

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, March 14, 2023

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, March 14, 2023.

The following Council Members were present:

Ana Valdemoros, Victoria Petro, Daniel Dugan, Amy Fowler, Chris Wharton, Alejandro Puy, Darin Mano

Present Legislative leadership:

Cindy Gust-Jenson – Executive Director, Jennifer Bruno – Deputy Director, Lehua Weaver – Associate Deputy Director

Present Administrative leadership:

Mayor Erin Mendenhall, Rachel Otto – Chief of Staff, Lisa Shaffer – Chief Administrative Officer

Present City Staff:

Katherine Lewis – City Attorney, Cindy Lou Trishman – City Recorder, Michelle Barney – Minutes & Records Clerk, Thais Stewart – Deputy City Recorder, Isaac Canedo – Public Engagement Communication Specialist, Taylor Hill – Constituent Liaison/Policy Analyst, Scott Corpany – Staff Assistant, Andrew Johnston – Director of Homelessness Policy and Outreach, Ben Luedtke – Senior Public Policy Analyst, Blake Thomas – Community & Neighborhoods Director, Brian Fullmer – Constituent Liaison, Policy Analyst, Chief Mike Brown – Police Chief, Nick Norris – Planning Director, Katie Schnell – Mayor's Office Executive Assistant

The meeting was called to order at 3:15 pm

Work Session Items

1. Informational: Updates from the Administration ~ 3:00 p.m.
15 min.

The Council will receive information from the Administration on major items or projects in progress. Topics may relate to major events or emergencies (if needed), services and resources related to people experiencing homelessness, active public engagement efforts, and projects or staffing updates from City Departments, or other items as appropriate.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

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Minutes:

Katie Schnell provided information regarding:

Community Engagement Updates

- Ways to engage with the City at www.slcc.gov/feedback/
- Ballpark Next: entry submission period ending March 17, 2023 at midnight, Ballpark Community Meeting with more engagement coming after the contest
- Earth Day Clean up: April 22, 2023, at 8:00 am
 - Jordan River spring cleanup, tree planting, canoeing, trailside cleanups, art projects and more
 - Registration required on the webpage through City events webpage
- Mayor's Community Office Hours

Andrew Johnston provided information regarding:

Homelessness Update

- Homeless Resource Center (HRC)/Winter overflow utilization data
- Information regarding Rapid Intervention (RIT)/Encampment Intervention Mitigation (EIM) – at Liberty Park
- 34 Homeless Response and Engagement Team (HEART) tracked camps
- RIT locations
 - Volunteers of America (VOA) outreach engagement
 - RIT site rehabilitation
- Next resource fair to be held April 14, 2023, location to be determined
- Kayak Court to be held May 19, 2023
- Operation Homeless Connect: March 24, 2023
- Winter Overflow ramp down by April 30, 2023

Council Members and Andrew Johnston discussed permitted supportive housing that would be coming online around the time winter overflow shelter closed.

2. Informational: Report on a Potential Public Asset Yield (PAY) Model to Enhance the Community Land Trust 3:15 p.m.
60 min.

The Council will receive a briefing from the City's consultant on a Public Asset Yield (PAY) model that could potentially enhance revenue from existing City real estate assets. This revenue could be used to provide ongoing funding for City priorities, including expanding the City's Community Land Trust (CLT).

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 14, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

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Minutes:

Council Members Puy and Fowler left the meeting during this agenda item.

Council Member Petro disclosed her employment with Ben McAdams and the nature of her work.

Jennifer Bruno presented the Potential Public Asset Yield (PAY) Model, highlighting:

- Urban3 and Common Ground Institute (CGI) hired as consultants to recommend strategies to expand the City's Community Land Trust (CLT)
- Study focused on how to develop underutilized City property in order to maximize the revenue generated by these existing assets
- Study area consisted of 9.4 square miles of property owned by Salt Lake City at a current assessed value of \$2.9 billion
- Goals of the briefing:
 - Review the study commissioned by the Administration and provide policy input/next steps for:
 - Potential expansion of the Community Land Trust
 - Potential for using the PAY model for revenue generation from existing City assets

Blake Thomas reviewed the intent of the decision and purpose of the proposal.

Phillip Walters (Urban3) presented:

- Market values across Salt Lake City
- Identifying City-owned land assets
- Salt Lake City-owned value per acre

Ben McAdams (Common Ground Institute) presented:

- Salt Lake City's assets and how they could be used
- Legacy Assets – City Creek Park, City Hall and Jordan River
- Policy Assets – Magnolia Apartments, fire stations, Public Safety Building
- Hybrid assets – spaces that served multiple purposes such as the library
- Illustrative assets that could be used to generate a return to the community either monetarily or other
- Asset classification
- Ways to address assets and make them work for the City

Council Members and Ben McAdams discussed:

- Negative costs associated with development
- Potential infrastructure costs with some City assets/parcels
- The City's role as a developer/partner in the presented process
- Building, selling and leasing City assets
- Redevelopment Agency (RDA) possessed similarities and was the revenue generator for land assets
- The difference in the PAY program and what the RDA was able to do in regard to development
- How locked properties (around freeways) could be used to benefit the City
- Thinking differently about parcels and how to use them
- Thanking Ben McAdams for the presentation and the different ideas to address the City's assets

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- Helping to maintain a livable/sustainable City
- Maintaining the shorelines of the Great Salt Lake was an aspect of the proposal that could be put in place
- How properties such as the Pantages Theater would have been addressed under this program
- Holding small group meetings to further discuss the program
- Considering more tools than the one tool the City was using to address assets

3. Ordinance: Accessory Dwelling Unit (ADU) Text Amendment ~ 4:15 p.m.
Follow-up 30 min.

The Council will receive a follow-up briefing about a proposal that would amend various sections of the Title 21A of the *Salt Lake City Code* pertaining to Accessory Dwelling Unit (ADU) regulations. The proposed code revisions would eliminate the conditional use requirement for detached ADUs in single-family residential zones. They would also aim to lower zoning barriers to construction of ADUs in general. The proposed changes would seek to strike a better balance between encouraging construction of ADUs and mitigating impacts to neighboring properties.

For more information on this item visit <http://tinyurl.com/ADUTextAmendment>

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)
Briefing - Tuesday, January 17, 2023; Tuesday, February 7, 2023; Tuesday, March 7, 2023; and Tuesday, March 14, 2023
Set Public Hearing Date - Tuesday, January 17, 2023 and Tuesday, March 7, 2023
Hold hearing to accept public comment - Tuesday, February 7, 2023 and Tuesday, March 21, 2023 at 7 p.m.
TENTATIVE Council Action - Tuesday, March 21, 2023

Minutes:

Brian Fullmer gave a brief introduction to the proposal.

Council Member Mano reviewed the intent of the discussion, asked the Council to work toward options for Planning Staff, and reviewed the chart (contained in the meeting materials) regarding the owner occupancy requirement.

Council Member Wharton read a statement (contained in the Staff Report) regarding ideas and research for owner occupancy of ADUs.

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Council Members discussed, stated and suggested the following:

- Expressed the need to discuss the policy and ensure it was the best option for the City
- Processes could be slow/hinder the forward movement needed for the ordinance
- Creating a legislative intent, committing to a review of the ADU ordinance in the future with the owner occupancy requirement remaining in place
- Need to assist people that could not construct an ADU on their own versus funding ADUs that could be constructed by people who could afford it
- Setting aside \$1 Million as one time money to assist with financing ADUs in areas that otherwise may not be able to construct them
- Enforcement of ADU use was imperative and a full-time employee (FTE) for Civil Enforcement should be funded for this purpose
- Need to shape a discussion related to actual Salt Lake City specific statistics and maximize the timeframe on the discussion in the future
- Create a discussion that did not create redundancy for Staff
- No proof an ordinance would create a flood of ADU development that was not owner-occupied
- The Council needing to address the issue now, not push it to the future
- Need to be bold in the decision on the ordinance
- Whether or not legislative intents were effective for the Council and what language would make them more direct
- The direction the Council wanted to take to address the individual items

Straw Poll

Support to not remove the owner occupancy requirement from the ordinance. Council Members Petro, Fowler, Wharton, Valdemoros, Dugan and Mano were in support. Council Member Puy did not support the straw poll.

Straw Poll

Support for removing the owner occupancy requirement and establish a fee for ADUs; the fee would be waived if owner occupied. Council Members Mano and Puy were in support. Council Members Petro, Fowler, Wharton, Valdemoros, and Dugan did not support the straw poll.

Straw Poll

Support to keep owner occupancy requirement which would sunset in two years. Council Members Mano and Puy were in support. Council Members Petro, Fowler, Wharton, Valdemoros, and Dugan did not support the straw poll.

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Straw Poll

Support to require owner occupancy of new ADU construction and after X years of verified owner occupancy with no enforcement actions, the dwelling could be sold or no longer be required to be owner-occupied, was supported by Council Members Mano, Petro and Puy. Council Members Dugan, Wharton, Fowler, and Valdemoros did not support the straw poll.

Council Member Puy stated this option addressed many of the issues in front of the Council and seemed to be one of the best options available.

Council Member Wharton stated there was no data on how this would really work and data was needed before the decision could be made.

Straw Poll

Support for requiring the owner occupancy requirement based on zone and not on use for single-family dwellings (No Vote)

Council Members and Nick Norris discussed:

- Single-family home zones
- How the owner occupancy requirement would affect each of the zones
- How historic homes would be affected
- Council Members wanted more information before a decision could be made
- Intent was to say if this was something to keep exploring then keep it open and let the public speak to it
- Overcomplicating the issue instead of just going with the ordinance as written
- If pieces of the ordinance could be approved to allow for further conversation on the owner occupancy requirement

Straw Poll

Support for a legislative Intent to revisit removing owner occupancy requirement in 3 years, with robust information/data from a renown organization. Unanimously supported by all Council Members present.

Straw Poll

Support for a legislative Intent to earmark \$1 Million from the General Fund Balance for funding ADU construction during the budget season. Supported by Council Members Mano, Wharton, Petro, Dugan, Valdemoros and Puy. Council Member Fowler did not support the straw poll.

Council Members discussed:

- If they should wait until the new fiscal year's budget was presented to have these discussions
- 9-line money and why she wanted it earmarked for ADU development
- When to earmark the \$1 Million for development of ADUs
- Who should administer the funding
- It was quick to put it in this year's budget as more questions may need to be answered
- Creating a legislative intent for the funding to give time to outline where the money should be allocated

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Straw Poll

Support to set aside \$200,000 from the General Fund in the current budget for two full-time employees for enforcement of ADU requirements and other code enforcement needs. Supported by Council Members Puy, Mano and Valdemoros. Council Members Fowler, Wharton, Dugan, and Petro did not support the straw poll.

Straw Poll

Support for a legislative intent to set aside \$200,000 for two full-time employees for enforcement of ADU requirements and other code enforcement needs from General Fund during the next budget season. Unanimously supported by all Council Members present.

4. **Ordinance: Budget Amendment No.5 for Fiscal Year 2022-23** ~ 4:45 p.m.
40 min.

The Council will receive a follow-up briefing about an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2022-23. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. The proposed amendment includes funding for more repairs to City Hall from the March 2020 Earthquake, upgrades to public safety radio systems, Police Officer recruitment and retention bonuses, and additional emergency rental assistance among other items.

For more information on this item visit <https://tinyurl.com/SLCFY23>

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 7, 2023 and Tuesday, March 14, 2023

Set Public Hearing Date - Tuesday, February 21, 2023

Hold hearing to accept public comment - Tuesday, March 7, 2023 at 7 p.m. TENTATIVE

Council Action - Tuesday, March 21, 2023

Minutes:

Ben Luedtke presented the budget amendment, including:

- Council partially adopted item E-1: Treasury Emergency Rental Assistance Program Additional Resources \$2 Million for Salt Lake City tenant rental assistance through the Utah Rent Relief Program
- Remaining items to discuss:
 - A-9 Police Officer Bonuses Revised Proposal Pending

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Chief Mike Brown spoke of the importance of retaining the current officers, highlighting:

- The struggle to hire and retain quality officers
- Currently 57 people in academy class or the field training program
- Salt Lake City Police Department (SLCPD) was hiring as fast as possible
- 55 officers leaving SLCPD by June 30, 2023 due to retirement and resignations which increased mandatory overtime and decreased moral
- Predicting staffing numbers

Council Members, **Mayor Mendenhall** and Chief Brown discussed:

- Were the officers polled on this offer (Item A-9) and would it help incentivize officers to stay
- If a straw poll needed for this item
- Why the request was being made now and not during the next budget season
- If approving the budget amendment would implement the request faster
- The cost to train a new hire – \$120,000 to \$150,000 per officer

Ben Luedtke reviewed the following items:

- D-3: 300 West Roadway Bond Adjustments Update (\$2.15 million of bond funds)
- E-1: Options Pending to Use Remaining \$2 million from U.S. Treasury's Emergency Rental Assistance Program
- I-1: Downtown Streets Enhanced Activation Update – Council added item
- I-2: Technology Upgrades in the Committee of the Whole and Formal Chamber Rooms (\$80,000 from General Fund)
- I-3: Physical Security Improvements to City Hall (\$1-3 Million from General Fund Balance to Capital Improvement Program (CIP) Fund Holding Account)
- I-4: "Lockhart Alley" Reconstructing Three Sections (\$208,373 from General Fund Balance to CIP Fund)

Straw Poll

Support for Item I-2: Technology Upgrades in the Committee of the Whole and Formal Chamber Rooms (\$80,000 from General Fund). Unanimously supported by all Council Members present.

Council Members discussed drainage issues that were happening throughout the City, not just on Lockhart Alley.

Standing Items

5. Report of the Chair and Vice Chair

Report of Chair and Vice Chair.

No comments.

6. Report and Announcements from the Executive Director

Report of the Executive Director, including a review of Council information items and announcements. The Council may give feedback or staff direction on any item related to City Council business, including but not limited to scheduling items.

No report.

7. Tentative Closed Session

The Council will consider a motion to enter into Closed Session. A closed meeting described under Section 52-4-205 may be held for specific purposes including, but not limited to:

- a. discussion of the character, professional competence, or physical or mental health of an individual;
- b. strategy sessions to discuss collective bargaining;
- c. strategy sessions to discuss pending or reasonably imminent litigation;
- d. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the public body from completing the transaction on the best possible terms;
- e. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the public body from completing the transaction on the best possible terms;
 - (ii) the public body previously gave public notice that the property would be offered for sale; and
 - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
- f. discussion regarding deployment of security personnel, devices, or systems; and
- g. investigative proceedings regarding allegations of criminal misconduct.

A closed meeting may also be held for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137, and for other lawful purposes that satisfy the pertinent requirements of the Utah Open and Public Meetings Act.

Closed Session Started at 6:35 pm

Held via Webex and in the Work Session Room (location)

Council Members in Attendance: Council Members Dugan, Fowler, Petro, Puy, Mano, and Valdemoros (online)

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City Staff in Attendance: Mayor Mendenhall, Katherine Lewis, Rachel Otto, Lisa Shaffer, Andrew Johnston, Lorena Riffo-Jenson, Lindsey Nikola, Cindy Gust-Jenson, Jennifer Bruno, Lehua Weaver, Allison Rowland, Ben Luedtke, Taylor Hill, Scott Corpany, Sam Owen, Tracey Fletcher, Nick Tarbet, and Cindy Lou Trishman.

Closed Session ended at 6:56 pm

Motion:

Moved by Council Member Wharton, seconded by Council Member Fowler to enter into Closed Session for the purposes of discussion regarding deployment of security personnel, devices, or systems; and for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137, and for other lawful purposes that satisfy the pertinent requirements of the Utah Open and Public Meetings Act. .

AYE: Ana Valdemoros, Victoria Petro, Daniel Dugan, Amy Fowler, Chris Wharton, Darin Mano

ABSENT: Alejandro Puy

Final Result: 6 – 0 Pass

Motion:

Moved by Council Member Fowler, seconded by Council Member Dugan to exit Closed Session and ajourn..

AYE: Ana Valdemoros, Victoria Petro, Amy Fowler, Chris Wharton, Darin Mano

ABSTAIN: Daniel Dugan, Alejandro Puy

Final Result: 5 – 0 Pass

Meeting adjourned at 6:56 pm

Minutes Approved: June 13, 2023


Victoria Petro (Jul 14, 2023 08:44 MDT)

City Council Chair



City Recorder



Please refer to Meeting Materials (available at www.data.slcc.gov by selecting Public Body Minutes) for supportive content including electronic recordings and comments submitted prior to or during the meeting. Websites listed within the body of the Minutes may not remain active

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indefinitely.

This document along with the digital recording constitutes the official minutes of the City Council Work Session meeting held Tuesday, March 14, 2023 and is not intended to serve as a full transcript. Please refer to the electronic recording for entire content pursuant to Utah Code §52-4-203.

March 14, 2023 Work Session

Final Audit Report

2023-07-17

Created:	2023-07-13
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