##  Salt Lake County Council

Committee of the Whole

~Minutes~

Tuesday, February 23, 2016

2:10:32 PM

Committee Members

Present: Jennifer Wilson[[1]](#footnote-1)

 Richard Snelgrove

 Jim Bradley

 Michael Jensen[[2]](#footnote-2)1

 Sam Granato

 Steven DeBry

 Max Burdick, Chair

Excused: Arlyn Bradshaw

 Aimee Winder Newton

Citizen Public Input (2:10:32 PM)

 **Ms. Marie Taylor** spoke under Citizen Public Input and read the following letter, which was presented to the Utah State Legislature:

*Utah Legislature*

*350 North State St.*

*Salt Lake City, Utah 84114*

*RE: Mountain Planning District*

 *HB 348*

*On October 20th, 2016, the Salt Lake County Council approved the formation of the Mountain Planning District. A key point during the incubation period was to have a Mountainous Planning Commission that would be better trained and focused on canyon and environmental matters, not having to co-mingle with valley issues. The new Commission was formed with authority to include persons who do not live in unincorporated Salt Lake County.*

*The Chair of the County Planning Commission, Neil Cohen, stated that no exploration was done to expand their membership criteria beyond the unincorporated residents. During the decision making period, citizens and the County Council were told it was imperative that we have two specialized Commissions. Abruptly, the importance of having the two commissions morphed into dissolved with the existing County Planning Commission.*

*For more than 2 years prior to the organization of the Mountain Planning District, many individuals from adjacent Counties, Cities, and various interested parties collaborated. We heard repetitively that multiple jurisdictions were at the table and the water shed was being protected.*

*What do we have to show for all of this collaboration? A Mountain Planning District completely within the existing limits of one county, Salt Lake County. A Mountain Planning Commission that has authority over 3 canyons (there is now a proposal that they also deal with unincorporated areas of the Salt Lake County). A Foothills and Canyons Overlay Zone that closely monitors development in the canyons. And a watershed that is protected by Salt Lake City’s extraterritorial jurisdiction. Isn’t that what we already had?*

*Enough taxpayer money has been spent on spin. I respectfully request that you not extend the sunset clause of the Mountain Planning District*

*Thank you.*

*Marie Taylor*

 **Council Member Bradley** asked if she felt the Mountainous Planning District was superfluous.

 **Ms. Taylor** stated more could have been done to give the traditional Salt Lake County Planning Commission more of the nuances and authority that was given to the Mountainous Planning Commission. If the traditional Planning Commission is dissolved, then someone wishing to develop in unincorporated Salt Lake County would have to go to the Mountainous Planning Commission.

 **Council Member Bradley** stated after last November’s election, there was very little unincorporated Salt Lake County left. Most areas are now townships or cities and have their own planning commissions.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Review of Proposed Hires (2:16:01 PM)

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

Agency Position

*Parks & Recreation Division* 2 Construction & Maintenance Specialists 17

 2 Second Assistant Golf Pros 18

*Mayors Operations Division* Fiscal Administrator 38

*Mayor Financial Accounting Division* Accountant 28/30/32

*Office of Regional Development* Emergency Services Director 37

*District Attorney’s Office* 2 Legal Secretaries 19/21

 2 Legal Secretaries 17

 Unit Chief 43

*Recorder’s Office* Land Records Specialist 17

*Sheriff’s Office* Corrections Specialist 16

 Director of Nursing 35

 Jail Nurse 24/30

*Youth Services Division* Public Relations Coordinator 24

*Salt Lake County Health Department* 2 Environmental Health Supervisors 30

 Health Educator 22/24

 Infectious Diseases Bureau Manager 35

 Public Health Nurse 30

 Public Health Nutritionist 23

 Part-time Office Specialist 15

 Full-time Office Specialist 15

*Behavioral Health Services Division* Quality Assurance Coordinator 28

*Criminal Justice Services Division* Programming & Services Coordinator 24

*Library Services Division* 2 Part-time Customer Service Specialists 15

*Planning & Development Services Division* Planner 27/29

*Public Works Operations Division* Heavy Equipment Operator 20

 Traffic Signal Specialist 19

 Traffic Signal Worker 15/17

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Interim Budget Adjustments (2:17:00 PM)

 **Mr. Brad Kendrick**, Budget & Policy Analyst, Council Office, reviewed the following interim budget adjustment requests, which have been placed on the Council agenda for formal consideration:

*Treasurer’s Office*

 Requests an interim budget adjustment of $1,700 to cover over expend for tax mailings in 2015. This will entail moving funds from Permanent and Provisional to Contracted Printings.

 **Council Member Burdick** stated it was not normal to move money from personnel to operations.

 **Mr. Kendrick** stated the 2015 budget is closed out so the personnel line item was the only area available to make up the shortfall.

− − − − − − − − − − − − − −

*Auditor’s Office*

 Requests an interim budget adjustment of $10,705 to purchase a high capacity scanner. This will entail moving funds from the Property Tax Division’s operations budget to a capital account.

 **Council Member Bradley** asked for an explanation of the workload that requires a new scanner.

 **Mr. Roswell Rogers**, Administrative Assistant, Auditor’s Office, stated the requested scanner will act as a backup for the current scanner. His office is trying to digitize all the appeals forms as they come in so that the Assessor’s Office can have access to them.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Wilson was absent for the vote.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Reclassification Request (2:17:00 PM**)**

 **Mr. Brad Kendrick**, Budget & Policy Analyst, Council Office, reviewed the following reclassification requests, which have been placed on the Council agenda for formal consideration:

*Facilities Management Division*

 Requests to reclassify a vacant Internal Services Cost Specialist position to a Fiscal Coordinator position, and a vacant Facilities Construction Project Manager Supervisor position to a Fiscal Manager position.

 **Council Member DeBry** asked why these reclassifications were needed.

*Facilities Construction Project Manager Supervisor position to a Fiscal Manager position.*

 **Ms. Sarah Brenna**, Director, Administrative Services Department, stated in the past, the associate director of the Facilities Management Division handled the fiscal manager work for the department. The division never had its own fiscal manager. There is now a focus on planning and gathering data for operations and maintenance so the division needs a person who can spend all of their time on fiscal management. The current associate director will take on the construction project manager role, leaving an opening for a fiscal manager.

*Internal Services Cost Specialist position to a Fiscal Coordinator position*

 **Mr. Rory Payne**, Director, Facilities Management Division, stated with the new emphasis on data collection, there is a need for more fiscal reports. The fiscal coordinator will focus on creating reports and assisting the fiscal manager in data collection. The size of the budget and growth in the County demands they focus on those areas.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Wilson was absent for the vote.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Utah Performing Arts Center (UPACA) (2:23:33 PM)

 The Council reviewed the following resolution, agreement, and budget adjustment, which have been placed on the Council agenda for final approval and execution:

*Resolution & Interlocal Agreement*

 *Utah Performing Arts Center Agency* (UPACA) regarding procurement of furniture, fixtures and equipment (FF&E) for the George S. and Dolores Dore Eccles Theater:

*Interim Budget Adjustment – Center for the Arts*

 Requests an interim budget adjustment of $1,174,569 to purchase furniture, fixtures, and equipment for the new George S. and Dolores Dore Eccles Theater.

 **Ms. Erin Litvack**, Director, Community Services Department, stated she is a member of the UPACA board representing Salt Lake County. The interlocal agreement allows for the transfer of funding from the capital project of the Eccles Theater to Salt Lake County to procure the FF&E for the facility. As the operator of the theater, the Center for the Arts knows best what types of FF&E will be needed, and it has worked closely with the development team and construction team to develop the appropriate list for purchasing. Also, accompanying the interlocal agreement is a budget adjustment that allows for those funds to come into and be expended by the Center for the Arts as it purchases the equipment for the project. Because the County has existing contracts in place to purchase cultural venue equipment, this was a much less expensive way to move forward and save some costs.

 **Council Member DeBry** stated for the record he was opposed to the theater, but would be voting in favor of the resolution and budget adjustment.

 **Council Member Burdick** stated he is the chair for the UPACA committee. It has been a long process to get to the point of knowing exactly what is needed for the project, and it is on time with its schedule. He will be contacting Council Members shortly to schedule a tour of the facility. It is important for Council Members to see the magnitude of this operation and how wonderful it looks. It will be a great compliment to the downtown area.

 **Council Member DeBry, seconded by Council Member Bradley, moved to approve the resolution and interim budget adjustment and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Wilson was absent for the vote.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Board Appointment (2:28:00 PM**)**

 Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the appointment of **Christie Hutchings** as a member of the Mountainous Planning District Commission to serve a one-year term. Her term will begin February 24, 2016, and end February 23, 2017.

 **Mr. Wilf Sommerkorn**, Office of Regional Development, introduced Christie Hutchings. Council Members asked that the one remaining vacancy on the Mountainous Planning Commission be filled by someone living on the west side of Salt Lake County. Ms. Hutchings lives in South Jordan and is employed as a planner with the city of Lehi.

 **Council Member DeBry** asked Ms. Hutchings to tell the Council more about her history and why she wanted to serve on this board.

 **Ms. Christie Hutchings** stated her degree is in planning and resource management. She has been a planner for 16 years. For quite a while, she has wanted to sit on the other side of the table and be involved in making planning decisions.

 **Council Member DeBry moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration.**

 **Council Member Bradley** stated Ms. Hutchings credentials were great and she would be a great addition to the Mountainous Planning Commission. However, the County is in a delicate stage with the Mountainous Planning Commission given its Foothills, Canyons, and Overlay Zone (FCOZ) responsibilities. The Commission is in the midst of amending FCOZ, and working rapidly toward a conclusion. It is extremely important that FCOZ is done right or it will sunset and move away. Currently, the Mountainous Planning Commission has one permanent positon available and two alternate positions available. He asked if the Council would consider having Jim Palmer, alternate member of the Mountainous Planning Commission, who is deeply involved in the FCOZ process, moved to the permanent position, and have Ms. Hutchings take an alternate position.

 **Council Member DeBry** asked why Mr. Palmer would be better than Ms. Hutchings.

 **Council Member Bradley** stated just because Mr. Palmer has experience with FCOZ.

 **Council Member Burdick** stated it was important for him to have west side representation on the commission. To move the west side representative to the alternate position may be problematic.

 **Council Member Snelgrove** stated although Mr. Palmer is very capable, he was concerned that the west side does not have the representation that it deserves. He is very confident in Ms. Hutchings’ ability to represent the constituents on the west side of Salt Lake County. The Council should not short-change the folks on the west side by reversing course now.

 **Mayor Ben McAdams** stated he asked Council Member Bradley to think about this option, but it was not worth any controversy because he did support the west side representation. The Mountainous Planning Commission has been working expeditiously to find consensus on FCOZ. FCOZ can be very contentious, with many different stakeholders having strong opinions about that legislation. The Planning Commission only has one or two meetings left before making a recommendation on FCOZ to the Council.

 **Council Member DeBry** stated the Mayor nominated Ms. Hutchings for the permanent position. Now, he is changing course by suggesting she be considered for the alternate position and having Mr. Palmer take the permanent position. This is essentially nominating two people simultaneously. It puts the Council in a confusing and awkward position.

 **Council Member Bradley** stated the Mayor spoke to him about this issue because Mr. Palmer has a legacy with FCOZ, having put it together when he served on the Salt Lake County Commission. There is a good team working on it now, and since time is getting short, there may be some value in keeping the same members working on it. He has confidence that Ms. Hutchings will do a great job. He suggested she consult with Mr. Palmer and other commission members about what they have learned to date and take it from there. Strategically, the big goal is not only representation throughout the valley, but also to be successful on FCOZ.

 **Council Member DeBry, seconded by Council Member Granato, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Legislative Updates (2:41:08 PM)

*S.B. 155 – Indigent Defense Commission (Sen. Todd Weller)*

 *This bill creates the Utah Indigent Defense Commission with its scope and funds to run it.*

 **Mr. Kelly Wright**, Deputy District Attorney, stated this bill is in response to a study released by a task force relating to indigent defense efforts in the state. The report was very critical of the state when it came to meeting its constitutional Sixth Amendment requirements. This legislation establishes a state-wide commission made up of 11 members (a substitute bill proposes a 13-member board), and it provides an ongoing restricted fund of $3 million. The fund will be used by all counties and cities to collect data on how each entity is doing, provide defense resources, pay service providers, and provide critical need service providers. The fund will provide matching monies for service providers at fifty cents for every dollar spent for first class counties; it will match 100 percent for second and third class counties, and match 200 percent for all other counties.

The District Attorney’s Office is very concerned with the make-up of the state-wide commission because there is no representation from the prosecution side for counties of the first class, and Salt Lake County is not represented.

 **Mr. Sim Gill**, District Attorney, stated to not have any representation on the commission from the prosecution side for counties of the first class is problematic. If there is a fiscal change, it could have a huge impact on his office. He supports the concept, but is concerned with a commission membership that freezes out the largest county in the conversation.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to support S.B. 155 conditioned upon Salt Lake County seeking proportional representation on the commission. The motion passed unanimously.**

− − − − − − − − − − − − − −

*S.B. 192 – Study on Claims Exceeding Statutory Limit (Sen. Jani Iwamoto)*

*This bill encourages the formation of an informal working group or task force to study how to address statutory limits on individuals and aggregate claims for damages for personal injury and to present its findings, conclusions and conceptual outline for any suggested legislation to the Legislature before the 2017 session.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill sets up an informal working group to study how to address statutory limits.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to support S.B. 192. The motion passed unanimously.**

− − − − − − − − − − − − − −

*S.B. 203 – Immunity Amendments (Sen. Stuart Adams)*

*This bill expands governmental immunity as it relates to the use of facilities during emergencies and disasters. This bill would help the program Safe Schools to continue.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill expands governmental immunity to allow the Safe School program to continue. This program allows schools to stage for natural disasters when people are evacuated.

 **Council Member Jensen, seconded by Council Member DeBry, moved to support S.B. 203. The motion passed unanimously.**

− − − − − − − − − − − − − −

*H.B. 85 – Attorney Fee Revisions (Rep. Brian Greene)*

 *This bill provides that a court may award attorney fees and expert fees to the prevailing party in a suit to enforce a constitutionally protected right that “transcends the plaintiff’s individual interest.” A prevailing party gets fees if it’s the plaintiff. If the prevailing party is the State or a county, it does not get fees, no matter how frivolous the case was.*

**Ms. Darcy Goddard**, Deputy District Attorney, stated this bill makes it clear that fees can be recovered in any case brought to State Court, in which a claimant is assuming a constitutionally protected interest that “transcends an individual interest.” In these types of cases, the prevailing party would be entitled to fees. However, the State or a subsection of the State would not be entitled to receive any fees. The County would be statutorily barred from recovering any fees even if the case was frivolous. The impact of this is significant. Currently, claimants cannot recover attorney fees in State Court, so most plaintiffs bring civil rights cases to Federal Courts where attorney fees can be recovered. This bill would allow claimants to bring constitutional claims in State Court with no ramifications, no matter how frivolous that claim is.

Another concern is that Federal Court judges are very familiar with civil rights cases. State Court judges do not have experience in this area. More than likely, more cases would go to verdict with more adverse verdicts because in State Court, unlike Federal Court, the decision by a jury does not have to be unanimous.

 **Council Member Snelgrove** asked why anything should be done to encourage frivolous law suits. People have the right to due process in the proper venue, which would be Federal Court.

 **Ms. Goddard** stated she reached out to the Attorney General’s (AG) Office to try and understand what concerns it is trying to address with this language. She could not see any upside to this bill. The AG’s Office stated the State does not get that many constitutional cases that “transcends an individual,” so this bill would not be a problem. The County gets quite a few of these cases, and it would be a real problem for it. The bill encourages more people to file in State Court.

 **Council Member DeBry, seconded by Council Member Snelgrove, moved to oppose H.B. 85. Council Member Burdick amended the motion to request Ms. Goddard draft language indicating why the Council is opposed to this bill. Council Member DeBry accepted the amendment. The motion passed unanimously.**

− − − − − − − − − − − − − −

*S.B. 175 - Fair Housing Act Option Amendments (Sen. Margaret Dayton)*

 *This bill provides that federal government assistance payments under the housing choice voucher program are not part of a tenant’s income. It provides that a landlord’s refusal to participate in the program does not constitute source of income discrimination under the Utah Fair Housing Act.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill would allow landlords to not include money received through housing assistance programs as part of a potential renter’s income. The landlord could deny an application based on that.

 **Ms. Lori Bays**, Deputy Mayor, stated this bill allows landlords to discriminate against potential renters based on their form of rent payment. If a potential renter wanted to use public housing vouchers to pay rent, the landlord could refuse to rent to them based on that kind of payment.

 **Mr. Sim Gill**, District Attorney, stated transitional housing is the single one feature that has a huge impact on recidivism. This bill would have an impact on what the County is trying to achieve.

 **Council Member DeBry, seconded by Council Member Granato, moved to oppose S.B. 175. The motion passed unanimously.**

− − − − − − − − − − − − − −

*H.B. 318 – Point of the Mountain Development Authority Act (Rep. Brad Wilson)*

*This bill creates the Point of the Mountain Development Authority Act, which creates a commission to study the development needs and opportunities at the prison site in Draper. It consists of a 12 member board: 2 from the House of Representatives, 2 from the Senate, Lehi Mayor, Draper Mayor, County Mayor, 1 from the Utah County Commission, 2 mayors from adjacent cities appointed by Utah League of Cities and Towns, 1 from the Governor’s Office of Economic Development, 1 representatives from the information technology sector appointed by the Speaker and President.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill creates a 12-member commission to look at future development of the prison site.

 **Council Member Snelgrove** stated it is important that Salt Lake County has more than its share of representation on this commission. According to the proposed make-up of the commission, Salt Lake County could have as few as three of the twelve members. That is not adequate. The County needs 50 percent of the seats at the table.

 **Mayor Ben McAdams** stated the County is at least represented on this Commission. Included in this bill is the provision that any taxes generated from the area will stay within the area. So the County’s share of the taxes is protected. The conversation on this bill has been well-received by the sponsor, so he is comfortable with the proposal.

 **Council Member Jensen** asked why the mayors from adjacent cities, such as Bluffdale, Riverton, and Herriman are not on this Commission.

 **Ms. Trevino** stated the proposal includes the appointment of two additional mayors from adjacent cities to be appointed by the League of Cities and Towns.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to support H.B. 318. Council Member DeBry amended the motion to encourage staff to request additional representation from the County on the Commission. Council Member Snelgrove accepted the amendment.**

 **Mayor McAdams** requested clarification on this motion. He asked if the additional representation would be from the government of Salt Lake County or just citizens residing in Salt Lake County.

 **Council Member Snelgrove** stated it would be people living in Salt Lake County.

 **Council Member Snelgrove, seconded by Council Member Granato, moved to support H.B. 318. Council Member DeBry amended the motion to encourage staff to request additional representation from the County on the Commission. Council Member Snelgrove accepted the amendment. The motion passed unanimously.**

− − − − − − − − − − − − − −

*H.B. 348 – Mountainous Planning District Amendments (Rep. Brad Dee)*

 *This bill eliminates the June 1, 2016, sunset date that authorizes a mountainous planning district.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill removes the sunset date for the Mountainous Planning District. This bill passed out of committee this morning and is moving forward. The Council has already moved to support this bill, so no additional motion is needed.

− − − − − − − − − − − − − −

*H.B. 409 – Short-Term Rental Amendments (Rep. John Knotwell)*

*This bill enacts a provision relating to short-term rentals. It provides that on or after the effective date of March 31, 2017, a municipality or county may not enact, amend, or enforce a land use ordinance governing short-term rentals.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated this bill prohibits government from regulating short-term rentals.

 **Council Member Bradley, seconded by Council Member Granato, moved to oppose H.B. 409. The motion passed unanimously.**

− − − − − − − − − − − − − −

*S.B. 92 – Water Conservation Amendments (Sen. Scott Jenkins)*

*This bill addresses a municipality’s or a county’s authority to require certain types of landscaping in certain zoning districts and modifies the required contents of a water conservation plan.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated the Council previously took a position to oppose S.B. 92 because it took away local governmental authority to regulate landscaping. Since that time, the bill has been modified. The bill now encourages the use of drought friendly landscaping. This bill works with what the County already has on its books. She would recommend the Council change its position from opposing this bill to supporting the bill or to remain neutral.

 **Mr. Gavin Anderson**, Deputy District Attorney, stated the previous bill put significant limits on local government to require certain kinds of landscaping. The modified bill changes the location of where the bill is located. It was originally in Title 17 – Planning and Zoning. It has been moved to Title 73 – Water Conservation.

 **Council Member Granato, seconded by Council Member Snelgrove, moved to change its position on S.B. 92 from opposing it to remaining neutral on it. The motion passed unanimously.**

− − − − − − − − − − − − − −

*H.B. 209 – Public Transit District Board County Appointment Amendments (Rep. Johnny Anderson)*

*This bill amends the membership of a public transit district board of trustees for a public transit district with more than 200,000 people residing within the boundaries of the public transit district.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated the bill was changed to give the County an additional two spots on the board.

− − − − − − − − − − − − − −

*H.B. 320 Metro Township Revisions (Rep. LaVar Christensen)*

 *This bill provides for council members of a metro township with a population of 10,000 or more to be elected by district, provides for council members of a metro township with a population of less than 10,000 to be elected at-large.*

 **Ms. Kara Trevino,** Legislative Specialist, Council Office, stated the bill changes the small metro township from district seats to at-large seats. The bill has an immediate effective date.

 **Council Member Wilson** asked if this would affect any candidate who has already filed.

 **Ms. Trevino** stated if a person has already filed for a district seat, they will automatically become an at-large candidate.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Citizen Call-in Proposal (3:27:53 PM)

 **Council Member Snelgrove** stated in October, he proposed offering a call-in option for citizens who want to participate in public comment. That would provide greater public participation leading to greater accountability, and provide an easy way for people who cannot attend a meeting to be heard. It would be helpful for Council Members to know citizens are watching and to know what their thoughts are. Salt Lake County could set a trend in making government more transparent and accessible to the citizens it serves.

He reviewed a call-in program, with an estimated equipment cost of approximately $5,000, which includes: 1) two conference phones at $921 each; 2) cabling and lines at $300 each for the COW room and Council Chambers; 3) public access on each phone at $103; and 4) Information Services and/or Facilities Management charges for the required work. These are one-time costs. Then, there would be an ongoing cost of approximately $20 a month per phone line. The existing phones will not be used for citizens, as they need to be available for Council members who need to call in. The call-in phone number will be on the agenda, along with any necessary instructions. A staff member will set up the phone and bring up any calls. Phone calls would come into a queue, and up to 10 citizens could be in the queue awaiting their turn. The Chair will decide whether citizens on the phone or those in attendance will speak first.

 **Council Member Bradley** stated $5,000 is a very minimal cost given the potential benefits from this type of transparency.

 **Council Member DeBry** stated this would enable people who are homebound or cannot get to a meeting to be able to call in; it would provide better customer assistance to all of the County’s constituents.

 **Council Member DeBry, seconded by Council Member Granato, moved to approve the call-in program.**

 **Council Member Wilson** asked if the Council was committed to funding this program if citizens do not utilize this option.

 **Council Member Burdick** suggested a six-month sunset to see if this would work long-term.

 **Council Member DeBry amended the motion to evaluate the program in six months to see how it is doing.**

 **Council Member Wilson** asked if there had been any outreach done to determine if people were interested in this. She wanted some assurance citizens would utilize this option before making this investment.

 **Council Member Snelgrove** stated the Council will get few phone calls initially, but once the public is aware of it, the Council will receive a greater level of public input. Citizen usage will also ebb and flow depending on how heated an issue is.

 **Council Member Jensen** stated there is no reason to do this on a trial basis since the costs are all electronic costs. The money will be expended once the items are purchased.

 **Council Member Burdick** stated there would still be value in reviewing the program in six months.

 **Council Member DeBry, seconded by Council Member Granato, moved to approve the call-in program. Council Member DeBry amended the motion to evaluate the program in six months to see how it is doing.**

 **Council Member DeBry** stated it is good management and leadership to see how a program is doing after it is launched. That was all he was asking for. He was not asking for a sunset.

 **Council Member Snelgrove** stated he was hesitant to attach strings to something that is headed in the right direction. The hard costs will be borne up front. A Council Member can readdress it at any time.

 **Council Member Snelgrove, seconded by Council Member Bradley, made a substitute motion to approve this, and that it be a permanent program. The motion failed 3 to 4 with Council Members Bradley, Jensen, and Snelgrove voting in favor, and Council Members Wilson, Granato, DeBry, and Burdick voting in opposition.**

 **Council Member DeBry, seconded by Council Member Granato, moved to approve the call-in program. Council Member DeBry amended the motion to evaluate the program in six months to see how it is doing. The motion passed 6 to 1 with Council Member Wilson voting in opposition.**

 **Council Member Wilson** stated the Council has put a lot of time into aggressively evaluating programs at every level, and should apply that same aggressive evaluation with this. She needed answers to some questions before she agreed with it.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Approval of Use of County Property Related to Contract Amendment With Creative Learning Academy of Utah (3:46:18 PM)

 **Ms. Christina Oliver**, Parks and Recreation Division, stated the County’s onsite childcare, Creative Learning Academy of Utah, does not have space for physical activity for the children during hazy days. Parks and Recreation has a studio at the Government Center, which the children could use for about two hours in the morning. This would not affect the classes held at the studio. It would allow the children to have some active time in a protected environment during bad air quality days in both the winter and summer months. The children would be supervised by Creative Learning Academy teachers. Parks and Recreation would open the studio and lock it for the academy at the discretion of the fitness director.

 **Council Member Bradley** stated this is a terrific idea.

 **Council Member Bradley, seconded by Council Member Granato, moved to approve the request. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Resolution Formalizing Effective Date of Community Preservation Election of the Sandy City Annexations (2:39:25 PM)

 **Ms. Kimberly Barnett**, Associate Deputy Mayor, reviewed the resolution formalizing the effective date of April 1, 2016, to annex five islands into Sandy City as a result of the community preservation vote. Sandy City and Salt Lake County verbally agreed on the effective date, and the County sent a letter to the residents in those islands informing them of that date. However, Sandy City wants something more formal than the verbal agreement. Sandy City will be passing the same resolution at its meeting.

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

 **Council Member Snelgrove** asked if Sandy City has gone through all the necessary processes to date.

 **Ms. Barnett** stated Sandy City is going through the process now of making sure all the paperwork is in place. Ultimately, that will go to the Lieutenant Governor.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Consideration of a Private Enterprise Project Study (3:47:48 PM)

 **Mr. David Delquadro**, Chief Financial Manager, Council Office, stated the study is to help educate the public on why the Council is planning to appropriate money to a private enterprise. It was put together by the Council Office, Mayor’s Office, and District Attorney’s Office.

 **Council Member Bradley** stated this study clearly meets the intent of the Legislature in terms of providing a framework to move forward on the initiative. The most important part of the process is the contractual negotiations, which will be done at a later date with the involvement of the Council. He did not see any reason not to approve this.

 **Council Member Wilson** stated this provides a clear map about expectations, deliverables, and what is expected of the County’s partner with these programs.

 **Mr. Delquadro** stated he would like to fix some punctuation and make some edits before this goes out to the public.

 **Council Member Bradley, seconded by Council Member Snelgrove, moved to approve the study, allowing Council staff to make edits, and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

 **Mr. Jason Rose**, Legal Counsel, Council Office, stated the Council needs to hold a public hearing, and it needs to be noticed two weeks before the hearing.is held.

 **Ms. Lori Bays**, Deputy Mayor, stated the notice is ready to go out immediately, so the hearing could be held March 8, 2016.

 **Mr. Jason Rose**, Legal Counsel, Council Office, recommended the Council hold the public hearing in three weeks to allow time to notice the hearing. It will be noticed on next week’s agendas.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

***CONSENT AGENDA*:** (3:51:42 PM)

Board Appointment

 Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the reappointment of **Katherine Fife** as a member of the Sorenson Multicultural Center Board to serve a three-year term. Her term began January 1, 2016, and will end December 31, 2018.

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Returned Uncollectible Checks

 Mr. K. Wayne Cushing, County Treasurer, submitted a letter requesting approval that 10 uncollectible returned checks totaling $770.98, and uncollectible returned check fees and charges totaling $400.00 be purged from the records, and the items and related files transmitted to archives for destruction.

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the request and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Gift to Salt Lake County

 The Council reviewed the following gift to Salt Lake County. The Declaration of Gift form has been placed on the Council agenda for final approval and execution:

*Salt Lake County Health Department*

 *Little Caesar’s Pizza* has offered to donate 20 pizzas to be used during the flu vaccine clinic on February 18, 2016.

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the donation and forward the Declaration of Gift form to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Resolution and Interlocal Agreement

 The Council reviewed the following resolution and agreement. The resolution authorizing execution of the agreement has been placed on the Council agenda for final approval and execution:

 *City of West Jordan* regarding a temporary construction easement for construction of a road.

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the resolution and agreement and to forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Countywide Policies and Procedures

 The Council reviewed the following Countywide policy and procedure, which has been placed on the Council agenda for final approval and execution:

 #7030 – Division of Contracts and Procurement Requests for Proposals (RFP)

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the policy and procedure and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.**

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

Other Business

*Internal Business*

 **Council Member Bradley** stated it would be more efficient and waste less of the Auditor staff’s time if the Board of Equalization meeting was held before the Committee of the Whole (COW) meeting, instead of afterwards.

 **Council Member Burdick** stated these discussions have been ongoing and the Council is in agreement with the idea.

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

*Approval of Minutes*

 **Council Member Bradley, seconded by Council Member DeBry, moved to approve the February 9, 2016, Committee of the Whole minutes. The motion passed unanimously.**

 ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

The meeting was adjourned at 3:53:22 PM**.**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chair, Committee of the Whole

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy Clerk

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦ ♦♦♦

1. Participated electronically [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)