

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, March 5, 2024

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, March 5, 2024.

The following Council Members were present:

Victoria Petro, Daniel Dugan, Chris Wharton, Alejandro Puy, Sarah Young, Eva Lopez Chavez

The following Council Members were absent:

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

Present City Staff:

Katherine Lewis – City Attorney, Cindy Lou Trishman – City Recorder, Stephanie Elliott – Minutes & Records Clerk, Thais Stewart – Deputy City Recorder, Taylor Hill – Constituent Liaison/Policy Analyst, Scott Corpany – Staff Assistant, Isaac Canedo – Public Engagement Communication Specialist, Ben Luedtke – Senior Public Policy Analyst, Mary Beth Thompson – Chief Financial Officer, Andrew Johnston – Director of Homelessness Policy and Outreach, Weston Clark – Senior Advisor Mayors Office, Tyler Murdock – Deputy Director of Public Lands, Kimberly Chytraus – Senior City Attorney, Amy Thompson – Planning Manager, Tony Milner – Director of Housing & Neighborhood Development, Heather Royall – Deputy Director Housing & Neighborhood Development, Greg Cleary – City Budget Director, Lisa Hunt – Deputy Chief Financial Officer, Michaela Oktay – Assistant Planning Director

The meeting was called to order at 2:07 pm

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Work Session Items

1. Informational: Updates from the Administration ~ 2:00 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

Weston Clark and Andrew Johnston gave the following administrative and homelessness updates:

- Engagement projects and feedback – www.slc.gov/feedback
- Planning Adaptive Reuse Ordinance
- Arts Council West Side Art Project
- Transportation Projects
 - Capitol Hill Traffic Calming (D3)
 - 600/700 North Reconstruction (D1)
 - 1000 West Corridor Plan (D1/2)
- Public Lands Riverside Parks (D1) Grand Opening held March 28, 2024
- Love Your Block Held March 6, 2024
- Homelessness Shelter Capacity at 100%
- Code Blue called for on two separate nights
- Public Safety & Emergency Shelter Services totals \$127.5 Million
- 2024 State Legislative Funding
 - \$64.5 Million (Including \$15 Million private match)
- Initial Objectives
 - Fund current shelter services
 - Shelter beds kept available through the summer
- Micro-shelter Community – Temporary Ordinance adopted until May 30, 2024
- \$10 million in ongoing funding from the State

Council Member Young commented on future funding from the legislature and requested an update every other month to prepare for the next session and budget.

Council Member Puy requested an extension to the Micro-Shelter Ordinance as a temporary solution until the State Legislature funds and opens another shelter.

Council Member Petro thanked the Administration for their work on solutions and budget to best meet the Council and City goals.

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2. **Ordinance: Landscaping and Buffers Chapter Text Amendment** ~ 2:15 p.m.
Follow-up 30 min.

The Council will receive a follow-up briefing about an ordinance that would amend various sections of Title 21A of the *Salt Lake City Code* pertaining to Landscaping and Buffers chapter amendments. The proposed amendments would seek to reduce water consumption, enhance the urban forest, and improve air quality and green infrastructure city-wide. The proposal would also seek to clarify, simplify, and reorganize the landscaping and buffer chapter to be more user-friendly. The City Council may consider modifications to other related sections of the code as part of this proposal.

For more information visit tinyurl.com/SLCLandscapingAndBuffers.

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

Briefing - Tuesday, December 5, 2023; Tuesday, December 12, 2023; Tuesday, February 6, 2024; Tuesday, February 20, 2024; and Tuesday, March 5, 2024

Set Public Hearing Date - Tuesday, December 12, 2023

Hold hearing to accept public comment - Tuesday, January 9, 2024 at 7 p.m.

TENTATIVE Council Action - Tuesday, March 5, 2024

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Jennifer Bruno, Michaela Oktay, and Amy Thompson gave the following updates:

- Enforcement of residents in the City who currently had installed artificial turf
 - Past and current ordinances did not allow artificial turf
- Grace period for compliance with the new ordinance
- Enforcement rules taking effect immediately after publication
- Complaints would start enforcement; then, the City would take action to reach out
- Send out notices to those in violation for a time frame to get into compliance

Council Members requested a remedy, such as contacting those in violation and notifying them of the new ordinance.

3. Fiscal Year 2024-25 Funding Allocations for One-year Action Plan for Community Development Block Grant & Other Federal Grants ~ 2:45 p.m.
55 min.

The Council will receive a briefing about the resident advisory board's and the Mayor's funding recommendations and an appropriations resolution that would authorize grant funding to selected applicants and adopt the One-Year Annual Action Plan for Fiscal Year 2024-25. The plan includes Community Development Block Grant (CDBG) funding, HOME Investment Partnership Program funding, Emergency Solutions Grant (ESG) funding, and Housing Opportunities for Persons with AIDS (HOPWA) funding. The resolution would also approve an Interlocal Cooperation Agreement between Salt Lake City and the U.S. Department of Housing and Urban Development (HUD). This year, the Council will also consider funding recommendations for one-time federal pandemic-related grants for tenant-based rental assistance authorized by the American Rescue Plan Act and CDBG coronavirus response CARES Act funds.

For more information visit www.tinyurl.com/annualhudgrants.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - Tuesday, February 20, 2024

Hold hearing to accept public comment - Tuesday, March 5, 2024 at 7 p.m.

TENTATIVE Council Action - TBD

Ben Luedtke, Tony Milner, and Heather Royall presented the following information (*see Staff Report for a full grant list*):

- Grants and estimated funding
- HUD (US Housing & Urban Development Department) awarded amounts not available yet; numbers were based on estimations
- CDBG (Community Development Block Grant) Funding
 - Housing Stability Division – home repair program and Fix The Bricks
 - Over 4,000 applications for Fix the Bricks
 - CARES (Coronavirus Aid Relief and Economic Security Act) funding unspent funds – one application was not recommended to fund
- HOPWA (Housing Opportunity for People with AIDS)

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- Every applicant was recommended to receive funding
- Tenant-based rental assistance
- Mental health services
- ESG (Emergency Solutions Grant)
 - Shelter and outreach
 - Homelessness prevention
- HOME (Home Investment Partnership Program)
 - HOME-ARP Program (Tenant-based rental assistance)

Mayor Erin Mendenhall presented the Mayor's funding recommendations (see *meeting materials for full recommendations*):

- Assist Inks Emergency Home Repair Program
- Odyssey House bus pass system
- Soap to Hope
- Kitchen Academy – Catholic Community Services
- Bridge the Gap – Domestic Violence

Council Member Petro disclosed the current non-Council contracted work to execute the strategic planning process with YMCA Utah (Young Men Christian Association) and stated no monetary compensation was being received.

4. **Resolution: University of Utah Baseball Stadium Public Benefits Analysis Follow-up** ~ 3:40 p.m.
20 min.

The Council will receive a follow-up briefing about a resolution that would authorize a 99-year below-market ground lease to the University of Utah of 1.175 acres of City-owned property at approximately 1735 Sunnyside Avenue. This lease would facilitate the expansion of the University's baseball field to meet the National Collegiate Athletic Association (NCAA) requirements for a competition field, but also result in the removal of one existing City-owned softball field and one multi-purpose field located at Sunnyside Park. In exchange for this lease, the University would commit \$4.2 million to the City for improvements and new amenities at Sunnyside Park, as well as, possibly, other public benefits. The types of improvements and amenities would be determined through a community engagement process.

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

Briefing - Tuesday, February 6, 2024 and Tuesday, March 5, 2024

Set Public Hearing Date - Tuesday, February 6, 2024

Hold hearing to accept public comment - Tuesday, February 20, 2024 at 7 p.m.

TENTATIVE Council Action - Tuesday, March 5, 2024

Jennifer Bruno, Tyler Murdock, and Kimberly Chytraus gave the following update:

- Public access to the University facility
- The cost of renting a facility/park would be determined and would cover the operational cost

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- Batting and baseball field requested to extend into the area leased by the University of Utah
- Proposal to build bathrooms in the leased area for use by the public when no University events were scheduled
- Construction to start July 1, 2024
- Plans to save the sequoia trees and what other trees would be affected
- Replace the softball field and multi-field being rebuilt/relocated
- Creation of a conditional lease or construction of a building on the plan approval from the US Bureau of Land Management (BLM)
- Proposed term sheet to understand the public benefit of the ground lease

5. Tentative Break ~ 4:00 p.m.
20 min.

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

Briefing - n/a

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

6. Ordinance: Budget Amendment No.4 for Fiscal Year 2023-24 Follow-up ~ 4:20 p.m.
20 min.

The Council will receive a follow-up briefing about Budget Amendment No.4 for the Fiscal Year 2023-24 Budget. 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 over \$1.8 million for police officer overtime related to the Clean Neighborhoods Program, three new full-time mechanics in the Fleet Division, \$230,000 to expand a City air quality incentives program, and a new software tool to identify non-compliant short-term rentals among other items. There is a separate ordinance to create a Division of Planning and Design in the Public Lands Department related to an item in the budget amendment.

For more information visit tinyurl.com/SLCFY24.

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

Briefing - Tuesday, February 13, 2024; Tuesday, February 20, 2024; and Tuesday, March 5, 2024

Set Public Hearing Date - Tuesday, February 6, 2024

Hold hearing to accept public comment - Tuesday, February 20, 2024 at 7 p.m.

TENTATIVE Council Action - Tuesday, March 5, 2024

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Ben Luedtke, Mary Beth Thompson, Lisa Hunt, and Greg Clearly gave the following briefing:

- D1 Creating a Planning & Design Division for Public Lands Department
 - Create a Division Director and switch from merit to an appointed position for the current employee
 - Budget neutral for cost increase for a new position
 - Additional ongoing costs would need to be added to the base budget for the department
 - Merging of the Engineering team with Public Lands
 - **Tyler Murdock** from Public Lands spoke about this newly appointed position, moving from a grade 34 to a grade 35
- I1 update – single-family homes with right of first refusal to buy back the property
 - Funding currently not needed
- A12 – request for funding from Emergency Dispatch Fund and 911
 - Funding for software updates to improve response times and connect departments
- A13 – request for funding from General Fund Balance
 - Outside legal counsel for City Attorney's Office – one time funding

Council Member Puy requested sales tax numbers and sales tax reports from the holidays and would like a briefing for the next Council meeting.

7. **Advice and Consent: Salt Lake City Chief Administrative Officer – Jill Love** ~ 4:40 p.m.
10 min.

The Council will interview Jill Love prior to considering her appointment as the Salt Lake City Chief Administrative Officer.

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Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Mayor Erin Mendenhall introduced Jill Love and reviewed their hard work and dedication to the City and State of Utah.

Jill Love was interviewed for the City Chief Administrative Officer and stated their excitement to serve Salt Lake City.

8. **Board Appointment: Appeals Hearing Officer – Clayton Preece** ~ 4:50 p.m.

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5 min

The Council will interview Clayton Preece prior to considering appointment as an Appeals Hearing Officer for a term ending March 5, 2029.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, March 5, 2024

An interview was held, and Council Member Petro stated Clayton Preece's name would be on the Consent Agenda for a formal consideration.

9. **Board Appointment: Appeals Hearing Officer – Aaron McKnight**

~ 4:55 p.m.

5 min

The Council will interview Aaron McKnight prior to considering appointment as an Appeals Hearing Officer for a term ending March 5, 2029.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, March 5, 2024

An interview was held, Council Member Petro stated Aaron McKnight's name would be on the Consent Agenda for a formal consideration.

10. **Board Appointment: Airport Board – Craig Smith**

~ 5:00 p.m.

5 min

The Council will interview Craig Smith prior to considering appointment to the Airport Board for a term ending March 5, 2028.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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An interview was held, and Council Member Petro stated Craig Smith's name would be on the Consent Agenda for a formal consideration.

11. Board Appointment: Business Advisory Board – Brittany Dew ~ 5:05 p.m.
5 min

The Council will interview Brittany Dew prior to considering appointment to the Business Advisory Board for a term ending December 25, 2028.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, March 5, 2024

An interview was held, Council Member Petro stated Brittany Dew's name would be on the Consent Agenda for a formal consideration.

12. Resolution: Public Comment Policy ~ 5:10 p.m.
20 min.

The Council will have a discussion to consider amendments to the public comment policy, rules, and procedures to preserve the Council's ability to conduct the public business.

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

Briefing - Tuesday, March 5, 2024

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Lehua Weaver and **Katie Lewis** discussed the following regarding the Public Comment Policy:

- Three Goals of the Council and Administration
 - Safe environment
 - Feedback forum
 - Orderly and efficient meeting
- The City Council was not allowed to silence the community or their viewpoints
- How to balance rights with other goals of the community meetings
- Public Comment Categories
 - Statutorily required (budget, land use)
 - Discretionary (Open Public Meeting)

Council Members discussed:

- Receiving public comment and protecting attendees regardless of the speaker's comments
 - Suggestion to limit total allocated time in the general comment section
 - Suggestion to limit comments according to topic matter (such that any group there to discuss a uniform topic would select a spokesperson)
 - Possibility to grant spokesperson more time to comment
- Give the public time with Council in a curated space to address issues
- Resident requirements for speakers created issues, needed to be used with caution
- Legal precedent to abide by time limitation of open public comment
 - Must be based on the whole time allocated and not on viewpoint to be neutral
- First come, first served to speak in the open public comment, signing up to speak to open and close at certain times
- Eliminating singling-out individual Council Members and addressing the Council as a whole
 - Personal threats and physical aggression toward any City official was not allowed, but personal opinions of people were allowed
- Legal considerations: Time limits must be based on total time allocated, not viewpoint

Council Members suggested limiting the time for public comment to one hour.

Standing Items

13. Report of the Chair and Vice Chair

Report of Chair and Vice Chair.

No report from the Chair or Vice Chair.

14. Report and Announcements from the Executive Director

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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 or announcements from the Executive Director.

15. 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.

Motion:

Moved by Council Member Wharton, seconded by Council Member Dugan to enter into Closed Session for the purposes of: discussion of the character, professional competence, or physical or mental health of an individual 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: Victoria Petro, Daniel Dugan, Chris Wharton, Alejandro Puy, Sarah Young, Eva Lopez Chavez

ABSENT: Darin Mano

Final Result: 6 – 0 Pass

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Motion:

Moved by Council Member Lopez Chavez, seconded by Council Member Dugan to exit Closed Session

AYE: Victoria Petro, Daniel Dugan, Chris Wharton, Alejandro Puy, Eva Lopez Chavez

ABSTAIN: Sarah Young

ABSENT: Darin Mano

Final Result: 5 – 0 Pass

Closed Session started at 5:02 pm, ending at 5:45 pm. Minutes and Recording not created pursuant to UCA 52-4-206(6)(b).

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Meeting adjourned at 5:45 pm

Minutes Approved: May 21, 2024

City Council Chair Victoria Petro

City Recorder

Please refer to Meeting Materials (available at <https://data.slcc.gov> by selecting City Council Meeting Information) 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 indefinitely.

This document along with the digital recording constitutes the official minutes of the City Council Work Session meeting held Tuesday, March 5, 2024 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.