GIS requirements of this Chapter. The decision of the Public Works Director shall be final.
- B. GIS data will be required for the following improvements:
 - 1. Roadway system: Regulatory signs, street signs, centerlines, curb and gutter, sidewalks, crosswalks, ADA ramps, striping, road width, and monuments; Streetlights and signals (including conduit and electrical boxes for streetlights and signals)
 - 2. Storm drain system: Catch basins, manholes, detention basin inlets and outlets, culverts, detention basin area, stormwater quality BMPs, and pipes

SECTION XI. Chapter 18.24.040 of Title 18 of the Salt Lake County Code of Ordinances, 201, is amended to read as follows:

18.24.040 - Street improvements.

A. The subdivider shall submit a complete set of construction plans and profiles of all streets, existing and proposed, within the subdivision to the planning and development services division. Plans and profiles are to be prepared by a licensed-professional engineer licensed to practice in the state of Utah and not in the employ of the county and shall be accompanied by the final plat. The subdivider must also provide a GIS data corresponding to the submitted plans as required by Chapter 18.16.020. The planning and development services division shall, within a reasonable time not to exceed twenty days from the receipt of the plans and profiles, notify the subdivider of approval, and in case of disapproval the reasons therefor.

- B. At least ten days prior to the commencement of construction, the subdivider shall furnish to the planning and development services division three complete sets of approved construction plans and profiles of all streets, existing and proposed, as well as all corresponding GIS data in a format compatible with this ordinance. Such plans and profiles shall include:
 - 1. The designation of limits of work to be done;
- 2. The location of the bench mark and its true elevation according to <u>County Policy 1013</u>, <u>"Standards for Geographic Information System" and the "Salt Lake County Public Works Engineering GIS Standards," county datum</u>, all profiles to be referred to <u>in those standardsthat datum</u>;
- 3. Profiles which indicate the finished and existing grades for each side of the street. Separate profiles, clearly designated, shall be made for each side of the street;
- 4. Construction plans which include the details of curb and gutter and street crosssections, location and elevation of manholes, catchbasins and storm sewers, elevations and location of fire hydrants and any other detail necessary to simplify construction;
 - 5. Complete date for field layout and office checking;
- 6. On curb returns, at least two additional control points for elevation besides those at points of curvature. Control points shall be staked in the field to insure drainage at intersection;
- 7. The street address of the project <u>as approved by County; County Planning Number, and subdivision name if applicable.</u>

(Ord. 1473 (part), 2001: Ord. 879 (part), 1983: prior code § 19-5-1(3)(a), (b))

SECTION XII. Chapter 18.24.070 of Title 18 of the Salt Lake County Code of Ordinances, 201, is amended to read as follows:

18.24.070 - Street lighting.

Except as provided for in subsection E below, adequate street lighting shall be provided for the safety and welfare of residents and businesses located in Salt Lake County through the installation of a street lighting system as part of subdivision development.

All street lights intended to illuminate the public street shall be installed in accordance with the "Standard Specifications for Street Light Construction" as established and approved by the public works operations director or designee. Street light systems shall be designated on approved plats and installed accordingly.

- A. For all residential, multi-family residential, planned unit development, commercial, and industrial subdivision developments approved after the effective date of this ordinance, the subdivider shall install and pay the installation costs for street lights as shown on the approved subdivision plat or site plan and to post a bond, pursuant to section 18.24.170, guaranteeing proper installation. The subdivider must also provide a dedicated public utility easement from each respective underground power source to each streetlight.
- B. Items to be approved pursuant to the requirements of the "Standard Specifications for Street Light Construction" include:
 - 1. Appropriate distance or spacing;
 - 2. Alternating sides of street, when applicable;
 - 3. Appropriate illumination at intersections;
 - 4. Location upon the property;
 - 5. Street light type and decorative style based on street classification:
 - 6. Height based on location;
 - 7. Installation methods and requirements; and
- 8. Illumination intensity, electrical specifications, and code requirements as determined by the "Standard Specifications for Street Light Construction".
- C. The subdivider or designee shall submit completed as-built–drawings <u>and the GIS data corresponding to the as-built drawings</u>, <u>as required by Section 18.24</u>. to the public works operations director or designee within thirty days of the completion of the installation of a street light system within a subdivision development.
- D. The public works operations director or designee shall have the authority:
- 1. To enforce this section and to ensure that street light installation is completed in compliance with all of its requirements; and,
- 2. To vary the standards referenced in this section and to approve alternative street light designs and locations when adverse topography, roadway geometrics and design, the presence of natural vegetation, or any other adverse conditions exist which would justify such variations and alternatives without being detrimental to the public safety or welfare.
- E. The planning commission shall have the authority to waive or modify the requirement for street light installation in subdivisions upon finding that:

- 1. The subdivision is located in an environmentally sensitive area, such as the Foothills and Canyons Overlay Zone; or,
 - 2. The subdivision will result in three or fewer new lots; or,
 - 3. The subdivision will not result in any other public street improvements.

(Ord. No. 1646, § III, 3-17-2009)

SECTION XIII. Chapter 18.24.150 of Title 18 of the Salt Lake County Code of Ordinances, 201, is amended to read as follows:

18.24.150 – Construction of Improvements.

- A. Twenty-four hours prior to construction of any required improvements, the county planning and development services division shall be notified so that proper inspection may be provided and so that it may be determined whether or not proper authorization and/or required permits for construction have been obtained.
- B. As-built plans, and profile drawings, and corresponding GIS data shall be furnished to the planning and development services division of all street improvements, storm drain, sanitary sewer, and water systems upon completion. The county shall retain the improvement bond until such plans have been submitted.
- C. Extreme care should be exercised on the part of the subdivider, the contractor and all other associated agencies for the protection and maintenance of all existing or newly placed improvements or facilities within the roadway sections during development. (Ord. 1473 (part), 2001: Ord. 879 (part), 1983: prior code § 19-5-1(4)(a)—(c))

SECTION XIV. Chapter 18.24.170 of Title 18 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

18.24.170 - Performance bonds.

A. In lieu of actual completion of the improvements listed in this chapter, subdividers may must file with the county a surety or cash bond, an escrow agreement, or a letter of credit in an amount specified by the mayor or mayor's designee to assure actual construction of such improvements within a two-year period. Twenty-five A percentage, equal to the maximum amount allowed by state law, of the bond amount for public improvements such as curb, gutter, sidewalk, road surfacing, flood control and fire hydrants shall extend for a one-year period beyond the date the improvements are completed to guarantee replacement of defective public improvements. Twenty-five A percentage, equal to the maximum amount allowed by state law, of the bond amount for live plant materials in common areas shall extend for the maximum period allowed by state law a two-year beyond the date of planting to guarantee replacement of diseased or dead plants. The bond or agreement shall also secure all lot improvements on individual lots on the subdivision which are required in this chapter.

- B. If the mayor or mayor's designee determines that the required improvements should be completed in a specified sequence and/or in less than this a two-year period in order to protect the health, safety and welfare of the county or its residents from traffic, flood, drainage or other hazards, it may require in approving the final subdivision plat that the improvements, including required landscaping be installed in a specified sequence and period which may be less than this period two years and shall incorporate such requirements in the bond.
- C. Inspections shall be made within five days from the date of the request. If inspection shows that county standards and specifications have been met in the completion of such improvements, the bond shall be released by the mayor or mayor's designee within seven days from the time of inspection and filing of the as-built plan, any corresponding GIS data (as required), and profile drawings. If the bonds are not released, refusal to release and the reasons therefor shall be given the subdivider in writing within seven days from the time of the inspection.
- D. Such bonds shall be processed and released in accordance with the procedures set forth in Chapter 3.56 of this code.

(Ord. 1609 § 3, 2007; Ord. 1473 (part), 2001: Ord. 879 (part), 1983: Ord. 790, 1981; prior code § 19-5-2)

SECTION XV. 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 in Salt Lake City, Salt Lake County, Utah, this 8th day of August, 2017.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By <u>/s/ STEVEN DEBRY</u> Chair

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

The motion passed unanimously, authorizing the Chair to sign the ordinance, and directing the County Clerk to attest his signature and publish it 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 4:19:24 PM until Tuesday, August 15, 2017, at 4:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By _____ Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL