

Salt Lake County Council

Committee of the Whole

~MINUTES~

Tuesday, August 29, 2017

[2:12:43 PM](#)

Committee Members

Present:

Jennifer Wilson¹
Richard Snelgrove
Jim Bradley
Arlyn Bradshaw
Michael Jensen
Aimee Winder Newton
Sam Granato¹
Max Burdick
Steven DeBry, Chair

Citizen Public Input ([2:12:12 PM](#))

The following citizens spoke under “Citizens Public Input” in opposition to Salt Lake County contributing \$4.7 million towards the Hale Center Performing Arts Facility in Sandy City. Reasons for opposing the contribution are that the funds could be used to: repair roads and infrastructure; provide better bus service in Cottonwood canyons; provide help to the Municipal Services Fund; provide additional help to the homeless; and provide a tax break to citizens:

David Green
William Clayton
Barbara Cameron
Mike Edwards

Debbie Mayor
Paulina Flint
Joanie Bills
Alexandra Eframo

Ms. Crystal Young-Otterstrom, Utah Cultural Alliance, spoke under “Citizens Public Input” in favor of Salt Lake County contributing \$4.7 million towards the Hale Center Performing Arts Facility in Sandy City. She stated investments in cultural facilities increases the quality of life of residents in Salt Lake County and brings economic development.

Mr. Max Chung spoke under “Citizen Public Input” stating he was not opposed to or in favor of this request. However, he suggested the Council consider this donation carefully. He used to sit on the Zoo, Arts & Parks (ZAP) Tier II Advisory Board, which denied a request from the Hale Center Theatre for \$3 million; instead it recommended an allocation of \$1 million. He was disappointed that as a member of an advisory board the Council would contribute more than recommended. He asked why there was an advisory board if the Council

¹ Participated in discussions on Homeless Encampment Cleanup and the Interlocal Agreement with Sandy City relating to the new performing arts facility. Excused for the rest of the meeting.

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would not listen to its recommendations. He suggested the agreement include a clause stating if the money is not used for capital improvements then it should be returned to the County.

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Review of New Hires ([3:53:00 PM](#))

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the following proposed hires:

<u>Agency</u>	<u>Position</u>
<i>Clark Planetarium</i>	Associate Director 17
<i>Sheriff's Office</i>	Correctional Officer P7 Deputy I and Deputy II P7 Protective Services Officer P6
<i>District Attorney's Office</i>	3 Prosecuting Attorneys 17 Paralegal 13
<i>Parks & Recreation Division</i>	Construction and Maintenance Specialist 11
<i>Salt Lake County Health Department</i>	Vital Records Specialist 10
<i>Information Services Division</i>	2 Principal Software Engineers 19 Office Coordinator 12
<i>Behavioral Health Services Division</i>	Contract and Billing Specialist 13
<i>Justice Courts</i>	Administrative and Fiscal Manager 17
<i>Library Services Division</i>	Library Assistant 12 Library Shelver 7 Librarian 14
<i>Council Office</i>	Senior Policy Advisor

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Budget Adjustments ([3:53:00 PM](#))

Mr. Brad Kendrick, Budget & Policy Analyst, Council Office, reviewed the following budget adjustment requests:

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Parks and Recreation Division

Interim budget adjustment to reclassify three vacant Lead Custodian Maintenance Worker positions to Building Operation Manager positions.

Equestrian Park Event Center

Interim budget adjustment of \$115,000 in order to purchase a front end loader to move manure and other products onsite.

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the interim budget adjustment requests and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

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Legislative Audit Staffing and Ordinance

This matter was not discussed.

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Housing Trust Fund ([3:48:09 PM](#))

Mr. Carlton Christensen, Director, Regional Planning, Housing, and Economic Development Department, stated the proposed interlocal agreement provides a mechanism in which affordable housing funds could be assimilated to be used on meaningful projects in order to meet the needs of affordable housing. It also provided that Salt Lake County will administer those funds.

Council Member Newton asked if there was a way for the Council to consent to the disbursement of these funds.

Mr. Michael Gallegos, Director, Housing and Community Development Division, stated the Housing Trust Fund ordinance, which the Council previously adopted, requires that any disbursement of these funds would go through the Mayor's Office and to the Council for approval.

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Council Member Bradley asked if any strings would be attached to the money contributed by the various RDAs.

Mr. Christensen stated any project would be subject to local land use decision making. The goal is to focus the funds on the projects that best meet the needs of those in Salt Lake County.

Council Member Bradley stated he would hope the projects would be appropriately spread throughout the County.

Mr. Gallegos stated the Housing Authority would want to take advantage of public transportation.

Council Member Snelgrove asked how the funds would be protected. He did not want them to be used for other things.

Mr. Stephen Barnes, Deputy District Attorney, stated the funds would be placed in a restricted account as outlined in state statute for the Salt Lake County Housing Authority and only used for affordable housing or transitional housing.

Council Member Jensen, seconded by Council Member Bradshaw, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Granato and Wilson were absent for the vote.



Homeless Encampment Cleanup and Operation Rio Grande ([2:38:51 PM](#))

Ms. Karen Crompton, Director, Human Services Department, stated recent press coverage of Operation Rio Grande focused on the law enforcement and drug treatment aspects of the program. The Salt Lake County Health Department was also involved in the cleanup operation, something it has been involved with for many years. This presentation is an update on the roles and activities related to that cleanup.

Mr. Gary Edwards, Director, Salt Lake County Health Department, stated the Health department's Bureau of Sanitation and Safety has previously been involved in small cleanup activities. Now it is handling larger cleanups in homeless encampments along the Jordan River and foothills, and the ones in the Rio Grande area. The Rio Grande cleanups have grown significantly in size over the last 18 months. A new position of Community Outreach Coordinator was approved for 2016 to help with this effort. Mr. Jorge Mendez has been at that position for three months, and coordination with other agencies and municipalities are key aspects of the job.

Mr. Jorge Mendez, Community Outreach Coordinator, Salt Lake County Health Department, delivered a PowerPoint presentation covering recent encampments in the Salt

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Lake Valley, and cleanup sites in the Rio Grande area, 500 West, and along the Jordan River. As a result of this cleanup, homeless individuals are dispersing throughout the County, especially along the Jordan River. Operation Rio Grande forced the Health Department to partner with cities for such things as the use of heavy equipment, and needle exchange programs. These cleanups have been ongoing, but the Health Department is now involved in large cleanups once or twice per month.

Council Member DeBry stated seven new homeless encampments have popped up in Millcreek in the area under the train overpass. Twenty-one people are now living there. If they are removed, they come back with even more people. He asked if law enforcement should contact the Health Department to clean up encampments in Millcreek.

Mr. Mendez stated they are currently working on a plan to mitigate the encampment issues in other cities. He is aware of the issues in Millcreek and will be joining forces with County Jail inmate labor to do large cleanups. These require partnerships with the cities to provide heavy equipment, and partnership with law enforcement to provide surveillance. His office is currently responding to about 50 known encampments. Law Enforcement can call the Bureau of Sanitation and Safety to request a cleanup.

Mr. Dale Keller, Environmental Health Bureau Manager, Sanitation & Safety, Salt Lake County Health Department, stated his department is the catalyst to see that cleanups are coordinated between law enforcement and public works' departments. In some cases smaller cleanups can be done exclusively by the County. There are many moving pieces involving homelessness, but the Health Department's focus is on the public health issue. In the Rio Grande cleanup, collecting 30,000 to 50,000 pounds of refuse and 200 to 500 syringes was not uncommon. He stresses to his staff that the homeless people they encounter must be treated with civility and professionalism. The top priority is safety for the staff. The Health Department wants to be proactive with its approach. Cleaning up Rio Grande meant encampments have been dispersed throughout the County. Several days ago the Health Department counted over 100 occupied camps between 2100 South and 4100 South. Ogden's homeless population has doubled as well. The problem has not gone away; it is just not as visible.

Council Member Burdick asked if some of these encampments were in Sandy and Draper.

Mr. Keller stated absolutely. Since the Rio Grande cleanup, other areas have become a problem.

Council Member Jensen asked for the definition of an encampment.

Mr. Keller stated when the Health Department started to pull this information together, it had no idea it was dealing with 500 encampments per year. The definition of an encampment cleanup could involve such things as infectious waste, housing cases, or solid waste. Encampments can be anything from an open fire pit to squatters using an abandoned garage or storage unit.

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Mr. Edwards stated there is also a Hepatitis A outbreak among the homeless population. To date, there have been 17 reported cases of Hepatitis A. In any given year by the end of August, there would normally be two or three cases. Most cases are within the homeless or IV drug user population. To combat this the Health Department is targeting those individuals with vaccination events, and by reaching out to homeless shelters and substance abuse providers with vaccinations for both staff and clients.

Mr. Chris Otto, Associate Director, Human Services Department, stated his first cleanup operation was shocking. It is one thing to drive by the problem; it is another matter to see it up close. He appreciated the work the staff was doing every day.

Council Member DeBry stated this is a daunting task and takes lots of team effort and collaboration.

Council Member Snelgrove stated people are homeless due to many factors, some not of their own making. He noted the use of tiny houses throughout the Country. The Council will consider granting \$4.7 million to the Hale Center Theater. If the County put that money towards a tiny house community, it could build 1,400 houses for the homeless.

Council Member Wilson stated yesterday she toured the Rio Grande area with the Salt Lake City Police. There was a vast improvement. Some people were still in Pioneer Park but the cleanup was manageable. This is a persistent problem that requires continuous engagement and collective effort.



Indigent Defense Commission Grant ([3:43:24 PM](#))

The Council reviewed the following resolution, which has been placed on the Council agenda for final approval:

Human Services Department regarding authorization to apply for an Indigent Defense Commission Grant for 2018.

Ms. Karen Crompton, Director, Human Services Department, stated she is seeking approval of a resolution, which will allow the County to submit a grant to the State Indigent Defense Commission (IDC). When the Legislature created the IDC it also provided funds for one-time and ongoing grants. The County began meeting with the Director of the IDC a couple months ago about grant funding for a Conflict Administrator. Since Operation Rio Grande has taken place it has expanded the request to include two attorneys for two years in support of legal defense for the homeless population, as well as funding for a case management system, and the possibility of making the Conflict Administrator a regional office.

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Council Member Snelgrove, seconded by Council Member Burdick, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for formal consideration.

Mr. Kelly Wright, Deputy District Attorney, stated there are different types of grants, such as critical needs and matching grants. These and others will be investigated.

Council Member Bradshaw asked if the grant was awarded as written, if it would be an increase in the County's contract with the Legal Defenders Association (LDA).

Ms. Crompton stated part of it would be. The Human Services Department is still talking about how the Conflict Administrator will be structured. That would be outside the LDA's office and would be ongoing. The two attorneys involved in homelessness would go to the LDA for a two-year period.

Council Member Bradshaw stated when this fund was created it was to provide funding to other counties that were falling short of their constitutional duties to provide indigent defense. He asked what Salt Lake County's chances were of being awarded the grants.

Ms. Crompton stated the two additional attorneys will be viewed favorably in light of what is happening in Rio Grande. The Lieutenant Governor and Speaker of the House are aware of the requests and are generally supportive. The IDC has only given out one grant so far to Juab County. It is anxious to move money out the door and get things up and running. Perhaps Salt Lake County would serve as a pilot.

Mr. Wright stated that the IDC has seen the needs in Salt Lake County. Salt Lake County and the LDA have the largest caseload in the State.

Council Member Snelgrove, seconded by Council Member Burdick, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.

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Zoo, Arts, & Parks (ZAP) Tier II Advisory Board 2017 Recommendations ([3:42:13 PM](#))

The Council reviewed the Zoo, Arts, & Parks Tier II Advisory Board recommendations for 2017 funding.

Council Member Newton, seconded by Council Member Jensen, moved to approve the funding recommendations and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

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Funding for the Hale Center Performing Arts Facility ([3:03:16 PM](#))

During the June 13, 2017, Committee of the Whole meeting, the Council approved the allocation of \$4.7 million to Sandy City for the Hale Center Theatre. The motion passed 5 to 4 with Council Members Burdick, Jensen, Wilson, Bradshaw, and Bradley voting in favor of the motion and Council Members Newton, Snelgrove, DeBry and Granato voting in opposition to the motion.

Ms. Erin Litvack, Director, Community Services Department, stated this is the resolution authorizing execution of an interlocal agreement that facilitates the transfer of \$4.7 million to Sandy City to be used for the construction of the Hale Center Theatre.

Mayor Tom Dolan, Sandy City, stated Sandy City bonded for \$42.7 million for the construction of the Hale Center Theatre. The bond will be paid back over the next 27 years. The Hale Center Theatre raised the rest of the money to complete the project. An article in the Salt Lake Tribune indicated that funding was already in place and the \$4.7 million contribution from Salt Lake County was not needed. This is not accurate. The \$4.7 million is included in the amount raised by the Hale Center Theatre. Once the project is completed, it is expected that over one-half million people a year will attend performances.

Mr. Brent Linge, Vice-President and Chief Development Officer, Hale Center Theatre, stated this is an \$80 million project. Sandy City issued a bond in the amount of \$42.7 million and contributions in the amount of \$32.5 million have been pledged, which includes the \$4.7 million from the County. An additional \$4.3 million is still needed to complete the project.

Mr. Chris McCandless, Council Member, Sandy City, stated the theatre will be a world class facility. It will draw people from multiple states bringing economic development to Salt Lake County's hotels and restaurants. The Hale Center Theatre will provide additional jobs as well. The \$4.7 million contribution from Salt Lake County is needed.

Council Member Wilson stated this is a sector worth investing in. The arts bring economic development into Salt Lake County and are a major employer.

Council Member Wilson moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification.

Council Member Newton stated she will be voting against the motion not because she does not support Hale Center Theatre, but because the process was flawed. The funds were originally designated for transportation use. Salt Lake County provides support to the Hale Center Theatre through the Zoo, Arts, and Parks (ZAP) Fund.

Council Member Snelgrove stated he is a proponent of supporting the arts with ZAP and the Tourism, Recreation, Cultural and Convention Fund (TRCC). The County only has so many dollars to go around. He asked at what point the Hale Center Theatre added the \$4.7 million contribution in.

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Mr. Linge stated when the contribution was approved in June.

Council Member Snelgrove stated a request came from Sandy City for the \$4.7 million contribution indicating to him a lack of foresight or planning on the part of Mayor Dolan and Sandy City leadership. The initial bond should have been for \$47 million. That is one reason why he is a no vote on this contribution. Another reason is the request did not follow the proper course of action. These types of facilities should be funded through the ZAP program or the TRCC Fund with recommendations from the respective advisory committees. Also this request should come before the Council during its budget workshop where it would compete with other pressing needs in Salt Lake County. This is not the highest and best use of the \$4.7 million. The funds could be used to help the homeless in Rio Grande with the construction of a tiny house village; it could add to the number of treatment beds; it could go towards Oxbow Jail to get it ready to be opened; it could help with deferred maintenance; or it could be used to repair roads where it would help thousands of citizens every day. Helping the Hale Center Theatre is near the bottom of his priorities on where these funds should be used.

Council Member Burdick stated the \$4.7 million is a good investment for what the citizens of Salt Lake County will get. These types of projects are great economy drivers. They produce tax dollars and have a great impact for not only arts in the community and the patrons that visit, but also have a direct impact on businesses such as restaurants and hotels, because patrons come in not just from the County, or the State, but worldwide. This is an investment. His vote of yes in June was to instruct the Mayor's Office to prepare the paperwork to move this forward, and it would be disingenuous of him at this point to change his mind. This is the right thing to do for a lot of reasons. The County will see a lot of benefits from it in the future. It will have a great impact on the entire County.

Council Member Wilson, seconded by Council Member Burdick, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification.

Council Member Bradley stated the TRCC and ZAP advisory committees are advisory only. They provide great advice to the Council, but other circumstances get weighed in any decision making. This is a classic partnership - Sandy City contributing 50 percent or more, the private sector donating 25 percent, and the County contributing 9 percent toward the cost of this facility. Quality of life in Salt Lake County is not only measured by how well the negative aspects are eliminated, but how the positive is promoted as well. It is a balance between the two. To suggest that the County simply needs to just fix roads, and deal with the homeless does not talk to the big picture of the Council's responsibility. The Council is charged to build the quality of life within Salt Lake County. This is what this facility will do. The Council has already made a commitment towards this facility and he would be embarrassed to drop out at this point.

Council Member Jensen stated the Council gave its commitment to this facility and he cannot think of anything worse as a regional government to tell a partner that it is going to do something and then take it back. The Hale Center Theatre is a regional asset and the Council is the regional government. The Hale Center Theatre will draw in one-half million people, which will bring in new business with sales tax revenue. This will benefit Salt Lake County. This is one-time money and if it is used to fund other things it had better be one-time

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use. This is a project the County will benefit from for years to come because of the growth and development that will happen around the center.

Council Member Bradshaw stated the June budget opening is an appropriate time to allocate money for projects that come up. The Council previously debated and approved this expenditure. This is one time money that will not help fund Oxbow Jail or additional treatment beds. This is about being a good partner and living up to a commitment previously made.

Council Member Granato stated his word is his bond. He previously voted no on this and will vote no again. Several small business owners have contacted him indicating they are appalled that the County is doing this and asked him not to let it happen.

Council Member Snelgrove stated this was voted on in June, but there is a process that should be followed in talking about transparency and openness. The process allows the Council to have a second look at this, so it is not out of line to vote again. Sandy City's failure to plan has now become the County's crisis.

Council Member DeBry stated this is difficult for him; however, to be consistent he will be a no vote. There are more pressing needs in the County. It is all about priorities.

Council Member Wilson, seconded by Council Member Burdick, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed 5 to 4 with Council Members Bradley, Bradshaw, Wilson, Burdick, and Jensen voting in favor and Council Members Newton, Granato, Snelgrove, and Debry voting in opposition.

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Closed Session – Security Report

An update on the current state of information security and a report on the 2017 risk assessment.

This matter was not discussed

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CONSENT AGENDA ([2:54:37 PM](#))

Constable

The Council reviewed the following constable appointment, which has been placed on the Council agenda for final approval and execution:

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Appointment of *James C. Frost* to serve as a deputy constable under Constable Larry Bringham.

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

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Tax Matters

The Council reviewed the tax matters, which have been placed on the Council agenda for final approval and execution.

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the tax matters and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Granato and Wilson were absent for the vote.

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Ordinance Amendment

The Council reviewed the ordinance amendment to provide a process for Council Advice and Consent.

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the ordinance and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Granato and Wilson were absent for the vote.

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Resolutions

The Council reviewed the following resolutions and agreements. The resolutions authorizing execution of the agreements have been placed on the Council agenda for final approval and execution:

Resolution

Resolution authorizing the issuance and sale of up to \$35,000,000 of General Obligation Refunding Bonds.

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Resolution and Easement Agreement

Granger/Hunter Improvement District regarding the purchase of a 12-foot wide perpetual easement across General Holm Park, located at approximately 1021 West Carlisle Park Lane, for the purpose of constructing, operating, repairing, and replacing a waterline.

Resolution and Disclaimer of Interest

Salt Lake County disclaiming interest in property in Millcreek.

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the resolutions and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

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Other Business

Approval of Minutes

Council Member Bradshaw, seconded by Council Member Burdick, moved to approve the minutes of the Salt Lake County Council Committee of the Whole meeting held on Tuesday, August 15, 2017. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

Cancellation of Meetings

Council Member Bradshaw, seconded by Council Member Burdick, moved to cancel the September 5, 2017, Committee of the Whole and Council meetings. The motion passed unanimously. Council Members Wilson and Granato were absent for the vote.

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The meeting was adjourned at [3:54:51 PM](#).

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Chair, Committee of the Whole

Deputy Clerk

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