THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, JULY 12, 2016, PURSUANT TO ADJOURNMENT ON TUESDAY, JUNE 28, 2016, AT THE HOUR OF [4:04:43 PM](ftr://?location=&quot;Default&nbsp;Location&nbsp;name&quot;?date=&quot;12-Jul-2016&quot;?position=&quot;16:04:43&quot;?Data=&quot;42b4b956&quot;), AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1-110, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS

PRESENT: JENNIFER WILSON

RICHARD SNELGROVE

JIM BRADLEY

ARLYN BRADSHAW

MICHAEL JENSEN

AIMEE WINDER NEWTON

SAM GRANATO

STEVEN DEBRY

MAX BURDICK, Chair

OTHERS IN ATTENDANCE: SIM GILL, DISTRICT ATTORNEY

COUNCIL MEETING

By: RENA BECKSTEAD, DEPUTY DISTRICT ATTORNEY

PLANNING & ZONING

By: CHRIS PRESTON, DEPUTY DISTRICT ATTORNEY

JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE

SHERRIE SWENSEN, COUNTY CLERK

By: NICHOLE WATT & LINDA DUFFY, DEPUTY CLERKS

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Council Member Burdick, Chair, presided.

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**Mr. Jeff Silvestrini** led the Pledge of Allegiance to the Flag of the United States of America.

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Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the minutes of the Salt Lake County Council meeting held on Tuesday, June 21, 2016. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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**Ms. Alexandra Eframo** spoke under “Citizen Public Input” regarding the shooting deaths of police officers in Dallas and suggested a “Day of Trust” between police and the citizenry.

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**Mr. Richard Mingo** spoke under “Citizen Public Input” regarding a proposed street lighting project for his street. Residents have put in countless hours of planning for street lights, but the County made its own plans and did not inform the neighbors or get input from them. He asked the Council to put the project on hold and contact individual property owners to get feedback.

**Council Member Burdick** stated that Rick Graham, Township & Metro Services Executive, would be available shortly to meet with Mr. Mingo to address the street lighting issue.

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**Ms. Barbara Cameron** spoke under “Citizen Public Input” thanking the Council for considering the ride-sharing proposal in the Cottonwood Canyons. Some recent developments might be an incentive to proceed with the ride-sharing. The federal designation is expected to bring more visitors to canyons already overloaded on summer parking and restrooms. Also, the U.S. Forest Service is considering charging a fee to use campgrounds within the canyons.

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Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the reappointment of **Melissa Hall** as a member of the Career Services Council to serve a three-year term. Her term began July 1, 2016, and will end June 30, 2019.

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Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the appointment of **Kelly Johnson** as a member of the Clark Planetarium board to serve a three-year term. His term began April 1, 2016, and will end March 31, 2019.

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Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the appointment of **Blake Thomas** as a member of the Economic Development Revolving Loan Fund to serve a three-year term. His term began June 22, 2016, and will end June 21, 2019.

Council Member Jensen, seconded by Council Member DeBry, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Jensen, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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**Council Member DeBry** spoke under “Report of Council Members” regarding the passing of long-time Salt Lake Constable Terry Rossiter and the shooting deaths of police officers in Dallas. The Dallas incident was an assault on the institution of law and order in this country. The Salt Lake community has shown an outpouring of compassion for local police officers.

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**Council Member Wilson** spoke under “Report of Council Members” regarding the shooting deaths of police officers in Dallas. Salt Lake is a very safe community and a great place to raise a family. She thanked Council Members Jensen and DeBry, and all of law enforcement for creating such an environment.

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The Council reviewed a request by the District Attorney’s Office to reconcile its FTE count in BRASS.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Jensen, moved to approve the request and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mr. Kevin Jacobs, County Assessor, submitted a letter recommending an increase of property taxes from $0 to $21,968.29 on the **Park at City Center** property identified as Parcel No. 27-12-433-001. Park at City Center bought this property from Sandy City on June 24, 2015, which changed the exemption from 100 percent to 19 percent.

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Mr. Kevin Jacobs, County Assessor, submitted a letter recommending an increase of property taxes from $0 to $4,228.70 on the **Brad Reynolds Construction** property identified as Parcel No. 27-34-102-006. Brad Reynolds Construction bought this property from the Jordan School District Board of Education on December 9, 2015, which changed the exemption from 100 percent to 2 percent.

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Mr. Kevin Jacobs, County Assessor, submitted a letter recommending that refunds be issued to the following taxpayers for overpayment of vehicle taxes:

Taxpayer Year Refund

**Tyson Draper** 2014 $ 50.00

2014 $ 10.00

2015 $ 10.00

2015 $ 10.00

**David W. Lane** 2015 $ 35.00

2015 $ 10.00

**Ricardo Medina** 2016 $110.00

**Phat Doan** 2015 $110.00

2016 $ 80.00

**Christopher Bentley** 2016 $ 50.00

2016 $110.00

**John H. Funke** 2016 $150.00

**Nicholas B. Hope** 2016 $ 50.00

2016 $ 10.00

**Billy S. Thomas** 2016 $150.00

2016 $ 20.00

**Douglas Sorensen** 2016 $ 10.00

**Dean Young** 2016 $150.00

**Lauren Ahles** 2016 $153.00

**Debra A. Aldrich** 2016 $113.00

**Capitol Industries** 2016 $ 13.00

**Calvin Ho** 2016 $ 53.00

**Melanie Young** 2016 $153.00

**Lynanne Cossey** 2016 $ 13.00

**Robert L. Jacobs** 2016 $153.00

**Cheryl L. Torres** 2016 $153.00

**Teresa J. Vasques** 2016 $113.00

**David K. Krogh** 2015 $ 10.00

2016 $ 10.00

**Ronald L. McClery** 2015 $150.00

**Thomas A. Larochelle** 2016 $ 10.00

**Raymond J. Maynard** 2016 $ 10.00

2016 $ 20.00

2016 $ 65.00

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Mr. Scott Tingley, County Auditor, submitted a letter requesting that property identified as Parcel No. 32-21-100-037 be redeemed in the name of the record owner because the bidder was a lien holder and was acting as an agent of the record owner. He requested authorization to update records to reflect the redemption. The property was mistakenly included on a list of properties sold by granting bidder preference.

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Mr. Scott Tingley, County Auditor, submitted letters recommending reduction of taxes on the following properties, pursuant to an order of the Utah State Tax Commission. He also recommended that refunds in the amounts indicated, plus the appropriate interest, be issued to the taxpayers:

Taxpayer Parcel No. Year Reduction Refund

**Sego Daybreak** 27-19-179-028 2015 $ 718.51 to $ 681.70 $ 36.81

**Holmes Homes** 26-13-433-015 2015 $1,025.28 to $1,023.91 $ 1.37

**Kennecott Land** 26-13-128-012 2015 $1,405.67 to $1,228.42 $ 177.25

26-13-151-002 2015 $ 921.66 to $ 913.48 $ 8.18

26-13-151-009 2015 $ 921.66 to $ 913.48 $ 8.18

26-13-252-005 2015 $1,359.31 to $1,217.52 $ 141.79

26-13-193-001 2015 $ 921.66 to $ 913.48 $ 8.18

26-13-193-006 2015 $ 908.02 to $ 899.84 $ 8.18

26-13-193-008 2015 $ 815.31 to $ 749.87 $ 65.44

26-13-194-013 2015 $ 914.84 to $ 906.66 $ 8.18

26-13-276-049 2015 $ 815.31 to $ 749.87 $ 65.44

26-13-276-050 2015 $ 815.31 to $ 749.87 $ 65.44

26-13-106-001 2015 $1,227.06 to $1,192.98 $ 34.08

26-13-152-001 2015 $1,405.67 to $1,228.42 $ 177.24

26-13-183-001 2015 $1,227.06 to $1,192.98 $ 34.08

26-13-185-001 2015 $1,272.05 to $1,205.25 $ 66.80

26-13-185-002 2015 $1,272.05 to $1,205.25 $ 66.80

26-13-190-003 2015 $1,227.06 to $1,192.98 $ 34.08

26-13-191-003 2015 $1,227.06 to $1,192.98 $ 34.08

26-13-203-017 2015 $1,359.31 to $1,217.52 $ 141.79

26-13-203-019 2015 $1,359.31 to $1,217.52 $ 141.79

26-13-203-025 2015 $1,405.67 to $1,228.42 $ 177.25

26-13-251-010 2015 $1,315.68 to $1,192.98 $ 122.70

26-13-277-001 2015 $1,562.46 to $1,272.05 $ 290.41

26-13-277-002 2015 $1,460.20 to $1,240.69 $ 219.51

26-13-277-024 2015 $1,460.20 to $1,240.69 $ 219.51

26-13-279-014 2015 $1,708.34 to $1,312.95 $ 395.39

26-13-283-006 2015 $1,315.68 to $1,205.25 $ 110.43

**Gubler Girls Investments** 27-14-154-039 2015 $3,964.77 to $3,726.85 $ 237.92

**Lamont & Margaret Wardle** 28-22-253-007 2015 $2,962.47 to $2,625.88 $ 336.59

**Valley Leasing** 15-36-351-019 2015 $5,173.94 to $4,958.10 $ 215.84

15-36-351-059 2015 $5,911.28 to $4,893.50 $1,017.78

15-36-351-063 2015 $6,302.00 to $5,041.60 $1,260.40

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**Mr. Scott Tingley**, County Auditor, submitted letters recommending correction of the Assessment Roll for State Assessed properties (A & B Books) on the following properties pursuant to an order by the Utah State Tax Commission. He also recommended that a refund plus interest be issued:

Taxpayer Parcel No. Year Reduction Refund

**Alaska AirGroup** 91050610001300 2015 $ 692,506.99 to $ 530,094.24 $162,412.75

**Southwest Airlines** 91056030001300 2013 $1,158,944.21 to $1,254,240.79 $ 95,296.68

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Mr. Scott Tingley, County Auditor, submitted letters recommending reduction of taxes on the following properties, pursuant to an order of the Utah State Tax Commission. No payment has been made. He also recommended adjustment of penalties and interest accordingly:

Taxpayer Parcel No. Reduction

**Betty Dobb** 16-31-302-007 $ 893.00 to $ 852.69

**Kennecott Land Company** 26-13-254-003 $1,405.67 to $1,228.42

26-13-286-003 $1,272.05 to $1,199.79

26-13-194-008 $ 946.20 to $ 925.75

26-13-195-003 $ 914.84 to $ 908.02

26-13-195-006 $ 815.31 to $ 749.87

26-13-251-013 $1,359.31 to $1,217.52

26-13-251-017 $1,460.20 to $1,240.69

26-13-279-015 $1,405.67 to $1,228.42

26-13-279-019 $1,272.05 to $1,199.79

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Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the appeal filed by **Zally J. Lara** to rescind her 2016 May Tax Sale purchase of property identified as Parcel No. 15-10-451-081, due to a lack of proper notice. She also recommended that a refund in the amount of $20,500 without accrued interest be issued.

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Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the appeal filed by **Kuo-Ching Liao** to rescind his 2016 May Tax Sale purchase of property identified as Parcel No. 10-32-352-013, due to the lack of bidder preference. She also recommended that Daniel Smedley, the original purchaser, be refunded his purchase price of $3,000 without accrued interest, and the parcel be awarded to Mr. Liao.

Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the recommendations. The motion passed unanimously, authorizing the County Treasurer to effect the same, showing that all Council Members present voted “Aye.”

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Ms. Pam Roberts, Executive Director, Wasatch Front Waste & Recycling District, submitted a letter recommending approval of the following RESOLUTION amending Resolution No. 4670 adopted on November 20, 2012, relating to the Wasatch Front Waste and Recycling District. This amendment updates the membership of the District Board to reflect the impending incorporation of several new municipalities, updating service availability, updating the process related to imposing service fees, and making other technical changes.

RESOLUTION NO. 5100 DATE: JULY 12, 2016

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AMENDING RESOLUTION 4670, ADOPTED NOVEMBER 20, 2012, UPDATING THE MEMBERSHIP OF THE DISTRICT BOARD TO REFLECT THE IMPENDING INCORPORATION OF SEVERAL NEW MUNICIPALITIES; UPDATING SERVICE AVAILABILITY; UPDATING THE PROCESS RELATED TO IMPOSING SERVICE FEES; AND MAKING OTHER TECHNICAL CHANGES.

BE IT KNOWN AND REMEMBERED:

THAT, the County Council of Salt Lake County, State of Utah, met in regular session of the Council on the 12th day of July, 2016.

**WITNESS:**

WHEREAS, the County Commission of Salt Lake County on January 19, 1977, established a special service district known as Salt Lake County Special Service District No. 1 (“Sanitation District”) for the provision of garbage collection services in the unincorporated area of Salt Lake County; and

WHEREAS, the Salt Lake County Council on November 10, 2009, established an Administrative Control Board to govern the Sanitation District and appoint the members representing both Salt Lake County and the municipalities served by the Sanitation District; and

WHEREAS, on November 20, 2012, the County Council adopted Resolution No. 4670, attached hereto as Exhibit A, by which it delegated to the Administrative Control Board full governance of the functions and activities of the Sanitation District to the extent allowed by law; to provide that Sanitation District employees will no longer be employees of Salt Lake County, and that Sanitation District activities, operations and administration be the sole responsibility of the Sanitation District and the Administrative Control Board; and

WHEREAS, the Salt Lake County Council has found that it is in the best interests of the citizens of Salt Lake County, the municipalities which are included in the Sanitation District boundaries, and those property owners receiving services to make the Sanitation District independent from Salt Lake County to the extent allowed by law; and

WHEREAS, the Council desires to change the composition of the Administrative Control Board to recognize the impending incorporation of, and to provide representation on, the Board for Millcreek City, Copperton Metro Township, Emigration Canyon Metro Township, Kearns Metro Township, Magna Metro Township, and White City Metro Township, all of which will be incorporated municipalities as of January 1, 2017; and

WHEREAS, the Council desires to make changes to allow for the more efficient delivery of services to the citizens of the District and to make other technical changes to conform with state law and the efficient delivery of services; and

WHEREAS, it is the intent of the Council to amend Resolution No. 4670 to make the changes as set forth herein.

**RESOLUTION:**

NOW, THEREFORE, BE IT RESOLVED, the County Council of Salt Lake County, Utah, hereby adopts this Resolution with the amendments herein to be effective as of January 1, 2017, governing the powers, activities and responsibilities of the Sanitation District and providing for its independence from Salt Lake County as the Wasatch Front Waste and Recycling District (“District”).

1. INDEPENDENT DISTRICT—PRIOR RESOLUTIONS—NAME—LEGAL POWERS AND DUTIES.
   1. This Resolution updates, incorporates and supersedes any and all previous Salt Lake County Commission or Salt Lake County Council resolutions regarding the creation, powers or functions of the District and formally re-implements and re-creates the District as fully independent of Salt Lake County, especially regarding employees, administrative services and assets, to the extent allowed by law. The following Salt Lake County Resolutions are specifically incorporated into and superseded by this amended Resolution:

Resolution No. 399, January 19, 1977;

Resolution No. 1, August 1, 1977;

Resolution No. 1-96, September 30, 1996

Resolution No. 03-01, March 18, 2003;

Resolution No. 09-2, October 13, 2009;

Resolution No. 4345, November 10, 2009;

Resolution No. 4347, August 23, 2010; and

Resolution No. 4670, November 20, 2012.

* 1. Based on the foregoing, the effective dates of the creation and governance of the District are as follows, the District is considered created on January 19, 1977; the District’s Administrative Control Board is considered created effective January 1, 2010; and the District’s complete independence and separation from Salt Lake County government is considered effective January 1, 2013.
  2. The District shall be named the “Wasatch Front Waste and Recycling District.”
  3. The District shall exercise and be subject to all the rights, powers, duties, governance and responsibilities of a special service district under the provisions of Utah Code Ann. § 17D-1-101, *et seq.* and the Utah Constitution, Art. XI, sec. 7, and subject to those powers and limitations set out in state law.

1. DEFINITIONS.
   1. “District” shall mean the Wasatch Front Waste and Recycling District and, as appropriate, shall also refer to the area served and the officers, employees and agents of the District. “Sanitation District” shall mean Salt Lake County Special District No. 1 (Sanitation).
   2. “County” shall mean Salt Lake County, Utah, including its various departments, divisions, agencies, and employees.
   3. “Board” shall mean the Administrative Control Board of the District.
   4. “Garbage” shall mean all waste, trash and other objects or substances ordinarily or usually discarded by persons at private residential (as distinguished from commercial, manufacturing or industrial) property or dwelling units, excluding sewage and animal or human body wastes. The term includes any manner of ruJensenish, junk, ruJensenle, offal, refuse, and trash, as such words are commonly defined.

* 1. “Recyclable” and “Reusable” materials shall mean all discarded materials by person at private residential (as distinguished from commercial, manufacturing or industrial) property or dwelling units, excluding garbage. The term includes any manner of paper, cardboard, plastic, glass, metals, trees, and lawn and shrub trimmings.

* 1. “Property Unit” shall mean a residential, single family dwelling, each separate dwelling of a duplex, triplex or fourplex and each separate apartment house or complex, up to and including four apartments, and including upstairs, basement, garage or detached apartment or housing unit; and shall exclude commercial, manufacturing or industrial property used for those purposes. Any exceptions are defined in section 4. D and E of this resolution.

* 1. “Person” shall mean and include individuals, companies, firms, corporations, associations or combinations thereof.

1. ADMINISTRATIVE CONTROL BOARD—GENERAL POWERS—APPOINTMENT—BYLAWS.
   1. The District shall be governed by an Administrative Control Board (“Board”) for the governance of the District, appointed as specified in Utah Code Title § 17D, Chapter 1, Part 3, initially consisting of nine members appointed as follows:
   2. The County Council shall appoint up to two elected officials, unless applicable state law requires otherwise.
   3. One municipal elected official shall be appointed from each municipality located in whole or in part within the District whose citizens receive basic services from the District, each appointed by the legislative body of the respective municipality.
   4. Appointments shall be made in writing and filed with the Clerk of the Board. The Clerk of the Board shall administer oaths of office to board members and maintain records of those oaths.
   5. The Salt Lake County Council hereby delegates to the Board, to the extent authorized by statute, the legal authority to exercise any right, power, or authority that the Salt Lake County Council possesses with respect to the governance of the District. The Board may make rules and regulations governing the administration, management and operations of the District’s garbage and recycling collections, transportation and processing services. The Salt Lake County Council retains only those legal powers and duties specifically set out in state statute as retained by the County.
   6. The qualifications, terms of office, specific Board member powers and responsibilities shall be as provided by state law and the provisions of this Resolution. The Board shall adopt rules and regulations governing its internal activities and rules of procedure, including quorum requirements, the appointment of a chair and a vice chair, meeting locations and times, meeting procedures and electronic meetings, and such other matters as necessary to the efficient conduct of its activities.
   7. The Board shall have and exercise all governing authority regarding the operations of the District and shall adopt such rules, regulations and policies as are necessary, from time to time, to most efficiently manage the District and its operations.
   8. The Board shall be responsible to provide for the fiscal and budgetary management of the District, by the appropriate adoption of necessary rules, regulations and policies approved by the Board. The Board is further responsible for adopting the District’s annual budget.

* 1. The Director of the District shall serve as the executive director to the Board and in that capacity shall prepare and provide notice of the Board meeting agendas, ensure compliance with the Open Meetings Act, attend all Board meetings in a non-voting capacity, and shall appoint competent staff to serve as clerk to the Board and to the District.
  2. The Board shall make recommendations, as may be necessary from time to time to Salt Lake County and to any municipality which receives District services, regarding the adoption of county and city ordinances which govern and direct garbage and recycling collections and processing services within the municipality or the unincorporated portions of Salt Lake County.

1. SERVICES.
   1. The District shall provide garbage and recycling collection, transportation and processing services for all persons owning property units within the geographic boundaries of the District and may provide services outside the geographic boundaries of the District with the consent of the Board and the entity that otherwise would provide those services, as reflected in a written contract or other authorization. The Board shall adopt necessary rules, regulations and policies regarding specific services. The District may provide services regarding garbage collection, transportation and processing, recycling, temporary trailer services, area clean-up, green waste , and other related services as are currently provided or which may be provided in the future, pursuant to the rules, regulations and policies adopted by the Board.
   2. The Board may adopt rules, regulations and policies, as appears appropriate, regarding the establishment of collection routes, the frequency of garbage and recycling pick-up services, standards for containers, location requirements for containers, regulations regarding entry into private roads or other private property and such other specific requirements and procedures as appears necessary.
   3. The Salt Lake County Council specifically empowers and encourages the Board to adopt the necessary rules, regulations and policies regarding recycling, green waste processing, and other waste management systems and practices calculated to protect the Salt Lake County environment, appropriately process recyclable materials, and reduce reliance on the Salt Lake County landfill.
   4. Services may be provided to planned unit developments, condominiums, commercial and industrial properties upon request and pursuant to rules regulations and policies as adopted by the Board.
   5. Services may also be provided to facilities owned and operated by municipalities located within or outside the District, at the request of the municipal governing body and as approved by the Board.
2. AREA.
   1. The District shall include and provide services to all of the geographic territory and areas of Salt Lake County which were not located within an incorporated municipality when the District was created, excepting areas that subsequently have withdrawn or in the future may withdraw from the District pursuant to the requirements of applicable state law, and including any incorporated areas that may annex into the District, also pursuant to applicable law. Services shall also be provided in portions of incorporated municipalities which are, pursuant to state statute, retained within District boundaries. An accurate representation of all District boundaries shall be available as a map maintained by the District.
   2. District boundaries may be enlarged or reduced pursuant to the provisions of state statute, based upon the Board’s statutory authority to approve such changes.
3. FEE PAYMENTS—COLLECTIONS—ABATEMENTS.
   1. The District shall support garbage collection, transportation and disposal services and the functions related thereto by imposing annual or other periodic service charges or fees upon those who receive the services. The annual service charge amount and other provisions regarding fees and their collection may be altered or changed from time to time as may be in the best interest of the public and the District, as the management and operations of the District may require, and as provided in rules, regulations and policies adopted by the Board. The District provides “basic services” that all District residents are expected to receive as follows: curbside waste and recycling, area cleanup, curbside Christmas tree collection, central collection for glass and leaves, and landfill vouchers. The District also provides “subscription services,” such as curbside glass collection, for which only voluntarily subscribing customers are charged and also imposes administrative fees, late/delinquent fees, non-residential fees and rental cans/trailer fees that are not fees for basic services (collectively “subscription and other fees”). The Board may establish subscription and other fees from time-to-time in accordance with applicable requirements of state law, but otherwise in the discretion of the Board. Basic service charges shall be set by the Board and, depending upon timing, public hearings regarding service charges may be held in conjunction with the adoption of the District’s annual budget or as otherwise approved by the Board, all as required by applicable state law. An increase in a basic service charge will not be effective until it has been authorized by a majority of the governing bodies that have representation on the Board as reflected in letters, minutes, or other written confirmation of the approval.
   2. There is hereby levied and imposed upon the owners of all property units serviced in accordance with the provisions of this Resolution, an annual service charge for each such property unit. The owner or owners of the property units serviced pursuant to this Resolution are responsible for payment of the service charges levied and imposed by the District. If any property unit is located on an established and designated garbage collection route, the property owner of that property unit is lawfully required to pay the annual service charge without regard to whether such owner uses or avails himself of the services of the District.
   3. The District shall arrange for billing of the annual service charge either through providing such services internally or by contract with third parties or as otherwise provided for by law. Past due fees shall be collected consistent with and pursuant to applicable laws.
   4. Persons subject to the District’s annual service fee who meet the criteria for Indigent or Hardship deferral or abatement of property taxes due, established by Utah Code 59-2-1107 to 1109 or pursuant to criteria adopted by Salt Lake County under Utah Code 59-2-1347, shall be granted a fee reduction of the annual service fee and/or a deferral of such payment in the same manner and pursuant to the same policies applying to the collection of property taxes.  A person requesting reduction or deferral shall file an application with Salt Lake County as provided for general property tax relief, and such applicants shall qualify for annual service fee relief by the same standards that are applicable to general property taxes and in accordance to any rules, regulations or policies adopted by the Board.
   5. Persons subject to the District’s annual fee may notify the District of any errors in billing. The District will review any reports and determine if any abatement or reduction of future fees is appropriate based on the District’s error. All abatements or reductions will be processed by the District and approved by the Board.
4. FISCAL PROCEDURES—BUDGET.
   1. The Board shall be responsible for the direction and oversight of the fiscal management of the District and shall adopt rules, regulations and policies governing fiscal, accounting, auditing and budgeting matters. The District shall comply with all applicable state statutes, including Fiscal Procedures for Local Districts, Utah Code Ann. § 17B-1-601, *et seq.*
   2. The District’s initial fiscal year shall be January 1 to December 31. The Board may make any adjustment in the fiscal year as determined by the Board to be in the best interest of the District and its customers and as allowed by applicable state law. The District, under the direction of the Board, shall adopt an annual budget and see to it that an annual independent audit is performed, as provided by state statute.
5. PERSONNEL—TRANSITION PROCESS—MERIT SYSTEM.
   1. The initial employees of the District, beginning on January 1, 2013, shall be those former employees of Salt Lake County, in its Sanitation Division, who choose to transition their employment from the County to the District in accordance with this section. All employees of Salt Lake County’s Sanitation Division, being employed and in good standing on December 31, 2012, shall be reduced in force from Salt Lake County employment, in accordance with the personnel policies and procedures of Salt Lake County. Those employees shall be offered equivalent employment status with the District beginning at 12:01 a.m., January 1, 2013. Employment shall be offered by the District to the employees at the same level of salaries and benefits, the same seniority, and working in the same job description as they had as Salt Lake County employees. The District shall maintain these employees’ status, employment, job description and seniority until July 1, 2013, with the exception of any change in status resulting from bona fide personnel or disciplinary action. Any Salt Lake County employee choosing not to accept employment with the District shall be accorded the procedures and protections of the County reduction-in-force personnel policy.
   2. The District, through rules, regulations and policies adopted by the Board, shall operate under a merit system, based on the requirements and provisions of Utah Code Ann. 17B‑1‑801, *et seq.* Provisions regarding employment status, salary and benefits, hiring process, discipline, and all other matters related to District employment status and a merit system shall be based on personnel policies adopted by the Board in accordance with recommendations made by the District director.
   3. The executive staff of the District shall include a District Director and a fiscal manager. The District Director shall be appointed and retained by a majority vote of the Board. Excepting the District Director, the executive staff shall be merit employees until their status is affirmatively changed by the Board’s direction. The District Director shall serve as the executive director to the Board and as the manager and administrator of all district services, administration, and operations.
6. TRANSFER OF BUILDINGS, ASSETS, LIABILITIES AND FUNDS.

The transfer of assets, liabilities and funds from Salt Lake County to the District shall be in accordance with the provisions and timelines set out in Exhibit A attached to Resolution No. 4670. The transfer of oversight and responsibility for real estate and buildings, including the repayment of a bond for the construction of the District’s administrative offices, as well as contracts, leases or other transfers regarding other buildings or interests in real estate shall be arranged and approved in accordance with appropriate interlocal agreements between Salt Lake County and the District.

1. ADMINISTRATIVE SERVICES.

The District shall arrange for the provision of its administrative and support services, including purchasing, human resources, risk management, legal, information services and similar services as needed and either through providing such services internally or by contract with third parties or with Salt Lake County.

1. MISCELLANEOUS PROVISIONS.
   1. The provisions of this Resolution shall be applied and interpreted to grant the greatest flexibility and autonomy to the Board, regarding the management and operations of the District, as is permitted by state law. This Resolution should, therefore, be interpreted and applied in such a way as will maximize the flexibility and autonomy of the Board and the independence of the District.
   2. If any provision, section or paragraph of this Resolution is found by a court of competent jurisdiction to be unlawful or unconstitutional, such finding shall not affect the other provisions and sections hereof.
   3. Salt Lake County Council, through this Resolution, directs and requests that the County Mayor and all county officers, employees and agencies cooperate and work towards the quick and effective accomplishment of the ends of this Resolution, that is the independence and autonomy of the District, and do all that is lawfully within their power to effect the goals of this Resolution.

APPROVED and ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ SHERRIE SWENSEN

County Clerk

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Snelgrove, moved to approve the resolution, but remove the verbiage that refers to an odd number on the board. Council Member Newton amended the motion to approve the resolution with up to two County representatives, but that it is the Council’s intent to have one member represent the unincorporated and the other represent the region, and to remove the verbiage that refers to an odd number on the board. The motion passed unanimously. Council Member DeBry was absent for the vote.] The Council motion passed unanimously, authorizing the Chair to execute the resolution and directing the County Clerk to attest his signature, showing that all Council Members present voted “Aye.”

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Mr. Ben Stringham, Acting Director, Real Estate Section, submitted a letter recommending approval of the following RESOLUTION authorizing execution of a PERPETUAL EASEMENT between Salt Lake County for its Real Estate Section and the **Utah Department of Transportation (UDOT).** Salt Lake County will grant a perpetual easement to UDOT in order to construct and install a pedestrian traffic signal at the north entrance of Wheeler Farm along 900 East. UDOT will pay $500.00 for the easement. The Council also approved the UDOT RIGHT-OF-WAY CONTRACT.

RESOLUTION NO. 5101 DATE: JULY 12, 2016

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION AND DELIVERY OF A PERPETUAL EASEMENT TO THE UTAH DEPARTMENT OF TRANSPORTATION.

RECITALS

1. Salt Lake County (the “County”) owns a parcel of real property located at 6351 South 900 East, Murray, Utah, also known as Wheeler Historic Farm and identified as Parcel No. 22-20-128-005 (the “Property”).
2. The Utah Department of Transportation (“UDOT”) is conducting a project to improve portions of SR-71 (900 East), including a portion of the road adjacent to the Property.
3. UDOT has offered to purchase a 90 square-foot perpetual easement on the Property from the County for the purpose of installing a traffic signal that is intended to improved safe pedestrian access across 900 East (“Easement”).
4. UDOT has valued this perpetual easement at $500.00, which amount has been reviewed and approved by the County Real Estate Section as full and adequate consideration.
5. It has been determined that the best interests of the County and the general public will be served by executing the UDOT Right of Way Contract and Easement attached to this Resolution. The grant of said Easement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the grant and conveyance of the perpetual easement to UDOT is hereby approved, and the Mayor is authorized and directed to execute the UDOT Right of Way Contract, attached hereto as Exhibit A, and any other related document necessary to complete this transaction.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized, consistent with the terms of the UDOT Right of Way Contract to execute the Easement attached hereto as Exhibit B and to deliver the fully executed documents to the County Real Estate Section for delivery to UDOT upon payment of the agreed upon purchase amount.

APPROVED and ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ SHERRIE SWENSEN

County Clerk

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Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Community Services Department and **Midvale City** – Funding for Midvale Outdoor Stage in the Park Upgrades. Salt Lake County will provide $60,000 in Tourism, Recreation, Cultural and Convention Facilities (TRCC) funds to Midvale City to develop architectural drawings for the Midvale Outdoor Stage in the Park. Midvale City will make a matching contribution. The agreement will terminate upon Midvale City’s full expenditure of the TRCC funds and completion of the associated reporting requirements. Funds are to be expended prior to December 31, 2017, or returned to the County.

RESOLUTION NO. 5102 DATE: JULY 12, 2016

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND MIDVALE CITY BY WHICH THE COUNTY WILL CONTRIBUTE TRCC FUNDS TO THE CITY TO ASSIST WITH THE DEVELOPMENT OF ARCHITECTURAL DRAWINGS FOR THE MIDVALE OUTDOOR STAGE LOCATED IN THE MIDVALE CITY PARK

RECITALS

1. Salt Lake County (the “County”) and Midvale City (the “City”) are “public agencies” as defined by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 et seq. (the “Cooperation Act”), and, as such, are authorized by the Cooperation Act to enter into this Agreement to act jointly and cooperatively on the basis of mutual advantage in order to provide facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.
2. The County receives funds (“TRCC Funds”) pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act, Utah Code Ann. §§ 59-12-601 et seq. (the “TRCC Act”). The TRCC Act provides that TRCC Funds may be used, among other things, for the development, operation, and maintenance of publicly owned or operated recreation, cultural or convention facilities.
3. In 2015, the City requested TRCC Funds from the County – through the County’s Cultural Facilities Support Program – to help it fund the project described in its Cultural Facilities Support Program Application. More specifically, the City requested TRCC Funds to develop architectural drawings for the Midvale Outdoor Stage in the Midvale City Park based on a feasibility study recently completed by the City (the “Project”). The County Council appropriated TRCC Funds for this purpose in the 2016 Salt Lake County Budget.
4. The City and the County now desire to enter into the Interlocal Cooperation Agreement attached hereto as ATTACHMENT A (the “Interlocal Agreement”) wherein the County agrees to contribute TRCC Funds to the City to help it fund the Project and wherein the City agrees to abide by certain terms and conditions outlined in the Agreement.
5. The County Council believes that its contribution and assistance under the Agreement will contribute to the prosperity, moral well-being, peace and comfort of Salt Lake County residents.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the County Council of Salt Lake County:

1. That the Interlocal Agreement between Salt Lake County and Midvale City is approved, in substantially the form attached hereto as ATTACHMENT A, and that the Salt Lake County Mayor is authorized to execute the same.
2. That the Interlocal Agreement will become effective as stated in the Interlocal Agreement.

APPROVED and ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ SHERRIE SWENSEN

County Clerk

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Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Fleet Management Division and the **Unified Police Department (UPD)** – Purchase of Used Vehicles. Salt Lake County will purchase used vehicles from the UPD for a price not to exceed the value based on National Automobile Dealers Association (NADA) and any local market adjustment where applicable. The total payments for any one year may not exceed $500,000. The agreement will terminate December 31, 2021, but may be extended for additional five-year terms.

RESOLUTION NO. 5103 DATE: JULY 12, 2016

A RESOLUTION APPROVING ADOPTION OF AN INTERLOCAL COOPERATION AGREEMENT MADE WITH THE UNIFIED POLICED DEPARTMENT FOR THE PURCHASE OF USED VEHICLES

THE LEGISLATIVE BODY OF SALT LAKE COUNTY RESOLVES AS FOLLOWS:

WHEREAS, Salt Lake County has the need for additional used vehicles for county use; and

WHEREAS, the Unified Police Department has certain used vehicles that are nearing the end of their usefulness as police vehicles due to age and/or mileage that it wants to sell; and

WHEREAS, Salt Lake County has provided maintenance and repair services on these vehicles for the Unified Police Department in exchange for payment pursuant to existing County contract number CA00000000000147; and

WHEREAS, Salt Lake County wants to purchase a number of used vehicles from the Unified Police Department; and

WHEREAS, the parties desire to enter into an agreement wherein the Unified Police Department provides the County with a written list of available vehicles, the County may make an offer to purchase a vehicle; and the Unified Police Department may accept the offer; and

WHEREAS, the total County payments to the Unified Police Department cannot exceed $500,000.00 per year; and

WHEREAS, said agreement is made pursuant to the Utah Interlocal Cooperation Act, §§ 11-13-101, et seq., Utah Code Ann.

NOW THEREFORE, be it resolved by the Salt Lake County Council that this Interlocal Cooperation Agreement with the Unified Police Department be approved and the Mayor is hereby authorized to execute the same.

APPROVED and ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ SHERRIE SWENSEN

County Clerk

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Jensen, moved to approve the resolutions and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the Chair to execute the resolutions and directing the County Clerk to attest his signature, showing that all Council Members present voted “Aye.”

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Ms. Antigone Carlson, Contracts Administrator, Contracts and Procurement Division, submitted a letter recommending approval of the following RESOLUTION authorizing execution of an INTERLOCAL AGREEMENT between Salt Lake County for its Sheriff’s Office and the **Salt Lake Valley Emergency Communication Center (VECC)** and **Salt Lake City** – Purchase and Implementation of Integrated, Multi-agency System of Computer Aided Dispatch/Record Management/Mobile Dispatch Solution/Field Base Reporting (CAD) System and Technology. VECC will obtain grant funding from the Utah State Computer Aided Dispatch Restricted Account and any other grant funding sources to purchase and implement a CAD System and Technology, with each party being responsible for any remainder of its own costs not covered by the grant, and the cost of its own hardware, equipment, personnel, or incidental costs incurred in switching to the new CAD provider. VECC and Salt Lake City will purchase the CAD cite licenses. Then, each party will be responsible for the costs of operating and maintaining its respective CAD system. The agreement will continue for an indefinite period to allow for the completion of the funding and implementation, but will not exceed four years from the date of the agreement unless extended by mutual written agreement among the parties.

RESOLUTION NO. 5104 DATE: JULY 12, 2016

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY, APPROVING AND ADOPTING AN INTERLOCAL AGREEMENT EXECUTED BETWEEN THE COUNTY, THE SALT LAKE VALLEY EMERGENCY COMMUNICATIONS CENTER AND SALT LAKE CITY CORPORATION.

BE IT KNOWN AND REMEMBERED;

THAT, the County Council of Salt Lake County, State of Utah, met in regular session of the Council on the 12th day of July, 2016.

WITNESS:

WHEREAS, the Legislature of the State of Utah has proved at 11-13-202.5, for the adoption of interlocal agreements, pursuant to a resolution of the governing body of any political entity which is a part to such an agreement; and

WHEREAS, Salt Lake County, the Salt Lake Valley Emergency Communications Center (“VECC”) and the Salt Lake City Corporation (“Salt Lake City”) have determined, through their governing bodies, that it would be in the best interests of the contracting governmental entities and the inhabitants thereof, to enter into an interlocal agreement to provide for funding, purchase, and implementation of an integrated, multi-agency system of Computer Aided Dispatch/Record Management System/Mobile Dispatch Solution/Field Base Reporting (CAD/RMS/MDS/FBR) technology for the Law Enforcement, Fire Combat and Prevention, Emergency Medical and Emergency Public Safety Communications Centers currently serving Salt Lake City 911, VECC and the citizens of Salt Lake County; and

WHEREAS, such an interlocal agreement has been prepared, is attached hereto, and is agreeable to the parties;

RESOLUTION:

NOW, THEREFORE, BE IT RESOLVED, THAT the County Council of Salt Lake County, Utah, hereby authorizes the Mayor to execute the attached interlocal agreement with VECC and Salt Lake City effective June 15, 2016.

APPROVED and ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ SHERRIE SWENSEN

County Clerk

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member DeBry, seconded by Council Member Jensen, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the Chair to execute the resolution and directing the County Clerk to attest his signature, showing that all Council Members present voted “Aye.”

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RESOLUTION NO. 5105 DATE: JULY 12, 2016

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF $50,000,000 SALT LAKE COUNTY, UTAH TAX AND REVENUE ANTICIPATION NOTES, SERIES 2016, AND ENTERING INTO CERTAIN COVENANTS AND MAKING CERTAIN REPRESENTATIONS IN CONNECTION THEREWITH; GIVING AUTHORITY TO CERTAIN OFFICERS TO APPROVE THE FINAL TERMS AND PROVISIONS AND CONFIRM THE SALE OF THE NOTES WITHIN THE PARAMETERS SET FORTH IN THIS RESOLUTION; APPROVING THE FORM OF NOTES; APPROVING AN OFFICIAL STATEMENT; AND RELATED MATTERS.

WHEREAS, the County Council (the “Council”) of Salt Lake County, Utah (the “County”) has determined to sell its $50,000,000 Salt Lake County, Utah Tax and Revenue Anticipation Notes, Series 2016 (the “Notes”) for the purpose of meeting the current expenses of the County for the fiscal year ending December 31, 2016, until the payment of taxes and receipt of other revenues for said fiscal year, and that such sum can be raised without incurring any indebtedness or liability in excess of the taxes or other revenues for the current fiscal year or exceeding any limit of debt imposed by the Constitution and statutes of the State of Utah; and

WHEREAS, there is an immediate and pressing need for raising funds of at least the proceeds of the Notes for the fiscal year commencing January 1, 2016 until the payment of taxes and receipt of other revenues for said fiscal year;

WHEREAS, there has been presented to the Council at this meeting a form of a Preliminary Official Statement relating to the Notes (the “Preliminary Official Statement”), including an Official Notice of Sale (the “Official Notice of Sale”) attached hereto as Exhibit A); and

WHEREAS, the Council desires to authorize and approve the finalization and use of the Preliminary Official Statement and the Official Notice of Sale and any other documents deemed necessary in marketing the Notes; and

WHEREAS, in order to allow flexibility in setting the pricing date of the Notes the Council desires to grant to any one of the Designated Officers (defined herein) the authority to approve the principal amount, interest rate, terms and purchase price at which the Notes shall be sold, and to select a purchaser for the Notes (the “Purchaser”), pursuant to the Official Notice of Sale, provided that such final terms do not exceed the parameters set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Salt Lake County, Utah as follows:

## For the purpose of meeting the current expenses of the County for the fiscal year beginning January 1, 2016, until the payment of taxes and receipt of other revenues of said fiscal year, the County shall borrow the sum of not to exceed Fifty Million Dollars ($50,000,000), and for that purpose as evidence of such indebtedness, shall issue to the Purchaser the Notes bearing interest at the rate of not to exceed 2.0% per annum from the dated date until paid. Said Notes shall be dated as of the date of delivery and shall be known as “Salt Lake County, Utah Tax and Revenue Anticipation Notes, Series 2016,” and shall be due and payable on December 29, 2016, in lawful money of the United States of America at the Salt Lake County Treasurer’s Office, in Salt Lake City, Utah, as paying agent. Said Notes are not subject to redemption prior to maturity. Said Notes shall be initially represented by book-entry Notes in the denominations of $100,000 each, or in any integral multiple thereof.

## There is hereby delegated to any one of the Mayor, the Chief Financial Officer of the County, the Treasurer of the County or the Chief Administrative Officer of the County (collectively, the “Designated Officers”), subject to the parameters set forth in this Resolution, the power to determine the following with respect to the Notes, and any of the Designated Officers are hereby authorized to make such determinations:

##### the principal amount of the Notes necessary to accomplish the purpose of the Notes set forth in Section 1 herein; provided, however, that the aggregate principal amount of the Notes shall not exceed $50,000,000;

##### the interest rate of the Notes; provided, however, that the interest rate shall not exceed two percent (2.0%) per annum;

##### the Purchaser and the purchase price (not less than 100% of the principal amount of the Notes), pursuant to a competitive sale conducted for the Notes, including awarding the sale of the Notes, all pursuant to the terms of the Official Notice of Sale and the parameters set forth in this Resolution;

##### any other provisions deemed advisable by the Designated Officers not materially in conflict with the provisions of this Resolution.

Upon the competitive sale of the Notes pursuant to the Official Notice of Sale, any of the Designated Officers shall make the determinations provided above and shall notify the selected Purchaser.

## The Notes shall be delivered to the Purchaser in book-entry form in substantially the following form:

UNITED STATES OF AMERICA

STATE OF UTAH

SALT LAKE COUNTY

TAX AND REVENUE ANTICIPATION NOTE

SERIES 2016

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

|  |  |  |
| --- | --- | --- |
| Note No. R- | CUSIP: | $\_\_\_\_\_\_\_\_\_\_ |

Registered Owner: CEDE & CO.

Principal Sum: \_\_\_\_\_\_\_\_\_\_\_\_\_ AND NO/100 DOLLARS\*\*\*\*\*\*\*\*\*\*

Salt Lake County, Utah (the “County”), hereby acknowledges itself to be indebted and for value received hereby promises to pay to the registered owner set forth above or registered assigns or legal representative the principal sum set forth above in lawful money of the United States of America on the 29th day of December, 2016, upon presentation and surrender at the office of the Treasurer of the County in Salt Lake City, Utah, as paying agent (the “Paying Agent”), with interest thereon at the rate of \_\_\_\_\_% per annum from the date hereof until paid, payable at maturity. Interest on this Note shall be computed on the basis of a 360-day year of twelve 30-day months.

This Note is one of a series of notes known as “Salt Lake County, Utah Tax and Revenue Anticipation Notes, Series 2016”, which issue is issued in the aggregate sum of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dollars ($\_\_\_\_\_\_\_\_\_\_\_) pursuant to provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended.

This Note is not subject to redemption prior to maturity.

It is hereby covenanted, certified, recited and declared that this Note is given in anticipation of the collection of taxes and other revenues to be levied and collected for the current fiscal year, in evidence of money borrowed to meet current expenses of the County during said current fiscal year until payment of the taxes and other revenues for such year, that taxes on all taxable property in the County and other revenues within the limit provided by law and sufficient to pay principal and interest on this Note as the same falls due and sufficient to pay all budgeted maintenance and operation and other expenses of the County for such fiscal year have been or will be levied and collected in such fiscal year and that a sufficient fund has been appropriated for the payment of the principal and interest on this Note as the same shall fall due.

It is hereby certified, recited and declared that the entire indebtedness of the County hereby incurred is not in excess of seventy-five percent (75%) of the tax revenues and other revenues levied and collected by the County for the fiscal year ended December 31, 2015, or ninety percent (90%) of the taxes and other revenues of the County levied and collected or to be levied and collected for the current fiscal year, and that said indebtedness was and is contracted for the purpose for which said taxes are levied and collected.

This Note shall be registered on the books of the County to be kept for that purpose at the office of the Paying Agent set forth above, such registration shall be noted hereon and this Note shall only be transferable upon said books at said office by the registered owner or by his duly authorized attorney. Such transfers shall be without charge to the owner hereof but any taxes or other governmental charges required to be paid with respect to the same shall be paid by the owner requesting such transfer as a condition precedent to the exercise of such privilege. Upon any such transfer, the County shall execute and deliver in exchange for this Note a new registered Note registered in the name of the transferee in authorized denominations.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this Note exist, have happened and have been done, and that every requirement of law affecting the issue thereof has been duly complied with, and that this Note is within every debt and other limit prescribed by the Constitution and laws of the State of Utah.

IN WITNESS WHEREOF, Salt Lake County, Utah, by its County Council, has caused this Note to be signed by its Mayor and attested by its County Clerk and caused the seal of the County Clerk to be affixed hereto as of this 12th day of July, 2016.

SALT LAKE COUNTY, UTAH

ATTEST (SEAL)

By /s/ BEN MCADAMS

Mayor

By /s/ SHERRIE SWENSEN

County Clerk

STATE OF UTAH )

ss.

COUNTY OF SALT LAKE )

On this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 2016, personally appeared before me \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who being duly sworn, did say that s/he is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

Notary Public

Residing in Salt Lake County

[SEAL]

ABBREVIATIONS

The following Abbreviation, when used in the inscription on the face of the within Note, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIF MIN ACT - \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Cust.)

Custodian for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Minor)

under Uniform Gifts to Minors Act of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(State)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Please Print or Typewrite Name and Address of Transferee)

the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, attorney to transfer the within note on the books kept for registration thereof, with full power of substitution in the premises.

DATED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ASSIGNOR’S SIGNATURE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within note in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

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

NOTICE: Signature(s) must be guaranteed by an “eligible guarantor institution” that is a member of or a participant in a “signature guarantee program” (e.g., the Securities Transfer Agents Medallion Program, the Stock Exchange Medallion Program or the New York Stock Exchange, Inc. Medallion Signature Program).

## The Notes shall be signed by the Mayor or the Chief Administrative Officer or Chief Financial Officer as the Mayor’s designee (collectively referred to herein as the “Mayor”) and attested by the County Clerk or Deputy County Clerk (the “County Clerk”) and sealed with the official seal of the County Clerk. The Mayor is hereby authorized, empowered, and directed to sign, and the County Clerk to sign and attest and affix the seal of the County Clerk to the Notes, and acts of said Mayor and County Clerk in so doing are and shall be the act and deed of the County

## .

## The Treasurer of the County is hereby constituted and appointed Registrar and Paying Agent for the Notes. The County shall cause books for the registration and for the transfer of the Notes as provided in this Resolution to be kept by the Treasurer. Upon surrender for transfer of any Note at the principal office of the Registrar duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing with signature guaranteed, the County shall execute and deliver in the name of the transferee or transferees a new, fully registered Note or Notes for a like aggregate principal amount.

In each case the Registrar shall require the payment by the registered owner requesting exchange or transfer, only of any tax or other governmental charge required to be paid with respect to such exchange or transfer.

### The Notes shall be initially issued in the form of a single certified fully registered Note. Upon initial issuance, the ownership of such note shall be registered in the registration books kept by the Registrar in the name of Cede & Co. (“Cede”), as nominee of The Depository Trust Company (“DTC”). Except as provided in (d) hereof, all of the outstanding Notes shall be registered in the registration books kept by the Registrar in the name of Cede, as nominee of DTC.

### With respect to the Notes registered in the registration books kept by the Registrar in the name of Cede, as nominee of DTC, the County, the Registrar and the Paying Agent shall have no responsibility or obligation to any broker-dealer, bank or other financial institution from time to time for which DTC holds the Notes as Depository (each a “Participant”) or to any person on behalf of which a Participant holds an interest in the Notes. Without limiting the immediately preceding sentence, the County, the Registrar and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any Participant with respect to any ownership interest in the Notes, (ii) the delivery to any Participant or any other person, other than a registered owner, as shown in the registration books kept by the Registrar, of any notice with respect to the Notes, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner, as shown in the registration books kept by the Registrar, of any amount with respect to principal or interest on the Notes. The County, the Registrar and the Paying Agent may treat and consider the person in whose name each Note is registered in the registration books kept by the Registrar as the holder and absolute owner of such Note for the purpose of payment of principal and interest with respect to such Note, for the purpose of registering transfers with respect to such Note, and for all other purposes whatsoever. The Paying Agent shall pay all principal and interest on the Notes only to or upon the order of the respective Owner, as shown in the registration books kept by the Registrar, or their respective attorneys duly authorized in writing, as provided in the Notes, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to payment of principal and interest on the Notes to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the registration books kept by the Registrar, shall receive a certificated Note evidencing the obligation of the County to make payments of principal, and interest pursuant to this Resolution. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, the word “Cede” in this Resolution shall refer to such new nominee of DTC.

### A Representation Letter in substantially the form attached hereto as Exhibit B, has been delivered to DTC. The Registrar shall take all action necessary for all representations of the County in the Representation Letter, to at all times be complied with.

### (i) DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the County, the Paying Agent and the Registrar and discharging its responsibilities with respect thereto under applicable law.

(ii) The County in its sole discretion and without the consent of any other person, may terminate the services of DTC with respect to the Notes if the County determines that:

(A) DTC is unable to discharge its responsibilities with respect to the Notes, or

(B) a continuation of the requirement that all of the outstanding Notes be registered in the registration books kept by the Registrar in the name of Cede, or any other nominee of DTC, is not in the best interest of the beneficial owners of the Notes.

(iii) Upon the termination of the services of DTC with respect to the Notes pursuant to subsection (d)(ii)(B) hereof, or upon the discontinuance or termination of the services of DTC with respect to the Notes pursuant to subsection (d)(i) or subsection (d)(ii)(A) hereof after which no substitute securities depository willing to undertake the functions of DTC hereunder can be found which, in the opinion of the County, is willing and able to undertake such functions upon reasonable and customary terms, the County is obligated to deliver Note certificates as described in this Resolution and the Notes shall no longer be restricted to being registered in the registration books kept by the Registrar in the name of Cede as nominee of DTC, but may be registered in whatever name or names registered owners of Notes transferring or exchanging Notes shall designate, in accordance with the provisions of this Resolution.

### Notwithstanding any other provision of this Resolution to the contrary, so long as any Note is registered in the name of Cede, as nominee of DTC, all payments with respect to principal and interest on such Note and all notices with respect to such Note shall be made and given, respectively, in the manner provided in the Representation Letter.

## There has been and shall be levied by the County in the fiscal year beginning January 1, 2016 a sufficient tax and there has been and shall be collected sufficient revenues other than taxes to pay the principal and interest on the Notes as the same fall due, and to pay all budgeted maintenance and operation and other expenses of the County for said fiscal year, and there is hereby appropriated from the collection of taxes and other revenues for said fiscal year, a sum sufficient to pay both principal and interest of the Notes as the same shall fall due and for the payment of the Notes and the interest thereon. The County shall establish a Series 2016 Note Fund into which there shall be deposited, on or prior to December 1, 2016, a sum sufficient to pay the principal and interest to be due and payable on the Notes at maturity.

## The County recognizes that the purchasers and owners of the Notes will have accepted them on, and paid therefor a price which reflects, the understanding that interest thereon is not includible in gross income for federal income tax purposes under laws enforced at the time the Notes shall have been delivered. In this connection, the County agrees that it shall take no action which may render the interest on any of the Notes to be includible in gross income for federal income tax purposes. Prior to or contemporaneously with the delivery of the Notes, the Mayor and other appropriate officials of the County shall execute an arbitrage and tax certificate on behalf of the County respecting the investment and use of the proceeds of the Notes. Said Certificate shall be a representation and certificate of the County, and an executed copy thereof shall be filed at the office of the County.

## The Mayor, County Clerk, Chair, Treasurer and other appropriate officials of the County are each hereby authorized and directed to execute such certificates and agreements as shall be necessary to establish that the Notes are not “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations promulgated or proposed thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised.

## The County further covenants and agrees to and for the benefit of the holders of the Notes that the County (i) will not take any action that would cause interest on the Notes to be includable in gross income for federal income tax purposes, (ii) will not omit to take or cause to be taken, in timely manner, any action, which omission would cause the interest on the Notes to be includable in gross income for federal income tax purposes, and (iii) will, to the extent possible, comply with any other requirements of federal tax law applicable to the Notes in order to preserve the excludability from gross income for federal income tax purposes of interest on the Notes.

### The Notes so issued shall be delivered to the Treasurer of the County and his receipt taken therefor, and he shall stand charged on his official bond with the Notes delivered to him and the proceeds thereof and he shall deliver the Notes to the Purchaser, its agents or assigns, as per the terms of the Official Notice of Sale, as and when the Notes may be and are legally issued, upon receipt of the purchase price therefor plus accrued interest, if any, which said sale and terms are hereby this day ratified and confirmed.

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### The County hereby approves the preparation and distribution of a Preliminary Official Statement and Official Notice of Sale in the form attached hereto as Exhibit A, and authorizes the preparation and distribution of a Final Official Statement in substantially the same form as the Preliminary Official Statement with such changes, omissions, insertions and revisions from the Preliminary Official Statement as the Mayor shall deem advisable. The Mayor is hereby authorized to execute and deliver such Final Official Statement to the Purchaser for distribution to prospective purchasers of the Notes and other interested persons. The execution of the Final Official Statement by the Mayor shall be conclusive evidence of the approval by the Mayor of the Final Official Statement.

## All resolutions and orders or parts thereof in conflict with the provisions hereof are to the extent of such conflict hereby repealed.

## This resolution shall be in full force and effect immediately upon adoption.

ADOPTED this 12th day of July, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ MAX BURDICK

Chair

By /s/ GAYELENE GUDMUNDSON

Deputy County Clerk

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Jensen, moved to approve the resolution and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the Chair to execute the resolution and directing the County Clerk to attest his signature, showing that all Council Members present voted “Aye.”

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The Council reviewed a proposal for a new budget process and the 2017 budget calendar.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Snelgrove, seconded by Council Member DeBry, moved to approve the budget process changes and the budget calendar as outlined, and forward the matter to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mr. Seth Jarvis, Director, Clark Planetarium, submitted a letter advising that Orbital ATK has offered to donate $250,000 over a five-year period to the Clark Planetarium to be exchanged for naming rights to the Space Exploration Gallery, as well as 1,000 theatre tickets for employees, an annual gala table with recognition, and a corporate star party.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Jensen, moved to accept the gift and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the Chair to sign the Declaration of Gift Form and

directing the County Clerk to attest his signature and forward it to Orbital ATK, showing that all Council Members present voted “Aye.”

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Mr. Rory Payne, Director, Facilities Management Division, submitted a letter requesting approval for an interim budget adjustment of $7,000 for the Magna Mantle Park parking lot. This will entail transferring funds from another Magna Mantle Park project that has available funds.

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Ms. Kele Griffone, Director, Criminal Justice Services Division, submitted a letter requesting approval for an interim budget adjustment to reclassify a Clinical Services Director 32 to a Service Manager 31 to focus on the Drug Court and Treatment Program.

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Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting approval for an interim budget adjustment of $22,155 received from the Jordan River Foundation for the design fabrication and installation of signage along the Jordan River Trail implementing the vision outlined in the Blueprint Jordan River.

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Mr. Martin Jensen, Director, Parks and Recreation Division, submitted a letter requesting approval for an interim budget adjustment of $19,718 to repair the flooring in the Dimple Dell Recreation Fitness Room. This will entail transferring funds from a completed project with available budget.

Council Member Bradshaw, seconded by Council Member Jensen, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Jensen, seconded by Council Member Newton, moved to approve the requests and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the County Chief Financial Officer to effect the same, showing that all Council Members present voted “Aye.”

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**Mr. Tom Zumbado**, Planning & Development Services Division, reviewed the following rezoning application: ([4:25:11 PM](ftr://?location=&quot;Council&quot;?date=&quot;12-Jul-2016&quot;?path=&quot;&quot;?position=&quot;16:25:11&quot;?Data=&quot;0dec12f1&quot;))

Application #29663 – **Jacob Ballstaedt,** representing Garbett Homes, isrequesting to rezone property located at 3511 South 1100 East from an R-1-8 to an R-1-4 zone.

**Mr. Zumbado** stated the proposed zone change area is identified in the Millcreek General Plan as a stable area. However, approval of this project may contribute to goals in the General Plan, such as providing sufficient housing for current and future populations, encouraging residential development, establishing a variety of lot sizes, and developing safe and visually pleasing residential neighborhoods. However the project is also centrally located within a large, stable area.

A previous rezone application for this property sought to have an RM zone that could accommodate a large apartment complex. However, the planning commission did not give the plan a favorable recommendation, so the matter was not pursued.

Application No. 29663 is the return of the same developer trying to reclassify the zone to R-1-4. Neighborhood response has been significant, mostly centered on concerns for noise, traffic, and density. Garbett Homes has reached out to the community, made several compromises, and has provided a letter of agreement for what will be done with the property. Those agreements are as follows:

* All homes will be single family
* Removal of the existing duplex and single family home
* Maximum of 10 homes to be built
* Maintain a 15-foot setback from the existing property line
* Save any existing trees that can be saved without losing a house or moving a road
* Plant new trees along the northern property line to help create privacy
* Installation of a new six-foot privacy fence along the northern and eastern property lines
* Southwest side of the property along Mill Creek will be buffered with some green space of either shrubs, trees, or privacy fence so that the creek remains an amenity to the community.

The Millcreek Community Council has opposed this rezone. The Millcreek Township Planning Commission heard rezoning requests for this property three times. The final time the commission voted 3 to 1 to recommend the plan with a maximum peak height of 28 feet and a maximum of 10 homes. That is the recommendation that has been offered to the Council for the final decision.

**Council Member Burdick** stated overall this is a very good project and most people are in favor of it, including the planning commission.

**Council Member Granato** stated this is a unique property, and a lot of compromises have gone into the plan. The area is quite blighted and this project will make it a more attractive and better piece of property that belongs in Millcreek.

Council Member Bradshaw, seconded by Council Member Snelgrove, moved to open the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.”

**Mr. Jacob Ballstaedt**, applicant, stated Garbett Homes has made extensive efforts to work with the neighborhood, community council and planning commission to come to a solution. Compromises included a reduction in the number of units, changing the rezoning request, creating more open space/privacy, and replacing trees. The majority of neighbors are now happy with the plan. Garbett Homes is a local developer and builder specializing in energy efficient homes. Garbett Homes does not currently own the property; it is under contract.

**Council Member Newton** stated it was admirable that the developer met with the neighbors to discuss their concerns.

**Council Member Bradley** asked if there was a way to quantify how many residents approved of the project because of the compromises made by Garbett Homes.

**Mr. Ballstaedt** stated although some people are still not comfortable with the project, Garbett focused on dealing with adjacent property owners, those most impacted by the project.

**Council Member Bradley** stated the community council still did not approve of the project.

**Mr. Ballstaedt** stated the community council has not seen all the compromises. There would likely be a different outcome if the community council saw the current plan.

**Council Member Burdick** asked about the height restriction of 28 feet.

**Mr. Ballstaedt** stated the zone allows for a height of 35 feet, but Garbett can stay within the 28 foot limit.

**Ms. Alexandra Eframo** stated she is opposed to high density development. She asked the Council to table this application and get further feedback from the community council.

**Mr. Steve Van Maren** asked about the map in the proposal. It appeared that the creek would be paved over.

**Mr. Ballstaedt** stated the blue line on the map is the flood plain line. The creek will remain open.

**Mr. Shawn LaMar**, Millcreek Township Planning Commissioner, stated he was the one dissenting vote when the planning commission approved this plan. Although it is a great looking project, it is in the wrong area. It is nearly double the density of any of the surrounding area. He asked the Council to consider the surrounding zoning, general plan, and the bad precedent of spot zoning, and deny this application.

**Ms. Alison Long** stated she was initially opposed to this project. However, the compromises made by Garbett homes make this a good project, which she now favors with the recommendations made by the planning commission.

Council Member Jensen, seconded by Council Member DeBry, moved to close the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.”

**Council Member Wilson** asked if the Council could add the conditions from Garbett’s letter of agreement into the zoning conditions.

**Mr. Chris Preston**, Deputy District Attorney, stated no. The County ordinance restricts the Council’s authority to zoning, density, and height.

**Council Member Bradshaw** asked if the Council could limit the height and density to those included in the proposal.

**Mr. Preston** stated yes. That could be included in the ordinance language.

**Council Member Burdick** stated the applicant needs to go through the public process again for such things as the site plan. The Council could not ask for much more from a developer.

Council Member Granato, seconded by Council Member Jensen, moved to approve Application #29663 and forward it to the July 19, 2016, Council meeting for formal consideration.

**Council Member Bradley** stated the seven items in the letter of agreement are not enforceable.

**Council Member Wilson** stated the Council could limit the height to 28 feet and the density to 9 homes per acre (10 homes total).

Council Member Granato, seconded by Council Member Jensen, moved to approve Application #29663, with a limit of 9 homes per acre and a height restriction of 28 feet, and forward the application to the July 19, 2016, Council meeting for formal consideration. The motion passed 8 to 1 with Council Member Bradley voting “Nay.”

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at [4:55:56 PM](ftr://?location=&quot;Council&quot;?date=&quot;12-Jul-2016&quot;?path=&quot;&quot;?position=&quot;16:55:56&quot;?Data=&quot;7f3281d1&quot;) until Tuesday, July 19, 2016, at 4:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy Clerk

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CHAIR, SALT LAKE COUNTY COUNCIL

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