

SOUTH JORDAN CITY
CITY COUNCIL MEETING

September 16, 2014

Present: Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Don Shelton, CM Gary Whatcott, General Counsel Rob Wall, Fire Battalion Chief Andrew Butler, Administrative Services Director Dustin Lewis, Police Lieutenant Rob Livingston, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, COS Paul Cunningham, Economic Development Director Brian Preece, Chief Technology Officer Jon Day, Public Works Director Jason Rasmussen, City Council Secretary MaryAnn Dean

Absent: Councilman Mark Seethaler

Others: See Attachment A

REGULAR MEETING – 6:00 PM

A. Welcome and Roll Call – *Mayor David Alvord*

Mayor Alvord welcomed everyone present. He noted that Councilman Seethaler is excused from this meeting.

B. Invocation – *By Mayor David Alvord*

Mayor Alvord offered the invocation.

C. Pledge of Allegiance

Dallin Brown, Scout from Troop 186, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized all of the scouts present at the meeting.

Councilman Rogers said he has a motion to amend the agenda to include an item R which would be a motion to direct the City Manager to place a memorandum in the official City file of the Y2 Analytics Agreement.

Councilman Rogers made a motion to amend the agenda, adding an item R. to put a memorandum in the official city file of the Y2 Analytics agreement. Councilman Newton seconded the motion. The vote was 4-0 in favor. Councilman Seethaler absent.

The City Council moved to item R. on the agenda.

- R. Direction to the City Manager to place a memorandum in the official City file of the Y2 Analytics agreement.

Councilman Rogers read the following prepared statement, “Due to the non-disclosure request of potential developers, tenants and/or landlords received by the City during prior discussions involving the Mulligans property, the City informally sought without cost, advice from several public communications professionals relative to the process of the Request for Qualifications and Concepts for Mulligans. One of those professionals was Mr. LaVar Webb; another was Y2 Analytics. Both Mr. Webb and Y2 Analytics are highly respected in their respective disciplines and have proven experience in advising local government.

Initially the City Council considered retaining the combined services of Mr. Webb and Y2 Analytics to assist the Council in community outreach and analytics activities. After considerable discussion the City Council determined that the services of Mr. Webb were not currently desired but that the services of Y2 independent of Mr. Webb would survey and identify options in the best interests of the City.

The City Council, pursuant to Section 4-12 of the *South Jordan City Purchasing Policy*, authorized the procurement of professional services from Y2 Analytics by Resolution R2014-75, foregoing the RFP provisions of the Purchasing Policy for the following reasons:

- 1) Y2 Analytics is recognized as a top provider in their field in terms of polling and focus groups;
- 2) The price for services from Y2 is competitive and reasonable for the anticipated services to be provided;
- 3) There are no conflicts of interest that exist with any council member or staff and Y2 Analytics;
- 4) Following the traditional procurement process would unduly delay the effort to gather the information the Council seeks through the services of Y2 Analytics given the reputation and experience of Y2 Analytics; and
- 5) Y2 is performing professional services which, in compliance with existing State law, City Code, and City policy, can be negotiated and implemented in a manner that advances the interests of local government without the formality and time restraints of competitive bidding practices.”

Councilman Rogers made a motion that we direct the City Manager to place a memorandum in the official City file of the Y2 Analytics agreement which:

- 1) References and includes a copy of Resolution 2014-75;**
- 2) References this motion and includes a copy of the City Council minutes in which this motion is approved; and**
- 3) Reiterates the information stated in this motion as the basis for the City Council retaining Y2 Analytics without the formalities of the RFP process.**

Councilman Barnes asked why this was not done 2 weeks ago when we were voting on the resolution? General Counsel Wall said in the Resolution that was approved two weeks ago, it summarized this in a sentence or two; that you had consciously not decided to follow the competitive process. The intent of the law was already met, this just further clarifies it.

Councilman Newton seconded the motion. The vote was 4-0 in favor. Councilman Seethaler was absent.

D. Minute Approval

1. September 2, 2014 Study Meeting
2. September 2, 2014 Regular Meeting

Some changes were made to the September 2, 2014 Regular Meeting minutes.

Councilman Newton made a motion to approve the September 2, 2014 Study Meeting minutes, as printed, and the September 2, 2014 Regular Meeting minutes, as amended. Councilman Rogers seconded the motion. The vote was 4-0 in favor. Councilman Seethaler was absent.

E. Public Comment

Deanna Kauffman, noted Resolution 2013-35 that calls for the updating of the trails and open space master plan. The cost for the update is \$80,000. It discusses completing the study in this fiscal year. If that study was approved and funded, why are they spending time and money with Y2 Analytics? The last parks master plan update was in 2007. There was a parks impact fee update in 2012. Relating to agenda item M., there is not a good cost allocation structure related to cost and overhead for Mulligans. She asked if secondary water will be accounted for differently than culinary water?

Julie Holbrook, said there are solar street lights in her community that don't work at night. The community is north of Mulligans. It is a public safety issue. She has met with city employees and understands that once the builder is done, it is up to the HOA to replace the lights. It is cost prohibitive for the HOA to put in those street lights. The builder continues to build and install those same street lights. She recommended a 1/3,1/3,1/3 cost split between the city, the builder, and the HOA to replace those street lights. She has been working with Councilman Seethaler on the issue but has not heard anything on the issue since mid-July.

CM Whatcott said staff would follow up on that issue.

Tony Benjamin, said there are a lot of outcomes that he can live with regards to Mulligans. One thing he cannot live with is the city owning a golf course. Any government ownership retards and distracts from private forces. The city owning Mulligans is no different than the Federal Government owning General Motors. He said he does not want the City Council bantered by private individuals. He wants the City Council to be leaders. He said he does not want a survey done. If they lose their Council seat because of it, it is only a Council seat. If this had been left with a private ownership originally, that facility would be making money for the city, the private business, and the employees at the golf course. All parties should come together to resolve the issue.

Kayla Lyman, said they need to consider if short term economic gain is more important than long term quality of life. Does the city need the financial boost right now? Economics have ups and downs. When they give away a beautiful green area, they never get it back. They should keep Mulligans until the city has a financial pitfall where it would be financially beneficial to sell

and develop the property. For now, it is a family oriented place for family night or a date night. If that is taken away, people will go to Sandy or Draper.

Max Young, 10550 S. 919 W., wanted to discuss a rezone. It was noted that the hearing was scheduled at the next Planning Commission meeting.

- F. **Presentation:** 2014-15 Youth Council Oaths of Office (1st of 2) Council Advisor, Sheila Angerhofer. (*Oath Administered by City Recorder Anna West*).

Anna West, City Recorder, administered the Oaths of Office to the 2014-15 Youth Council.

- G. **Presentation:** Proclamation “Extra Mile Day.” (*Presented By Mayor Alvord*)

Councilman Newton made a motion to approve the Proclamation “Extra Mile Day”. Councilman Shelton seconded the motion. The vote was 4-0 in favor. Councilman Seethaler was absent.

- H. **Presentation:** Proclamation recognizing Kevin Moritz and Cynthia Cox as Outstanding High School Teachers at Bingham High School. (*Presented By Mayor Alvord*)

Mayor Alvord recognized Kevin Moritz, outstanding High School teacher at Bingham High School, and presented him with the Proclamation.

Mayor Alvord recognized Cynthia Cox, outstanding High School teacher at Bingham High School, and presented her with the Proclamation.

Councilman Shelton said he sees Ms. Cox on the sidelines of a lot of football games. She has healed a lot of athletes.

- I. **Public Hearing: Resolution R2014-73**, amending the 2010 General Plan by approving an updated housing plan and replacing the City’s current housing plan. (*By Long Range Planner, Jake Warner*)

Mr. Warner reviewed the affordable housing study (Attachment B).

Mayor Alvord opened the public hearing. There were no comments. He closed the public hearing.

Councilman Rogers emphasized that the price of apartments in South Jordan are not “affordable”. He said he would like to focus less on high density development and more on financial assistance, rent subsidies, section 8 vouchers, etc. and integrate the lower income individuals into the existing housing stock.

Councilman Barnes asked if there are any other ways to meet the low income housing requirements? Mr. Warner said the housing study provides a good framework. They will be

putting together an implementation plan. He said they are already meeting Goal 6 through the CDBG funding given to those that provide home repair and maintenance services.

Councilman Barnes asked if they could use CDBG funding for something like public lighting that presents a safety problem? Mr. Warner said to do that, they have to designate an area as blighted or identify a low income area in the city where the funds could be directed. The city does not have an area that would qualify under those conditions. They could receive an exception if over 51 percent of the people in the area are under a certain income level.

Councilman Barnes asked if the shortage of housing in the less than 30 percent ami, and the 30-50 percent ami is a big deal, or is it considered as a whole? Mr. Warner said the important thing is to recognize the need and how to remedy the need. The breakdown is looked at more closely by the Federal Government. If they are excluding housing in a certain category, that would be concerning to some agencies.

It was noted that there was an error with the map in the plan. The data, however, is accurate.

Mr. Warner said the current housing plan was done with the General Plan update to meet state law. There are some other requirements covered in this plan that includes Federal requirements, and that is related to fair housing. The city gets CDBG funds. With that, the city says it will comply with the Fair Housing Act. Regardless of the CDBG funds, they would still have to comply with the Fair Housing Act. To get those funds, they have to provide information to HUD, including this plan.

Councilman Newton asked if assisted living facilities qualify in that housing range, and were the ones under construction considered in this study? Mr. Warner said the seniors are protected and ineligible to get certain grants of HUD funds. To qualify for housing funds, it is based on income. They would have to do a survey to see if the resident was considered eligible. He said the units that were under construction were considered in the study. They were not counted in the current housing stock, unless the development was complete. They are not considered affordable housing unless there was a rent restriction, which they did not have.

Councilman Barnes asked about the value by parcel versus value by acre. Mr. Warner said on smaller lots, there are more homes, thus more value per acre.

Mayor Alvord said according to the Fair Housing Act, if a city had more than average low income housing, would they be required to build luxury housing so it is fair? Mr. Warner said no, because low income housing is accessible to higher income households.

Mayor Alvord asked if this is a good law? He asked if the City Council should pass a Resolution asking representatives to repeal this law? Councilman Rogers said he does not want a target on the city. Councilman Newton concurred. He said a repeal of this law would not pass Congress.

Councilman Barnes asked if they can use CDBG funds to pay for the study? Mr. Warner said they could have, but they used RDA housing funds.

Councilman Barnes made a motion to approve Resolution R2014-73. Councilman Newton seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

- J. **Public Hearing: Resolution R2014-74**, approving the 2013 Consolidated Annual Performance and Evaluation Report and authorizing submittal to the US Department of Housing and Urban Development. *(By Long Range Planner, Jake Warner)*

Mr. Warner reviewed the 2013 CAPER: CDBG Year-End Report, (Attachment C).

Mayor Alvord opened the public hearing.

Jessica Burnham, representing the Road Home homeless shelter, introduced herself. She thanked the city for the partnership with their agency. She reviewed homeless statistics.

Sal Janson, representing Salt Lake Community Action and Headstart, gave some background information on their program. They have expanded the food pantries to the community centers. She reviewed their housing and HEAT program. Their headstart program serves 2000 families. They appreciate the help they have received in the past and look forward to more support next year.

Mayor Alvord closed the public hearing.

Councilman Barnes asked what are the leading causes of homelessness here? Ms. Burnham said they saw a drastic increase with the downturn in the economy, especially with families. They have seen a 260 percent increase in the last 5 years.

Councilman Barnes asked about prevention measures. Ms. Burnham said affordable housing is an important investment that communities can make.

Mr. Warner said the majority of the funds not used are obligated to project at the senior center that were not complete in this fiscal year. The \$3,500 for Valley Services can be reprogrammed towards future projects.

Councilman Newton recommended that they extend the sidewalk at the senior center to the rounded curb with heat tape and a ramp. He said he would also like to see if they can use some money toward the homeless shelter for teens.

Mr. Warner said the homeless shelter for teens submitted a request for 2014. It was denied because they felt that some of their needs were covered by other services. He said they are limited to use 15 percent of the grant funds for public services. They meet as many of the needs as they can. Councilman Newton suggested they consider giving them \$1,000.

Councilman Shelton asked how they expected that the Road Home would serve 13 people from South Jordan, but it actually served 23 people. Mr. Warner said the Road Home tracks that and reports it quarterly. Mr. Shelton noted an error in the calculation for people served in the assist home repair category. Mr. Warner said that was automatically calculated on the HUD website. There are other miscalculations. He has expressed his concern to HUD.

Mr. Warner said people will be applying for a new grant in Spring 2015. Funding requests start January 1st, and they are due to HUD on April 15th.

Councilman Newton made a motion to approve Resolution R2014-74. Councilman Shelton seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

The City Council took a brief recess.

K. Public Hearing – Ordinance 2014-16, amending regulations pertaining to accessory buildings in the Zoning Ordinance (Title 17), specifically chapters 17.24, 17.28, 17.32, 17.36, 17.40, 17.45, 17.46, 17.48, and 17.98 of the Municipal Code. *(By Long Range Planner, Jake Warner)*

Planner Warner reviewed the presentation on the zone text amendment for accessory building regulations (Attachment D). The Planning Commission made the recommendation to allow home occupations to be conducted in an enclosed and properly permitted accessory building.

Mayor Alvord opened the public hearing.

Darrin Loertscher, said he has a 2 acre piece of property with plenty of room and big trees that will hide much of his accessory building. He said his proposed building will not work with the proposed Ordinance. He said there is not one rule that fits the situation on every lot.

Valerie Bandmann, said she lives in Springville and she is trying to buy a home in South Jordan. In Springville, they have a catering kitchen that they run out of their 2 car garage. She said in calling the city, she was told that she would not be allowed to have a catering kitchen in the garage. She said they need this home because it meets their needs in caring for her handicapped father. She asked if the laws could be changed so they can do what they are wanting for their home business?

Sharon Lloyd, said they just moved into 9661 S. Iron Gate Rd. She said they were drawn here because people take care of their yards. She said she prefers to let people have a garage so all of their stuff is not stored in the yard.

Robert Lloyd, said they were drawn to South Jordan because of the allowance of larger accessory buildings. He asked if this Ordinance is a knee jerk reaction to an undesirable 2-story outbuilding built in the city? He said the regulations for the size of accessory buildings have

changed over the years in South Jordan. What can they do to make a provision so when the regulation changes, they can add onto their building so it will store what they need.

Mayor Alvord closed the public hearing.

Councilman Rogers asked why the 80 percent threshold for the footprint? It seems like 50 percent of a footprint could be significant. He said they might consider decreasing the amount so the Planning Commission would have to review buildings in the 50-60 percent threshold. Mr. Warner said that decision had to do with staff and Planning Commission work load.

The accessory building that created this question would have exceeded the height in this Ordinance, but not the footprint.

Councilman Rogers said regarding the concern with the home occupation catering business that was brought up, wouldn't that be allowed under this Ordinance? Mr. Warner said the concern is having the home occupation entirely in the dwelling unit so it does not impact the neighboring property owners. There is also concern about allowing the garages because that could include auto repair shops. Councilman Rogers said he agrees with not allowing auto repair shops, but he feels that is different than having a catering business in the garage.

Mr. Warner said if there is a 3rd car garage for the proposed catering businesses, he does not believe it would conflict with the current Ordinance. He said he would discuss that with the Bandmann's tomorrow.

The City Council discussed the variance process. General Counsel Wall indicated that it is difficult to get a variance. You have to meet 5 criteria set by the state. One of those criteria is that the property itself has unique provisions, not the use.

Councilman Rogers said the rules for a home occupation in an accessory building should mirror the rules for the primary buildings. They should have a Planning Commission review if there are concerns expressed by the neighbors over the use of the accessory building.

Councilman Rogers asked if they can easily tweak or make changes to the home occupations, and include the Planning Commission for review. General Counsel Wall said it is doable, but not easy.

CM Whatcott said right now, they have tried to hold the integrity of the residential zone in tact, but provide leeway for those that wish to have a non-intrusive business in their home. He said currently, they receive complaints from residents if the home occupation receives UPS deliveries regularly. Councilman Rogers said that is all the more reason to have a Planning Commission hearing so the objections are on record. CM Whatcott said they can change the process, but they may not want to allow more type of home occupations in a residential zone.

CM Whatcott said he just wants to protect the integrity of the neighborhood. There is an expectation that you are living in a residential area.

Councilman Newton said the reason for the concern is because of the problem of the big outside buildings that are almost as big and tall as the main home and they put it in the corner of the property where it is impeding the neighbors view.

Councilman Newton asked if this will impact normal sheds? Mr. Warner said sheds have the same requirements as all accessory buildings, but the smaller structures don't require a building permit.

Councilman Newton asked if this includes carports? Mr. Warner said if the carports are detached from the home, it would fall under the same requirement as the accessory building. If the carport is attached, they have to meet the same requirements as the home itself. Councilman Newton said he does not favor detached carports on the side yards. Mr. Warner said they get a lot of calls about carports when they want to cover boats or a vehicle.

Mr. Warner discussed the home occupation appeal process.

Councilman Newton made a motion to table this item to a work session agenda. Councilman Rogers seconded the motion.

Councilman Barnes asked if there is anything they can do to help the catering business owners in the meantime? Mr. Warner said he would talk to the Bandmann's tomorrow and make sure they know what the regulations are.

Councilman Newton said he feels there will still be room for people to store their boats and play toys, but they don't want a building the size of the current home.

Councilman Barnes said he would also like to consider a grandfather clause.

The vote was 4-0 in favor. Councilman Seethaler was absent.

- L. **Action Item: Resolution R2014-70**, authorizing the City to enter into an agreement for a temporary staging area for debris in the event of an emergency with Trans-Jordan Landfill and authorizing the Mayor to sign said agreement. *(By Public Works Director, Jason Rasmussen)*

Public Works Director Rasmussen reviewed the background information on this item. This will allow them to keep their parks clear if they have a need to store debris temporarily. They would be liable to repair any damage to the space, and they indemnify TransJordan for anything the city does while they are on the land.

Councilman Rogers made a motion to approve Resolution R2014-70. Councilman Barnes seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

M. Action Item: Resolution R2014-80, accepting the recommendation from the Audit Committee and Staff, and directing staff to move forward with allocating water and insurance cost to Mulligans beginning FY 2014. *(By Mayor Alvord for Audit Committee)*

Mayor Alvord said there has been some confusion of statements made from the previous Mayor and him regarding the cost of Mulligans. He said the previous Mayor referred to a CAFR report when saying Mulligans was operating at a profit. This Council asked staff to look at the true costs, and that report was on a cash basis. When they evaluated Mulligans on a cash basis, they determined that the city is subsidized this business.

Councilman Newton said the city was picking up the costs of the water and insurance, as well as administrative costs without thinking anything about it. That issue was addressed with the auditors. The auditors said they can determine the water numbers for culinary water and the insurance numbers. They cannot audit the administrative costs, so that is not included in this Resolution. The auditors indicated that because this is an enterprise fund, they should be allocating the water and insurance costs to Mulligans. The costs for the secondary water are not for the water itself, but there are electrical costs to pump the water. Those costs are included in the enterprise fund. There is no cost for the secondary water because they have water rights.

Councilman Barnes said if they want to look at this as a business, there are shared costs. He asked if they plan on applying this standard to every entity that is an enterprise fund? Mayor Alvord said a cost analysis would be needed if they were looking to sell the rec center.

Councilman Barnes asked how are they coming up with the water costs? Councilman Newton said the electricity costs for the secondary water are covered in the enterprise fund.

Public Works Director Rasmussen said they meter the culinary water. They also meter the secondary water at the pump station, but they don't bill for the secondary water. There is a cost because they maintain the Beckstead Ditch. The costs for the secondary water are negligible.

Mayor Alvord said the auditor stated that the \$4 million bond repayment cannot be considered a loss to the property, if it is considered an investment. If it is an investment, that would be a mischaracterization. That statement did not void the audit or the other assumptions. Councilman Newton said the auditor was looking at it on an accrual basis, not a cash basis. He said this Resolution tracks the trackable items and makes sure it is in the enterprise fund.

Councilman Newton made a motion to approve Resolution R2014-80. Councilman Shelton seconded the motion.

Councilman Shelton said you can't take the full bond payment and count it as an expense, even in cash accounting. That does not mean that there is not a negative cash flow. That was an error on their part to consider that a loss. He said he believes that all enterprise funds should stand on their own. If they are being subsidized, that should be clearly noted. He said his understanding is that every enterprise fund right now is standing on its own 100 percent.

CM Whatcott said the other enterprise funds are water, secondary water, sanitation, recycling, and Mulligans. The community center is a special revenue fund. He said the rec center does not bill for water currently. The funds are set up, as required by law.

Councilman Barnes said he feels this Resolution will help the Utah Golf Alliance with their task. Councilman Shelton concurred.

Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

N. **Action Item: Resolution R2014-84**, approving the appointment of Councilman Mark Seethaler and City Manager Gary L. Whatcott to the Audit Committee. *(By Mayor Alvord)*

Mayor Alvord said Councilman Newton will no longer serve on the audit committee, and Councilman Seethaler will serve in his place. He, as Mayor, will retain his seat.

Councilman Newton asked why are they appointing CM Whatcott? He is already a de facto member. CM Whatcott said when the Resolution was passed, it listed former CM John Geilmann as the member to serve on the audit committee.

Councilman Barnes asked if they should have a resident serve on this committee? Councilman Newton said it is not needed for this committee. Councilman Rogers said this committee makes recommendations to an outside auditor.

Councilman Barnes made a motion to approve Resolution R2014-84. Councilman Rogers seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

O. **Action Item: Resolution R2014-81**, appropriating \$40,000 from the Park Impact Fee Fund Balance for the Bingham Creek trail and Transferring \$25,000 from the 11400 S. 4000 W. Project to fund a wall placement on 4800 W. 10200 S. and the approval to move forward on these projects and to move forward on the budgeted Public Works Storage Mezzanine Project. *(By Development Services Director, Brad Klavano)*

Development Services Director Klavano reviewed the background information on this item.

Mayor Alvord asked about the total cost of the Mezzanine project? Mr. Klavano said it is budgeted at \$50,000.

Councilman Barnes asked what is the project at 11400 South 4000 West? Mr. Klavano said it is on the northeast corner. They are installing dual left turn lanes and widening the curb and gutter to the north, adding an additional lane and moving the traffic signal. They are not widening 4000 West on the north side.

Councilman Shelton made a motion to approve Resolution R2014-81. Councilman Newton seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

P. Action Item: Resolution R2014-83, adopting City Wide Policy 200-12 for Travel-related Fringe Benefits. *(By COS, Paul Cunningham)*

COS Cunningham reviewed the background information on this item. When an employee rents a car, the city requires liability insurance. They have to get that coverage from the rental car agency.

Councilman Shelton made a motion to approve Resolution R2014-83. Councilman Rogers seconded the motion. Roll call vote. The vote was 4-0 in favor. Councilman Seethaler was absent.

Q. Reports and Comments: *(Mayor, City Council, City Manager, and other)*

Mayor Alvord said he recommended against doing the school feasibility study. He said he was wrong because the result was the memorandum of understanding with the School District.

1. Regarding the 5 year plan, they are looking at the school needs in the next 5 years.
2. Mayor participation in the school board meetings has been realized.
3. The evaluation of real district property is a confidential document that he has seen. He said the total value of the real district property is less than \$20 million. That is land not currently considered for a school site.
4. Facility design and construction methods – he said Mayor Applegarth will be serving on this committee. He has background in building/construction.
5. Legal counsel. He said they are moving forward. It will be good for the School District. Fewer mistakes will be made.
6. The school board wants a legislative meeting on Jan 13th. Senator Osmond is working on an equalization bill. The City Council discussed Councilman Seethaler attending that meeting. Councilman Barnes expressed a desire to attend as well. It was noted that Senator Osmond has agreed to sponsor legislation to correct a truth in taxation issue as a result of the school district split. There is some question if a truth in taxation hearing is needed. Mr. Tingey said that issue was discussed at tonight's town hall meeting. It was also discussed with Senator Howard Stephenson.

Mr. Tingey said a number of options were discussed at today's meeting regarding the 5 year plan for schools. Most of the discussion was centered around a plan that had 5 schools proposed, 1 elementary and 1 middle school in South Jordan. They are working to get the final document

done by October 30th. They discussed putting together a bond schedule so they can equalize the bond payment impact over the next 20 years. It was noted that the school district will see a significant bond payment reduction in 2020. That might be a time to do an increase because there would be less impact felt.

He said the property is already acquired for the schools on the 5 year plan. They have a list and a schedule for building the schools. He has a copy of the list that he can send to the City Council. It will be put in the formal document that is due October 30th.

Mr. Tingey said there was some general discussion about the impact of charter schools in the school district. Mayor Alvord said by law, they have to be able to house all of the students in their boundaries. There is a reluctance on the part of the school board to consider the vacancies that the charter schools are creating.

Councilman Barnes noted legislation that was recently passed where the charter school gives preferential treatment to the neighborhood kids. He said for the Montessori school in his neighborhood, they don't have to provide seats at Daybreak Elementary. They can have those vacancies anywhere in the School District.

Councilman Barnes said he recently met with the Youth Council. They discussed Mulligans because the students felt it was a big issue. Only 1 student felt that Mulligans should be sold. Ms. Lyman, the Youth Mayor, spoke tonight in public comment regarding Mulligans.

Councilman Barnes said the Mosquito Abatement District feel that the west Nile virus case in the District is an enigma. They are unsure how it happened.

Councilman Shelton said he attended the meetings for the Utah League of Cities and Towns Conference. He discussed some of the breakout sessions.

Mayor Alvord said he was invited to do a presentation on Mulligans at a local law school. He did a power point presentation outlining reasons for and against development. That presentation was recorded on film. He intends to post the presentation on social media. He encouraged the Council to view the video. They can use it as a tool if they feel it is objective and informative enough. It could be posted to the city's website, or used as part of a public meeting to give voters information. He said he tried to remain objective. IT Director Day said they could put the video on the City Council's share file.

Development Services Director Klavano discussed a joint meeting on October 14, 2014 with the Planning Commission to discuss some land use items. It is scheduled for 8 pm, right after the Planning Commission meeting ends. Mayor Alvord indicated that he would be at a school board meeting.

CM Whatcott said the Jordan Heights HOA has contacted the city and wants the city to take over the open space and parks. Philosophically, past City Councils have not wanted to do that. The neighborhood wants to disband the HOA.

Councilman Rogers recommended that they put this issue on a work session agenda. He said they can look at creating a special service district and contract for maintenance of the property.

CM Whatcott said more and more HOA's are becoming problematic. They may need to look at their options for doing neighborhoods differently in the future. He said they will schedule a work session discussion. Mayor Alvord said he has had a request on how to make a neighborhood an HOA.

CM Whatcott said many times neighborhoods are developed with special privileges or zoning requirements, and then they want to take away the HOA on the backend. Councilman Rogers said almost every HOA wants the city to take over their park.

Councilman Newton said they can tell people that if a park doesn't fit into the city's plans, they may rezone the property and make it homes.

The City Council discussed an upcoming social activity. The October date is problematic. Mayor Alvord said he would propose a November date in the future.

ADJOURNMENT

The September 16, 2014 City Council meeting adjourned at 10:11 p.m.

This is a true and correct copy of the September 16, 2014 City Council minutes, which were approved on October 7, 2014.

Anna M. West
South Jordan City Recorder

SOUTH JORDAN CITY
City Council Meeting
September 16, 2014
6:00 P.M.

**ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS**

PRINT NAME	PRINT ADDRESS
Tish Bunker	10300 Riverwalk Dr
James Bonnemort	436 W. Otterbrook Dr.
SAL Jansson	9740 Amberwood Cir
Zach Zvalten	11353 Carrie Rim Circle
Michelle Figueroa	10645 S 1300W
Mary Dodge	8349 Rockway Ash Briar Lane
Kenzie Evans	11721 south 1220w.
Jennifer Simpson	11238 So. 2515 W.
Julie Evans	11721 So. 1220w.
Nate Sedge	873 W 10375
BARRY W PRAH	40323 VENENZA HILL Wy.
Cynthia Cox	9973 S Florence Way ST
Deann Kaufman	10293 S Jordan Creek Dr
Rulon Dutton	4700 Daybreak. Pkwy.
Tony Benjamin	11756 Gold Dust Dr.
Conner Benjamin	11756 Gold Dust Dr.
Kepla & Valerie Bandmann	1512 W 920 S, Springville, UT
Kayla Lyman	2702 W. 9760s
MAX YOUNG	919 W 10550 S D
Robert & Sharon Lloyd	9661 S Iron Gate
Krystal Hansen	1431 Heather Downs Dr.
Chris Noble	5062 Woodridge @
Don Simon	2510 Horse Slows St. R.
Scott Brown	Salt Lake Community College

Attachment B
9-16-14 C.C. Mtg.

Housing Study

South Jordan City

City Council
September 16, 2014

Housing Study Scope

City

- Update 2010 General Plan
- Guide housing policies
- Inform uses of RDA housing funds

State (Affordability)

- Utah Code

“a reasonable opportunity for a variety of housing, including moderate income housing: to meet the needs of people desiring to live there; and to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life...” (10-9a-403)

- Olene Walker Housing Fund

Federal (Discrimination)

- Fair Housing Act

“eliminating racial and ethnic segregation, illegal physical and other barriers to persons with disabilities and other discriminatory practices in housing.” (Fair Housing Planning Guide, Vol. 1, pg.1-1)

Housing Study Analysis & Outline

- Current Population and Demographics
- Current Housing Stock and Inventory
- Population and Household Projections
- Current Affordable Housing Availability and Need
- Current and Projecting Housing Needs for Special Needs Groups
- Affordable Housing Forecasts
- Housing Quality and Conditions
- Regulatory Environment
- Compliance with Housing Laws and Guidelines
- Goals and Recommendations
- Available Financial Tools and Mechanisms
- Summary of: Fair Housing Equity Assessments, Analysis of Impediments, HUD Compliance Review

Existing Population

Population Assumptions	
2013 Base Dwelling Units	17,396 Assessor's Office
Household Size	3.74 in 2013 ACS 2012
Occupancy Rate	94.1% of All Units ACS 2012
2013 Occupied Households	16,365
2013 Population	61,205
2024 Occupied Households	25,650
2024 Population	91,607

Housing Affordability

Affordable Housing = housing costs which do not exceed 30 of gross monthly income

Household Income Range	Home Price Range					
	4 Percent Mortgage		5 Percent Mortgage		6 Percent Mortgage	
	Low	High	Low	High	Low	High
\$10,000 to \$14,999	\$0	\$24,048	\$0	\$21,870	\$0	\$19,947
\$15,000 to \$24,999	\$24,052	\$72,152	\$21,875	\$65,619	\$19,951	\$59,849
\$25,000 to \$34,999	\$72,157	\$120,257	\$65,624	\$109,369	\$59,853	\$99,752
\$35,000 to \$49,999	\$120,262	\$192,414	\$109,373	\$174,993	\$99,756	\$159,605
\$50,000 to \$74,999	\$192,419	\$312,677	\$174,997	\$284,366	\$159,609	\$259,361
\$75,000 to \$99,999	\$312,681	\$432,939	\$284,370	\$393,739	\$259,365	\$359,117
\$100,000 to \$149,999	\$432,943	\$673,463	\$393,743	\$612,485	\$359,121	\$558,629
\$150,000 to \$199,999	\$673,467	\$913,987	\$612,489	\$831,231	\$558,633	\$758,140
\$200,000 or more	\$913,992		\$831,235		\$758,144	

Utility assumptions: \$150 for multi-family rental, \$250 for purchased home.

Current Stock – SFR, Condo, Townhome

Household Income Range	# of Households in Income Range	Affordable Home Price Range (4% Mortgage)	# of Properties in Value Range
\$10,000 or less	172	\$0	0
\$10,000 to \$14,999	242	\$0 - \$24,048	3
\$15,000 to \$24,999	592	\$24,052 - \$72,152	2
\$25,000 to \$34,999	558	\$72,157 - \$120,257	40
\$35,000 to \$49,999	1,555	\$120,262 - \$192,414	2,018
\$50,000 to \$74,999	3,527	\$192,419 - \$312,677	8,347
\$75,000 to \$99,999	2,859	\$312,681 - \$432,939	4,056
\$100,000 to \$149,999	3,986	\$432,943 - \$673,463	1,044
\$150,000 to \$199,999	1,762	\$673,467 - \$913,987	43
\$200,000 or more	867	\$913,992 or more	26

Source: ZBPF, Salt Lake County Assessor, ACS 2010-2012

Monthly Rental Rates – Available Multi-Family Rental

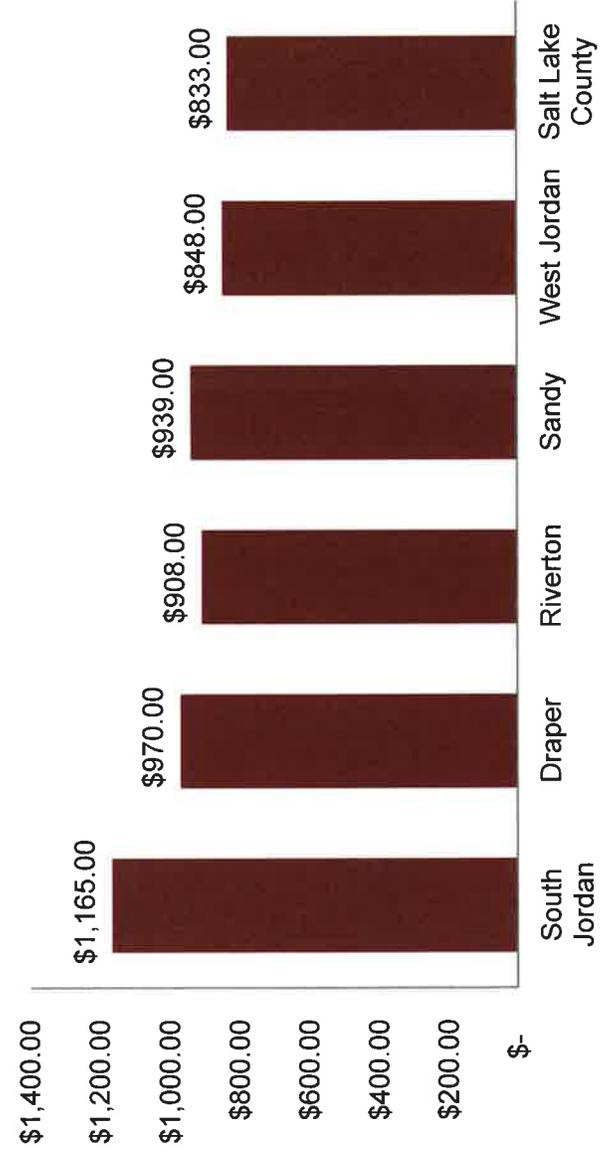
Household Income	Low	High	Units
\$10,000 to \$14,999	\$0	\$225	0
\$15,000 to \$24,999	\$225	\$475	0
\$25,000 to \$34,999	\$475	\$725	0
\$35,000 to \$49,999	\$725	\$1,100	1,052
\$50,000 to \$74,999	\$1,100	\$1,725	761
\$75,000 to \$99,999	\$1,725	\$2,350	0
\$100,000 to \$149,999	\$2,350	\$3,600	0
\$150,000 to \$199,999	\$3,600	\$4,850	0
\$200,000 or more	\$4,850	-	0

Source: ZBPF

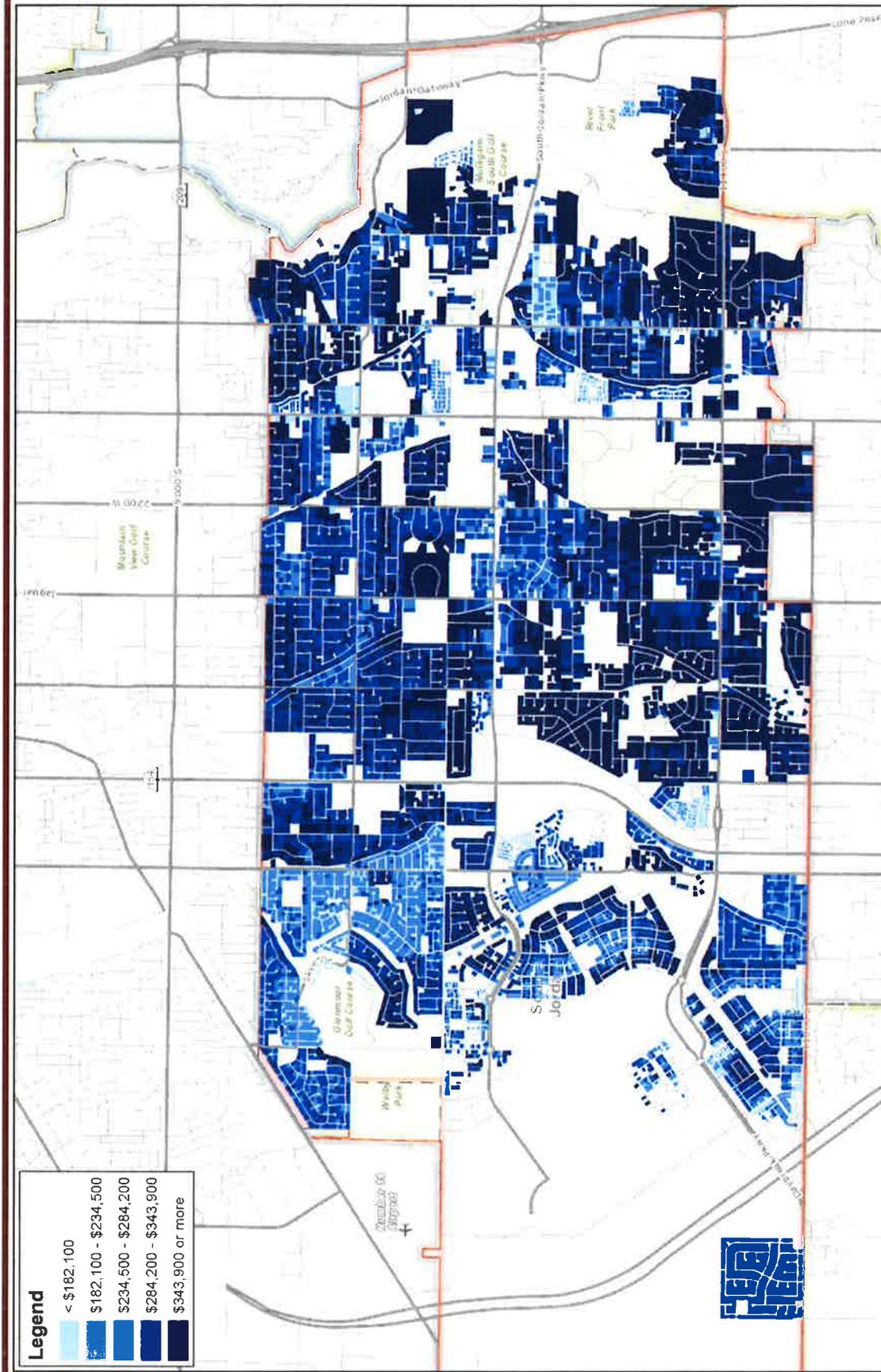
Rental Rates – Available Multi-Family Rental

	South Jordan	Draper	Herriman	Riverton	Sandy	West Jordan	Salt Lake County
Average Rent – Mid 2013	\$1,165	\$970	NA	\$908	\$939	\$848	\$833
Average Rent/Square Foot	\$1.10	\$1.02	NA	\$0.87	\$1.06	\$0.93	\$0.96

Source: Equimark Multi-Family Report – July 2013



Market Value – by Parcel



Source: Salt Lake County Assessor



Moderate Income Housing

**Moderate Income = household income below
80% of the area median income**

FY2014 HUD Area Median Income (AMI): \$68,700

Moderate Income (80%) = \$54,960

Total Housing Units	17,396
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Moderate Income Housing Units

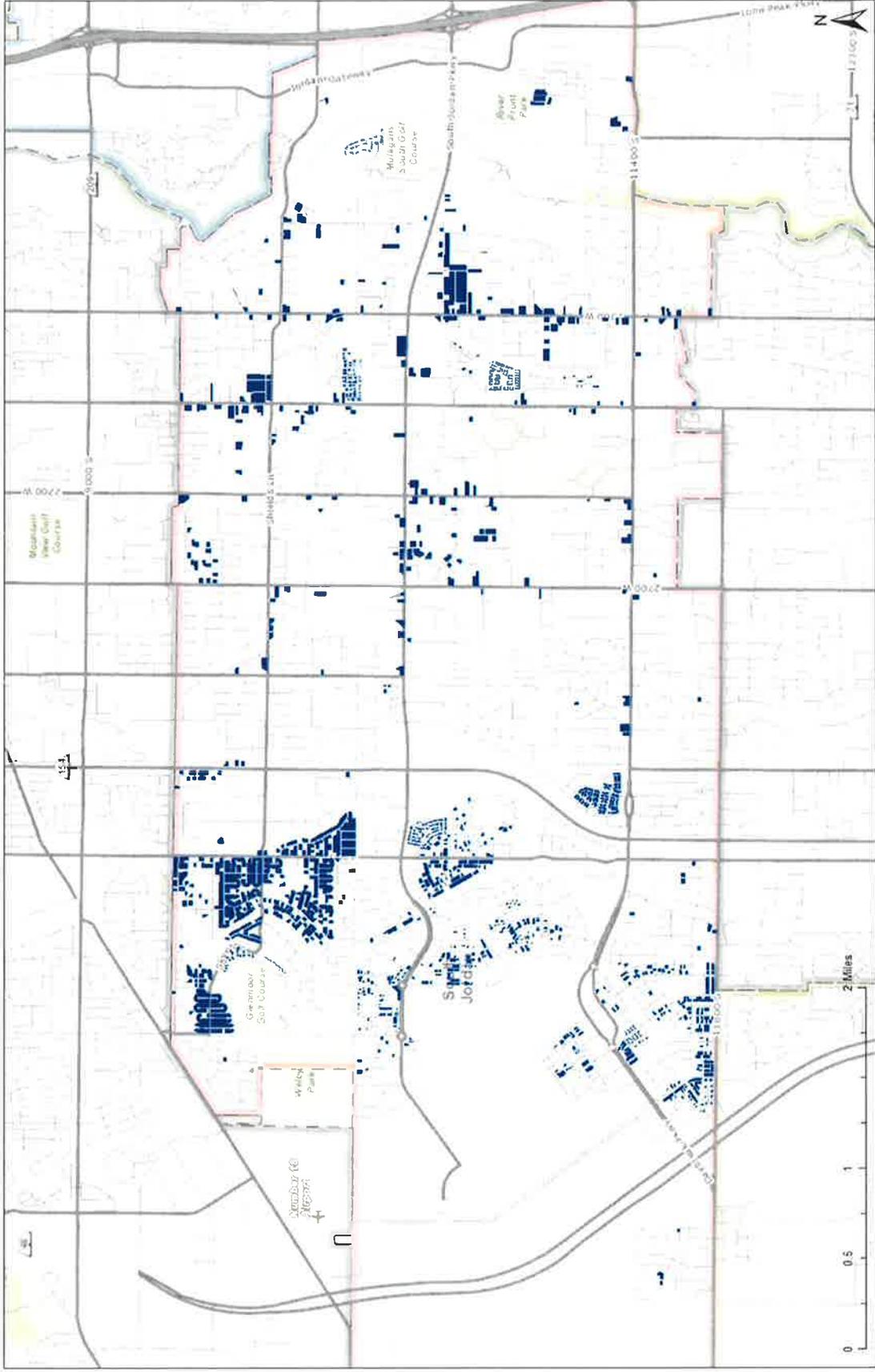
SFR/Condo/PUD/Duplex Units	3,710
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Multi-Family Units	1,547
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Total Affordable Units	5,257
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Percent Affordable at 80% AMI	30.2%
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Units Affordable to Purchase at 80% AMI



Source: Salt Lake County Assessor



Low-Moderate Income Levels

FY2014 HUD Area Median Income (AMI): \$68,700

	30% of AMI "Very Low"	50% of AMI "Low"	80% of AMI "Moderate"
Targeted Income Group Thresholds	\$20,610	\$34,350	\$54,960

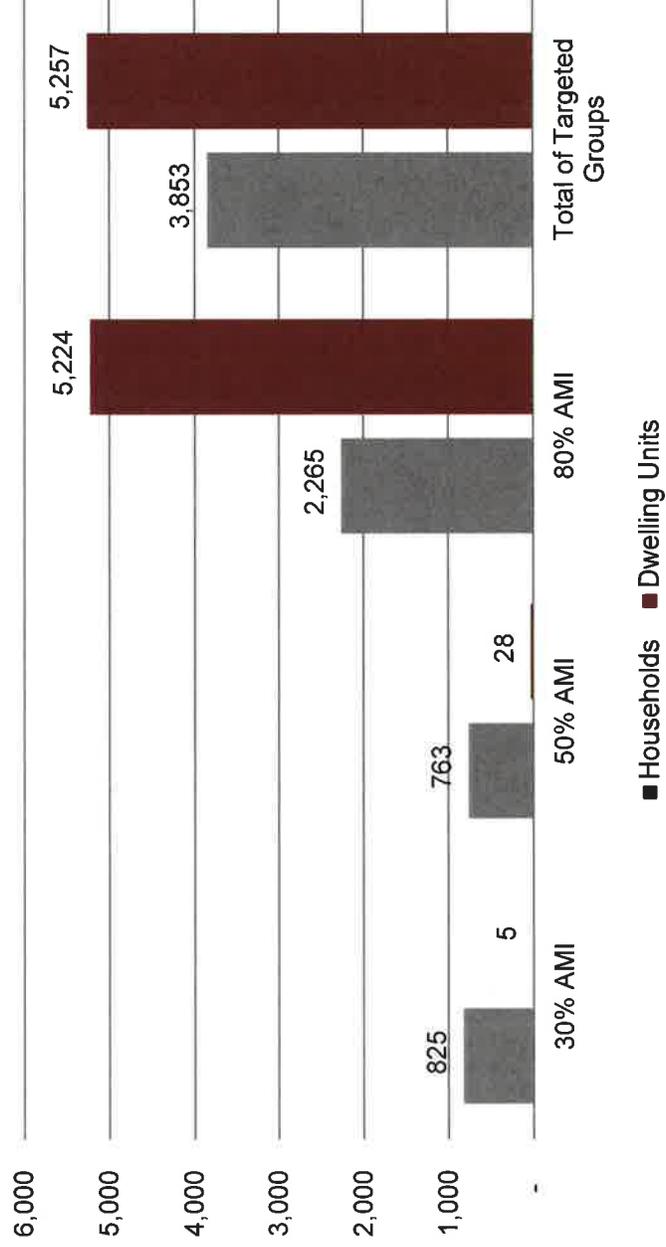
	30% of AMI	50% of AMI	80% of AMI
Monthly Housing Allowance (including utilities)	\$515	\$858	\$1,374
Monthly Housing Payment Allowance (\$150 in utilities)	\$365	\$708	\$1,224

Affordability Summary

	< 30% of AMI	30% to 50% of AMI	50% to 80% of AMI	Total
Income Range	< \$20,610	\$20,610 - \$34,350	\$34,350 - \$54,960	-
Monthly Housing Allowance (Less Utilities)	\$365	\$708	\$1,224	-
Affordable Home Price Range (4% Mortgage)	\$0 - \$51,039	\$51,039 - \$117,135	\$117,135 - \$216,279	-
Number of SJ Households/ Number of Units Needed by Income Group	825	763	2,265	3,853
Number of Affordable SJ SFR/Condo/TH units (Regardless of Current Rental Status)	5	28	3,677	3,710
Number of Affordable SJ Multi-Family Rental Units (Includes Centrally-Rented TH Complexes)	None	None	1,547	1,547
Total Existing Supply	5	28	5,224	5,257
Number of Units Needed for Current South Jordan Households	815	735	2,959 Excess	1,404 Excess

Affordability Summary

Existing Housing Stock Compared to Households in Targeted Income Groups – South Jordan



80% LMI Demand Countywide

43.1 percent of households in Salt Lake County make less than \$50,000, compared to 19.4 percent of households in South Jordan.

Income Category	South Jordan	South Jordan Cumulative	Salt Lake County	Salt Lake County Cumulative
Less than \$10,000	1.10%	1.10%	5.40%	5.40%
\$10,000 to \$14,999	1.50%	2.60%	4.20%	9.60%
\$15,000 to \$24,999	3.70%	6.30%	9.40%	19.00%
\$25,000 to \$34,999	3.50%	9.80%	9.60%	28.60%
\$35,000 to \$49,999	9.60%	19.40%	14.50%	43.10%
\$50,000 to \$74,999	21.90%	41.30%	22.00%	65.10%
\$75,000 to \$99,999	17.70%	59.00%	13.90%	79.00%
\$100,000 to \$149,000	24.70%	83.70%	13.60%	92.60%
\$150,000 to \$199,999	10.90%	94.60%	4.00%	96.60%
\$200,000 or more	5.40%	100.00%	3.40%	100.00%

Source: ACS 2010-2012



Affordability Summary – County-wide Perspective

State Code – reasonable opportunity for people desiring to live there – more regional

	< 30% of AMI	30% to 50% of AMI	50% to 80% of AMI	Total
Number of South Jordan Households	825	763	2,265	3,853
SJ Proportionate Ratio Based on County-Wide Income Distribution	2,281	2,318	2,919	7,518
Difference Between County Proportion and South Jordan Actual Households	1,456	1,555	654	3,665
Total Affordable Units in SJ	5	28	5,224	5,257
Units that would meet County Proportions	2,276	2,290	2,305 Excess	2,261

Housing Study Goals and Recommendations

Goal 1: Encourage Development of Affordable Housing, Focusing at Transit Sites and Significant Transportation Corridors

- *Responsible Parties:* City Administration, Community Development, Planning Department and Planning Commission, Redevelopment Agency, Daybreak developers
- *Timeline:* 1-10 years

Action Items:

1. Identify TOD Sites and create CDAs at each site if needed. The map below (see document) identifies transit sites in and near the City and the areas that could foster TODs. The two TRAX stops in the northwest of the City are not currently in RDA zones.
2. Identify affordable housing development sites along major transportation corridors with access to current bus routes.
3. Provide financial assistance and tools to developers to encourage affordable housing at TOD sites, when appropriate. Using the mechanisms detailed in this study, partner with multi-family developers to reduce development costs or incentivize builders to provide affordable units.
4. Engage community partners in attracting affordable development.
5. Assist low-income families to purchase affordable units at TOD or bus route sites through a revolving loan fund with down-payment assistance and interest rate buy-downs (or deferred payment loans).
6. Waive fees to reduce construction and maintenance costs, allowing lower rental fees to be more feasible.

Housing Study Goals and Recommendations

Goal 2: Encourage Energy Efficient Housing that Reduces Resident Costs

- *Responsible Parties:* City Planning and Planning Commission, Community Development, Developers
- *Timeline:* 1-15 years

Action Items:

1. Provide incentives for green building, such as grants or loan assistance, to builders and developers on affordable housing projects.
2. Educate homebuilders on federal and state tax credits for energy efficient building.
3. Provide zero interest deferred payment loans for down payments to low-income households seeking an efficient home.
4. Provide loans to multi-family developments to install green features, such as water saving features or solar panels. These developments can use these features as a marketing tool and use the saved energy costs to pay back the loan.
5. Waive City fees in return for using green building practices.

Housing Study Goals and Recommendations

Goal 3: Support Housing Needs for Special Needs Residents

- *Responsible Parties:* City Planning, City Council, Community Development
- *Timeline:* Ongoing

Action Items:

1. Maintain CDBG grants to special needs agencies, such as South Valley Sanctuary and ASSIST.
2. Become involved with the County's HOME Consortium.
3. Continue to encourage the development of affordable senior housing, especially as this is a fast growing population in the City with high needs for affordable housing.
4. If a revolving loan fund is developed with RDA funds, include provisions for disability housing and accessibility modifications.

Housing Study Goals and Recommendations

Goal 4: Eliminate Barriers to Affordable and Fair Housing

- *Responsible Parties:* City Administration, City Council, Planning Department, Community Development, Disability Law Center
- *Timeline:* 1-15 years

Action Items:

1. Review zoning ordinances to re-examine role of mixed-use and high-density zoning in the City.
2. Examine low-density affordable options and availability, including voucher programs and other possible uses of RDA funding.
3. Provide translation services for City housing assistance and public notices, in addition to special needs accommodations.
4. Provide housing education to low income and protected class families.
5. Use RDA funds to provide advocacy and assistance to minority families to reduce denial rates.
6. Cooperate with regional partners in addressing discrimination issues.
7. Provide education to landlords regarding fair housing laws and regulations, especially for single-family and accessory rental units.

Housing Study Goals and Recommendations

Goal 5: Work with UTA to Improve and Increase Bus Routes

- *Responsible Parties:* City Planning, Administration, and Community Development Departments, UTA
- *Timeline:* 1-5 years

Action Items:

1. Work with UTA to add more bus routes, especially between TRAX and FrontRunner.
2. Work with UTA to promote access to commercial and residential nodes.
3. Work with UTA to continue to develop the Circulator study and system.



Housing Study Goals and Recommendations

Goal 6: Maintain Existing Housing Stock Appeal and Quality

- *Responsible Parties:* City Planning, Public Works, Code Enforcement, Residents
- *Timeline:* Continuous

Action Items:

1. Maintain design and maintenance standards outlined in the General Plan
2. Ensure new development is cohesive and integrative to its community

Attachment C
9-16-14 C.C. Mtg.

2013 CAPER: CDBG YEAR-END REPORT

City Council
Sept. 16,
2014

**GOAL: SUPPORT HOMELESS
PREVENTION, SHELTER, AND SERVICES**

PROJECTS ALLOCATED EXPENDED

- **Road Home \$5,500 \$5,500**
- **23 individuals (713 shelter stays)**

GOAL: SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE

PROJECTS	ALLOCATED	EXPENDED
■ South Valley Sanc.	\$5,500	\$5,500
✦ 9 individuals (does not include hotline assistance)		
■ Legal Aid Society	\$3,500	\$3,500
✦ 26 individuals (approx. 50 dependent minors)		

GOAL: ADDRESS NEEDS OF ABUSED AND NEGLECTED CHILDREN AND SPECIAL NEEDS POPULATIONS

PROJECTS	ALLOCATED	EXPENDED
■ Family Support Cent.	\$5,500	\$5,500
■ 14 individuals (124 hrs child care, 54 hrs therapy)		
■ Big Bro./Big Sis.	\$2,500	\$2,500
■ 3 individuals (5 ongoing individuals)		
■ Salt Lake CAP	\$2,646	\$2,646
■ 160 individuals (40% receive multiple orders)		

GOAL: PROVIDE TRANSPORTATION SERVICES FOR SENIORS

PROJECTS	ALLOCATED	EXPENDED
■ (no 2013 project)	\$0	\$0

GOAL: MAINTAIN EXISTING HOUSING STOCK

PROJECTS	ALLOCATED	EXPENDED
■ Assist	\$5,000	\$4,841
■ 4 households (plumbing, roof repair, accessibility)		
■ Valley Services	\$3,500	\$0

GOAL: INCREASE AFFORDABLE HOUSING

PROJECTS	ALLOCATED	EXPENDED
■ (no 2013 project)	\$0	\$0
■ (4 ALU's, 60-The Gardens, increased housing diversity)		

GOAL: IMPROVE PUBLIC FACILITIES USED BY SENIORS

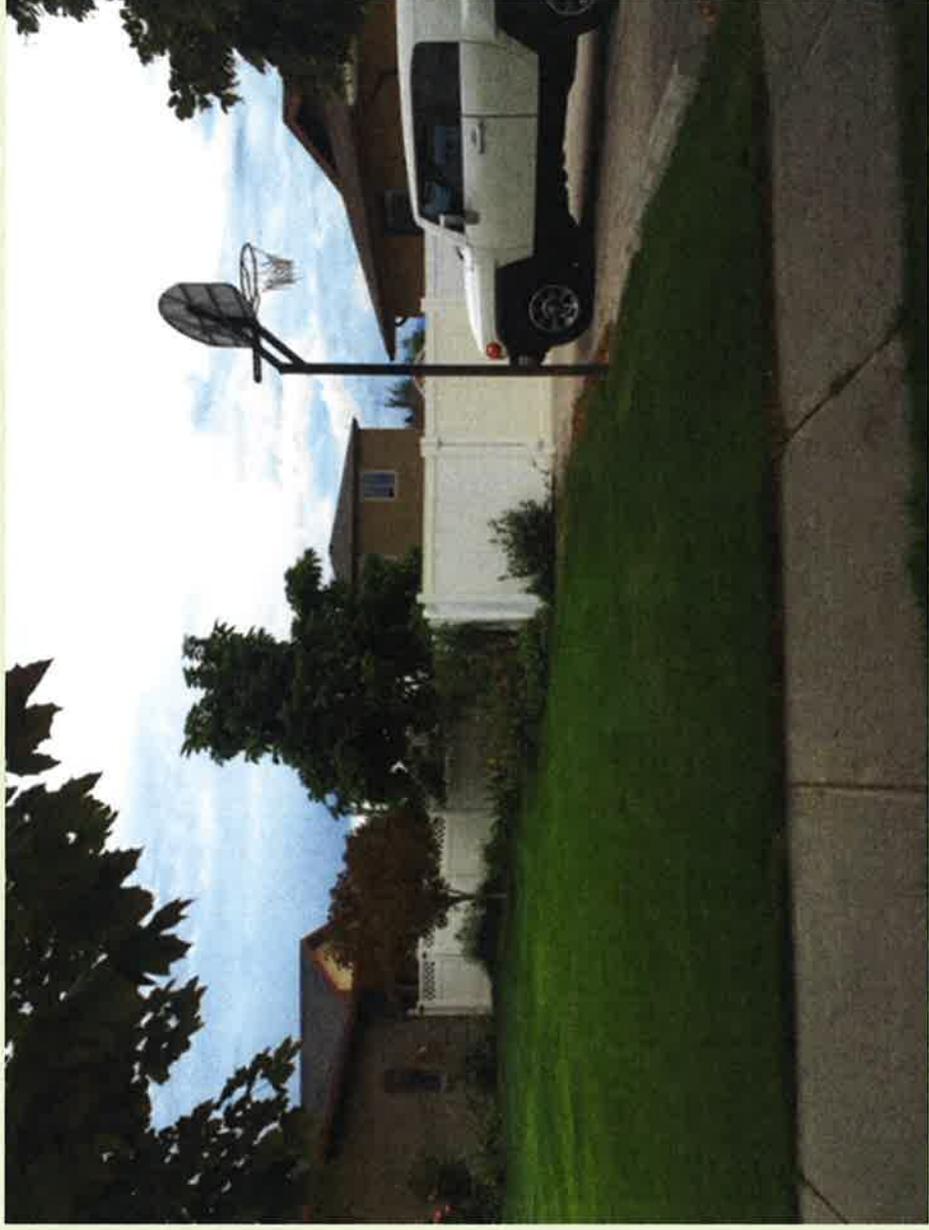
PROJECTS	ALLOCATED	EXPENDED
■ Senior Center	\$75,200	\$28,495
■ walkway (ADA & heat tape), HVAC controls, electrical upgrades		

SUMMARY

CATEGORY	ALLOCATED	EXPENDED	% of TOTAL
Public Services (15% cap)	\$25,146	\$25,146	15.0%
Housing	\$8,500	\$4,841	2.9%
Public Facilities	\$104,500	\$64,278	38.3%
Administration (20% cap)	\$29,500	\$23,386	14.5%
TOTAL	\$167,646	\$117,651	70.2%

Attachment D
9-16-14 C.C. Mtg.

ZONE TEXT AMENDMENT: ACCESSORY BUILDING REGULATIONS



PROPOSED REVISIONS: HEIGHT

Current Requirement

- Staff review
- A-5, A-1: 35'
- All other zones: 25'

Proposed Revisions

- Planning Commission approval required if height exceeds house.
- Notice to include 300' and all owners in subdivision.
- In no case shall height exceed 25'.

PROPOSED REVISIONS: FOOTPRINT

Current Requirement

- Staff review
- Allowed Footprint:
 - A-5: not specified
 - A-1: 5,000 s.f. (over 5,000 s.f with CUP)
 - R-1.8, R-3, R-4, R-5, R-M: not to exceed house
 - R-2.5: not to exceed 60% of house

Proposed Revisions

- Planning Commission approval required when footprint exceeds 80% of house.
 - Exception: footprint in A-5, A-1, & R-1.8 allowed to match house.
- Notice to include 300' and all owners in subdivision.
- In no case shall footprint exceed house.

PROPOSED REVISIONS: SETBACKS

Current Requirement

- In a side yard: side setback same as house (10').
- In a rear yard: 3' to properly line, additional 1' for every foot the structure exceeds 16' tall .
(12' for a 25' tall building)

Proposed Revisions

- 20' to habitable space above the ground floor.
- When adjacent to right of way: 3' to property line, additional 2' for every foot the structure exceeds 16' tall.

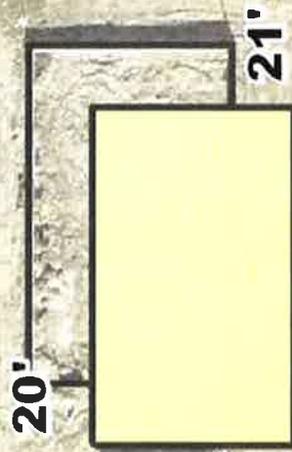
EXAMPLE: WENZEL ACCESSORY BUILDING



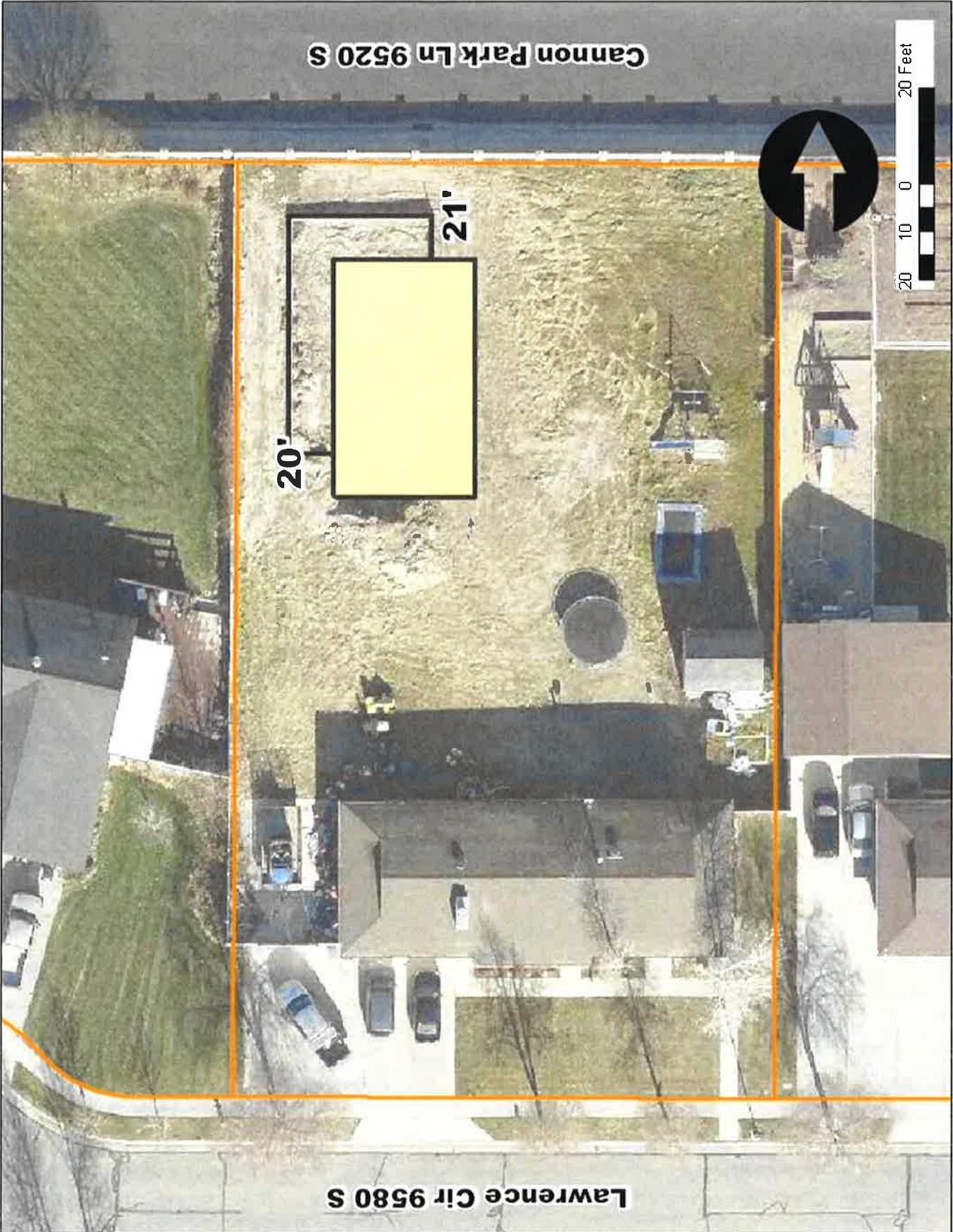


Cannon Park Ln 9520 S

20 Feet
0 10 20



Lawrence Cir 9580 S



PROPOSED REVISIONS: HOME OCCUPATION

Current Requirement

- Not allowed.

Proposed Revisions

- Home occupation may be conducted in an enclosed and properly permitted accessory building.

PROPOSED REVISIONS: MISCELLANEOUS STAFF PROPOSALS

- Under 8' tall in a side yard: allowed to be 3' from property line.
- Distance between structures: 5' rather than 6'.
- Permitted use changed from "Residential Accessory Buildings" to "Accessory Buildings".
- "Community Development Department" references changed to "Development Services Department."
- Home Occupations allowed to occupy an area of not more than 35% of the floor area of the main building, and not to exceed 1,000 s.f. Currently restricted to 800 s.f.
- Removal of restriction against street side garages on a corner lot.
- Removal of the automatic denial for a home occupation due to a received objection.



Lawrence Cir 9580 S

20'

Current: 20'-10'-6"=4'
Proposed: 20'-3'-5"=12'

Cannon Park Ln 9520 S



