

DATE TUESDAY MAY 22, 2018

THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, MAY 22, 2018, PURSUANT TO ADJOURNMENT ON TUESDAY, MAY 15, 2018, AT THE HOUR OF 4:17 P.M., AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

## COUNCIL MEMBERS

PRESENT:

JENNIFER WILSON<sup>1</sup>  
RICHARD SNELGROVE  
JIM BRADLEY  
ARLYN BRADSHAW  
MICHAEL JENSEN  
STEVEN DEBRY  
MAX BURDICK  
AIMEE WINDER NEWTON, Chair

OTHERS IN ATTENDANCE:

BEN MCADAMS, MAYOR  
SIM GILL, DISTRICT ATTORNEY  
By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY  
JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE  
SHERRIE SWENSEN, COUNTY CLERK  
By: NICHOLE WATT & LINDA DUFFY, DEPUTY CLERKS

Council Member Newton, Chair, presided.

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

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

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

<sup>1</sup> Participated electronically



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- D. To ensure full committee knowledge and intent, the county mayor, in collaboration with the county council, shall provide relative information, statistics and numbers as requested. Requests will be made with appropriate time allowances to prepare accurate, thorough reports for the committee.
- E. The committee shall advise the county council on the expenditures of the tax levied under this chapter for acquisition, construction, operation and maintenance of tourism, recreation, cultural and convention facilities. The county council shall provide administrative support to the committee.

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

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the ordinance. The motion passed unanimously, authorizing the Chair to sign the same, directing the County Clerk to attest her signature, and to publish the ordinance summary in a newspaper of general circulation, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, showing that all Council Members present voted “Aye.” Council Member Bradley was absent for the vote.

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

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting to give compression raises to all compressed employees. The motion passed unanimously, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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

- #1-200 Definitions
- #2-100 Employment Status
- #4-200 Leave Practices
- #4-300 Insurance and Retirement Programs
- #5-100 Pay and Employment Practices
- #6-200 Training and Training Repayment
- #6-300 Tuition Reimbursement

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to sign the policies and procedures, directing the County Clerk to attest her signature, and authorizing the Human Resources Division to distribute the same, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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

### #1450 - Charitable Solicitation of County Employees

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the Chair to sign the policy and procedure, directing the County Clerk to attest her signature, and authorizing the Mayor's Office to distribute the same, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.

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





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located at approximately 3733 South 5450 West, West Valley City, Utah (the “Property”), which was struck off to the County after the tax sale in 1968.

2. MD & L, LC (“MD & L”), has offered in writing to purchase a portion of the Property (the “Parcel”) from the County for \$6,000.00, which amount has been approved by the County Real Estate Section as fair market value. This offer is in the form of a Tax Sale Property Purchase Agreement (the “Agreement”) attached hereto as Exhibit A.
3. The County has determined that the Parcel is not in public use. Proceeds from the sale of the Parcel will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
4. It has been determined that the best interest of the County and the general public will be served by the sale and conveyance of the Parcel to MD & L. The sale and conveyance will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Parcel, described in Exhibit 1 of the Agreement is hereby declared surplus property.

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

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

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

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







agreed appraised value of Seven Thousand Seven Hundred Seventy-Five Dollars (\$7,775.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are authorized to execute the Quit-Claim Deeds, attached to the Agreement as Exhibits 2 and 3, and to deliver the fully executed documents to the Salt Lake County Real Estate Division for delivery to Buyer in accordance with terms of the Agreement.

By /s/ SHERRIE SWENSEN  
County Clerk

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Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, showing that all Council Members present voted "Aye." Council Member Bradley was absent for the vote.



Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County and the **Jordan River Commission** – Stream Gauging Equipment. The Jordan River Commission will donate stream gauging equipment valued at \$72,000 or less to Salt Lake County. The agreement will take effect upon execution of the agreement and end December 31, 2018.

RESOLUTION NO. 5368

DATE: MAY 22, 2018

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

WITNESSETH

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

WHEREAS, the County and the Jordan River Commission desire to cooperate in undertaking a riparian restoration project on the Jordan River, including revegetation and weed control in the riparian zone using streambank bioengineering technique; and

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

WHEREAS, it has been determined that the best interests of the County and the general public will be served by the execution of the attached Interlocal Cooperation Agreement and by participating as required therein.

## RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the attached Interlocal Cooperation Agreement is approved; and the Mayor is authorized to execute said agreement, a copy of which is attached as Exhibit 1 and by this reference made a part of this Resolution

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

By /s/ SHERRIE SWENSEN  
County Clerk



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Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Beverly L. Skaggs** for 2017 late tax relief on property identified as Parcel No. 21-07-104-003

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, authorizing the County Treasurer to effect the same, showing that all Council Members present voted "Aye."

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Mr. Brad Neff, Chair, Property Tax Committee, submitted a letter recommending approval of abatement and acceptance of an application for deferral of delinquent taxes on the **Alona J. Harris** property identified as Parcel No. 21-07-329-019 under the following conditions: 1) monthly payments of \$100.00 beginning June 2018 applied to the delinquency, 2) all subsequent taxes be paid on or before the due date annually, 3) the participant retain their ownership interest in the property during the entire deferral period, 4) the property remain occupied during the entire deferral period as the participant's primary residence, 5) yearly submission of an application for tax abatement on or before the filing deadline, and 6) the deferral be reviewed annually prior to the Tax Sale for compliance with conditions of approval.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. The motion passed unanimously, to accept the application and approve the new tax deferral, authorizing the County Treasurer to effect the abatement and remove the \$250 Tax Administrative Fee, and authorizing the County Auditor to withdraw the property from the May 2018 Tax Sale, showing that all Council Members present voted "Aye."

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

<u>Taxpayer</u>	<u>Parcel No.</u>
<b>Shelly Hoffmann</b>	21-27-302-022
<b>Timothy Alan Skougard</b>	15-30-176-012



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**Mr. Curtis Woodward**, Planning & Development Services Division, reviewed the following rezoning application:

Application #30650 – **Olympia Land LLC** on behalf of The Last Holdout LLC, to rezone property located at approximately 6300-8500 West and 12400-13100 South from an A-2 to a P-C zone with an amendment to the Southwest Community General Plan indicating the creation of a planned community as set forth in a proposed development agreement.

**Mr. Woodward** stated the Salt Lake County Planning Commission recommended approval of this application with six recommendations. The Planned Community Zone (P-C Zone) that was adopted last year allows for a large-scale community to be planned in a series of applications, the first of which is the rezone application. At that time, the P-C zone plan will also be presented and a master development agreement will lay out the rules that will be followed as subsequent applications are submitted.

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

It will not be possible to adopt one of the Planning Commission recommendations. The Planning Commission recommended that water availability should be confirmed by the Jordan Valley Water Conservancy District (JVWCD) before the County Council takes action on the rezone. The problem is that water availability is several applications away from today's action. He spoke to the JVWCD, which indicated it was premature to commit water to the property at the rezone stage. The district has other requests that have to be addressed as they come along.

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

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

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

**Mr. John Gust**, Arbor Commercial Property, stated he is a partner on this project. When the Council approved the P-C zone it started a bonfire on the west side of the valley. The Council in Magna is also adopting the same zone.

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



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No one appeared in favor of or in opposition to the petition.

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

**Mr. Zach Shaw**, Deputy District Attorney, stated the Council should make three separate motions on the individual elements of this application.

Council Member Burdick, seconded by Council Member Jensen, moved to approve the general plan amendment.

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

**Council Member DeBry** stated representatives from Herriman City have contacted him with concerns about this project. They are concerned with the impact of 9,000 new residents on infrastructure, transportation, water, public safety, etc. The County needs to be a good neighbor to Herriman and should not be hasty in its approval. Herriman needs to be onboard with the plan.

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

**Mr. Woodward** stated by state law a developer cannot record a subdivision plat without sign off by the appropriate water district. Whether maximum density is achieved will depend on a variety of other approvals, such as by water and fire authorities. Any water shortage will mean a developer will have to adjust the plans. When it did its transportation and traffic studies, it took into consideration the master plan improvements of surrounding cities. In addition, each phase will have its own transportation study to make sure the system is not overloaded.

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

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

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

**Mr. Woodward** stated Herriman built assumptions into its future plans. One assumption is that Butterfield Canyon Road will be opened to Tooele. That will put thousands of cars coming to Salt Lake County on that road. However, due to the expense of opening that road,

he is not convinced that will happen. Herriman is concerned about being overwhelmed. He did not have the same concerns. Herriman's plans involve future annexation of this property and land use plans that involve horse property and larger lots.

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SHERRIE SWENSEN, COUNTY CLERK

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

CHAIR, SALT LAKE COUNTY COUNCIL