



G R E A T E R   S A L T   L A K E

# Municipal Services District

## MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT

Held Wednesday, February 28, 2024, at 6:00 p.m.  
At 2001 South State Street  
Room N2-800  
Salt Lake City, UT 84190

### **Trustees Present:**

Keith Zuspan, Chair  
Joe Smolka  
Eric Barney  
Kelly Bush (via Webex)  
Paulina Flint  
Laurie Stringham

### **Trustee Excused:**

Sean Clayton, Vice Chair

### **Staff Present:**

Marla Howard, General Manager  
Brian Hartsell, Associate General Manager  
Stewart Okobia, Director of Finance  
Tabitha Mecham, Executive Assistant  
Trent Sorensen, Director of Planning and Development Services  
Izabela Miller, Director of Information Technology  
Mark Anderson, Legal Counsel  
Alex Rudowski, Grading, Floodplain and Stormwater Manager (via Webex)  
Kayla Mauldin, Senior Long-Range Planner, (via Webex)  
Matt Starley, Long Range Planner (via Webex)  
Maridene Alexander, Communications Manager (via Webex)  
Kirk Boyington, Chief Building Official (via Webex)  
Mike Milne, Code Enforcement Officer (via Webex)

### **Others Present:**

Shane Ellis, Salt Lake County Public Works Engineering  
Paul Ashton, Magna and White City Metro Townships Legal Counsel  
Rori Andreason, Magna and White City Metro Townships Administrator (via Webex)  
Ryan Anderson, Salt Lake County Municipal Services and Planning Program Manager (via Webex)  
Daniel Torres (via Webex)  
David Brickey, Magna Metro Township Administrator  
Mick Sudbury- Magna Metro Township Council Member  
Jackie Hobson- U.S. Small Business Administration Marketing and Outreach Specialist (via Webex)  
Al Peterson, Kearns Metro Township Council Member (via Webex)

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#### Trustees

Keith Zuspan   Sean Clayton   Eric Barney   Kelly Bush   Paulina Flint   Laurie Stringham   Joe Smolka  
Chair   Vice Chair

## 1. Call to Order

Chair Zuspan called the meeting to order at 6:00 p.m.

## 2. Pledge of Allegiance

The Pledge of Allegiance was recited.

## 3. Public Comments

There were no public comments.

## 4. Approve Meeting Minutes for January 24, 2024

**Trustee Stringham moved to approve the minutes of the January 24, 2024 Board meeting as presented. Trustee Flint seconded the motion. The motion carried with Trustees Zuspan, Bush, Barney, Flint, Smolka, and Stringham each voting “aye”.**

## 5. Presentation from Small Business Support

Consideration of this agenda item was deferred to later in the meeting for the convenience of the presenter.

## 6. Approve an Interlocal Agreement with Salt Lake County for 1000 E Sidewalk Project in Unincorporated Salt Lake County for a reimbursement grant for \$550,000

Shane Ellis briefly reviewed an Interlocal Cooperation Agreement with Salt Lake County regarding the 1000 East Sidewalk Project in unincorporated Salt lake County that provides for a \$550,000 reimbursement grant.

**Trustee Bush moved to adopt Resolution 2024-02-04, thereby approving the Interlocal Cooperation Agreement with Salt Lake County. Trustee Smolka seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting “aye”.**

## 7. Approve an Interlocal Agreement with Salt Lake County for 8425 S Sidewalk Project in Unincorporated Salt Lake for a reimbursement grant in the amount of \$500,000

Shane Ellis presented a second Interlocal Cooperation Agreement with Salt Lake County, this one dealing with a \$50,000 reimbursement grant for the 8425 South Sidewalk Project in unincorporated Salt Lake County.

**Trustee Flint moved to adopt Resolution 2024-02-05, thereby approving the Interlocal Cooperation Agreement. Trustee Bush seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting “aye”.**

**8. Approve Federal Aid Agreement modification for the Railroad portion to update the full expected costs of \$4,285,232 and the Local Government portion to \$2,285,232**

Shane Ellis explained the need for the Federal Aid Agreement Modification to approve a change in the budgeted amount.

**Trustee Smolka moved to approve the Federal Aid Agreement Modification to update the full expected cost of \$4,285,232 and to increase the local government portion to \$2,285,232 for the railroad portion of the Project. Trustee Bush seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting “aye”.**

**9. Request a 4 month contract extension for Avenue Consultants doing Public Involvement on the 4700 South construction project moving the work end date from the end of February 2024 to the end of June 2024**

Shane Ellis explained that all that was being requested was a date extension, with no cost increase.

**Trustee Bush moved to approve a four month work end date contract extension for Avenue Consultants to provide public involvement services for the 4700 South Construction Project, moving the work end date from the end of February 2024 to the end of June 2024. Trustee Flint seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting “aye”.**

**10. Approve the engineering project manager authority to approve contract modifications that only involve date extensions for previously board approved contracts**

Shane Ellis stated that he was requesting a delegation of authority to approve and sign contract time extensions for contracts that previously were approved by the Board, provided there is no increase in cost to the MSD. The Trustees stated that they would like to be informed after any contract time extensions are granted.

**Trustee Stringham moved to approve the engineering project manager’s authority to approve contract time extensions that don’t involve any increase in costs, but only for contracts that previously were approved by the Board of Trustees. Trustee Barney seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting “aye”.**

**5. Presentation from Small Business Support**

This agenda item was delayed from earlier in the meeting.

Jackie Hobson, from the U.S. Small Business Administration (SBA), gave an informative presentation on the services that are offered by the SBA.

## 11. Discussion of Economic Development Corporation of Utah

Kayla Mauldin provided information regarding EDC Utah, and how EDC Utah might provide assistance to some of the communities that are served by the MSD.

## 12. Discuss Capital project selection for Fiscal Year 2025

Brian Hartsell discussed the capital project selections for the upcoming 2025 fiscal year that will commence on July 1, 2024. As a result of H.B. 35, effective on May 1, 2024, the four largest Metro Townships will become cities and the Copperton Metro Township will become a town. Since cities and towns all operate on a fiscal year that begins on July 1 and ends the following June 30, it may be prudent to change the District's fiscal year from a calendar year to a July 1 to June 30 fiscal year. This would require the District's current budget year to end prematurely on June 30, 2024 so a new fiscal year budget can be operative from July 1, 2024 through June 30, 2025, and continuing thereafter on a fiscal year basis.

## 13. Discuss Privacy Policy

Marla Howard reviewed the MSD Privacy Policy that was recommended by management.

**Trustee Flint moved to approve the Privacy Policy as presented. Trustee Smolka seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting "aye".**

## 14. Discuss Bylaws

Marla Howard reviewed the District's current Bylaws and suggested changes, including two year terms for the Chair and Vice Chair positions.

Trustee Smolka suggested that there also be a policy regarding the removal of an officer.

## 15. Approve an additional Board of Trustees meeting on March 29th at 9:00 am for vendor presentations

Marla Howard recommended that a special Board meeting be held on March 29<sup>th</sup> for vendor presentations.

**Trustee Flint moved to approve an additional Board of Trustees meeting on March 29, 2024 commencing at 9:00 a.m. for vendor presentations. Trustee Bush seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Smolka and Stringham each voting "aye".**

## 16. Discussion and Possible action on HB 35

Mark Anderson reviewed H.B. 35, which is an enrolled Bill that was waiting for the Governor's signature. As discussed earlier during the meeting, H.B. 35 will cause four of the Metro Townships automatically to become cities and the smallest Metro Township will become a town on May 1, 2024.

## **17. Discussion and Possible action on HB 330**

Mark Anderson reported that H.B. 330 had passed the House and was in the Senate Rules Committee. H.B. 330 will initiate a process whereby the Salt Lake Valley will virtually become wall-to-wall cities, with unincorporated islands that do not incorporate as a municipality being annexed by adjoining cities. Mr. Anderson expressed confidence that the Bill would pass before the end of the forty five day legislative session.

## **18. Discussion on legislative updates**

Mark Anderson presented a brief update on several Bills, including S.B. 185 which, in its original form, would have authorized developers and builders to hire their own third-party inspectors and require municipalities and counties to accept and abide by the third-party inspection reports. The Utah League of Cities and Towns, the Utah Association of Counties, the Utah Association of Special Districts and other stakeholders pushed back hard against that proposal, and the final Bill will likely represent a compromise. Trent Sorensen also presented his thoughts regarding problematic provisions in S.B. 185.

## **19. General Manager report**

Marla Howard presented her General Manager's report:

- Maridene Alexander will set up Open Houses for each municipality regarding the impacts of H.B. 35.
- The HR Manual review is almost finished. The final Manual will be presented to the Board.
- Ace Mack has resigned from his position with the MSD.
- The open Building Inspector position has been posted.
- Daniel Torres, the new Economic Development Manager, will start work on Monday.

## **20. Other Metro Township, Town, Unincorporated County, and Greater Salt Lake Municipal Services District business**

There was no other business to be considered by the Board.

## **21. Discussion of future agenda items**

No future agenda items were suggested.

## **22. Discussion of the purchase, exchange, or lease of real property (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(d))**

**Trustee Flint moved to go into closed session for the sole purpose of discussing the purchase, exchange, or lease of real property. Trustee Smolka seconded the motion. The motion carried with Trustees Zuspan, Smolka, Bush, Flint, Barney and Stringham each voting "aye".**

The meeting went into closed session at 7:50 p.m. with all of the members of the Board of Trustees, other than Trustee Clayton, present, along with Marla Howard, Brian Hartsell, Stewart Okobia, Trent Sorensen, Izabela Miller, Tabitha Mecham and Mark Anderson.

The meeting went back into open session at 8:06 p.m. No action was taken during the closed portion of the meeting other than the approval of a motion to close the closed meeting and return to open session.

**23. Consider the Status of the Lease of Office Space From Salt Lake County**

Marla Howard asked when the Board would like to give notice. The Trustees indicated that the 180 day notice could be given after a new lease is in place.

**24. Discussion of the character, professional competence, or physical or mental health of an individual (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(a))**

This agenda item was not discussed.

**25. Discussion of pending or reasonably imminent litigation (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(c))**

This agenda item was not discussed.

**26. Adjourn**

**Trustee Flint moved to adjourn the Board meeting. Trustee Stringham seconded the motion. The motion carried with Trustees Zuspan, Bush, Flint, Barney, Stringham and Smolka each voting “aye”.**

Chair Zuspan declared the meeting to be adjourned at 8:07 p.m.

**Approved by the Board of Trustees of the Greater Salt Lake Municipal Services District on the 10th day of April, 2024.**

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Keith Zuspan, Chair

**ATTEST:**

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Stewart Okobia, Clerk