THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, SEPTEMBER 13, 2016, PURSUANT TO ADJOURNMENT ON TUESDAY, AUGUST 30, 2016, AT THE HOUR OF 4:09:58 PM, 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

 ARLYN BRADSHAW

 MICHAEL JENSEN

 AIMEE WINDER NEWTON

 SAM GRANATO

 STEVEN DEBRY

 MAX BURDICK, Chair

COUNCIL MEMBERS

EXCUSED: JIM BRADLEY

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR

 By: LORI BAYS, DEPUTY MAYOR

 SIM GILL, DISTRICT ATTORNEY

 JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE

 SHERRIE SWENSEN, COUNTY CLERK

 By: KIM STANGER & LINDA DUFFY, DEPUTY CLERKS

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 Council Member Burdick, Chair, presided.

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 **Ms. Sally Jacobsen**, Senior Policy Advisor, Council Office, led the Pledge of Allegiance to the Flag of the United States of America.

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 **Ms. Alexandra Eframo** spoke under “Citizen Public Input” opening with an invocation/reading/thought. She stated her concern about the boundary change issue between Utah County and Salt Lake County, her dislike of real estate developers, and the possibility of fining people for putting up illegal campaign signs.

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 **Mr. Steve Van Maren** spoke under “Citizen Public Input” regarding the boundary change issue between Utah County and Salt Lake County, and the late date for the Parks and Recreation General Obligation Bond public hearing.

 **Mr. Jason Rose**, Legal Counsel, Council Office, stated by statute, October 11, 2016, was the earliest the public hearing could be held.

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 **Ms. Lori Bays**, Deputy Mayor, spoke under “Report of County Mayor” regarding Employee Day being held at the Viridian Library, West Jordan, on Wednesday, September 14, 2016.

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 Mayor Ben McAdams submitted letters requesting the Council’s advice and consent to the reappointments of **Angie Abram** and **Pamela Todd** as members of the Historic Preservation Committee to serve four-year terms. Their terms began March 18, 2015, and will end March 17, 2019.

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 Mayor Ben McAdams submitted letters requesting the Council’s advice and consent to the reappointments of **Drew Weaver** and **Cynthia Whitehair** as members of the Historic Preservation Committee to serve four-year terms. Their terms began March 18, 2016, and will end March 17, 2020.

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 Mayor Ben McAdams submitted a letter requesting the Council’s advice and consent to the appointment of **Marisa Egbert** as a member of the Sorenson Multicultural Center to serve a two-year term. Her term began August 14, 2016, and will end September 23, 2018.

 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 Granato, moved to approve the appointments 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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 **Mr. Sim Gill**, District Attorney, spoke under “Report of Elected Officials” thanking the Council for the discussion this morning regarding the opioid crisis.

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 The Council reviewed a request for a contribution of $1,500 from the County Council’s contribution fund to the Clark Planetarium for its gala to be held on October 20, 2016.

Council Member Bradshaw, seconded by Council Member Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Granato, moved to approve the request, finding the County received fair and adequate consideration for the contribution 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. Matthew McLain, an employee of the Library Services Division, submitted a Disclosure of Private Business Interests form advising the Council that he is a board member for the Collaborative Summer Library Program

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 Ms. Brooke Hasimoto, an employee of the Salt Lake County Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Huntsman Cancer Institute as a clinical trials coordinator.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to accept the disclosure forms and make them a matter of record. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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 Mr. Scott Tingley, County Auditor, submitted a letter 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 appropriate interest, be issued to the taxpayers.

Taxpayer Parcel No. Year Reduction Refund

**Anne Johnson** 20-34-454-152 2010 $ 1,142.14 to $ 1,107.99 $ 34.15

**2 Morco** 14-21-176-003 2015 $ 19,333.02 to $ 19,242.78 $ 90.24

**Parkway Industrial** 21-36-304-036 2011 $ 14,782.47 to $ 14,640.74 $ 141.73

**TIC Metro Annex 10** 15-23-154-017 2015 $ 28,769.81 to $ 28,356.09 $ 413.72

 15-23-154-016 2015 $ 20,047.72 to $ 18,994.02 $ 1,053.70

 15-23-154-014 2015 $ 11,527.64 to $ 10,472.33 $ 1,055.31

**Craig & Jane**

 **Fotheringham** 16-11-327-018 2011 $ 4,542.57 to $ 3,840.95 $ 701.62

**Michael Hansen** 16-22-177-004 2015 $ 12,206.91 to $ 10,880.38 $ 1,326.53

**Sandy HSS Group** 27-12-251-026 2015 $172,995.83 to $165,413.69 $ 7,582.14

**39/42 Tribune** 16-06-105-043 2015 $106,444.60 to $ 90,398.63 $16,045.97

**Randy Fellows**

 **Construction** 28-32-329-013 2009 $ 3,422.75 to $ 2,465.32 $ 957.43

 28-32-329-015 2009 $ 3,422.75 to $ 2,465.32 $ 957.43

 28-32-329-016 2009 $ 3,441.01 to $ 2,465.32 $ 975.69

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 Mr. Kevin Jacobs, County Assessor, submitted letters recommending that refunds in the amounts indicated be issued to the following taxpayers for overpayment of vehicle taxes:

Taxpayer Year Refund

**Carol A. Colledge** 2016 $ 13.00

**Frank A. Mitchell** 2016 $153.00

**Joseph Solmonsen** 2016 $153.00

**Jason L. Hamlin** 2015 $ 78.05

 2015 $ 80.00

 2015 $ 10.00

**James J. Austin** 2016 $ 50.00

**Bretn K. Barton** 2016 $ 44.85

**Dorothy L. Bergmeier** 2016 $110.00

**Reynaldo A. Berrios** 2016 $ 80.00

**Gregory M. Clark** 2016 $ 10.00

 2016 $ 50.00

**Jason K. Clark** 2016 $ 70.00

**Robert L. Craig** 2016 $110.00

 2016 $110.00

**Orlando Diaz** 2016 $110.00

**James S. Duran** 2016 $ 10.00

 2016 $ 50.00

**Donald A. Fulcher** 2016 $150.00

**Daniel K. Goodsell** 2016 $ 10.00

**John C. Hellyer** 2016 $ 10.00

 2016 $ 10.00

**Greg Hughes** 2016 $ 10.00

 2016 $ 10.00

 2016 $150.00

**Wanda A. Jordan** 2016 $ 10.00

**Andrew P. Merkey** 2016 $ 10.00

 2016 $ 50.00

**Daniel I. Mettmann** 2016 $ 10.00

**Byron P. Quick** 2016 $110.00

 2016 $ 10.00

**Charus R. Rackham** 2016 $150.00

**Brian L. Redman** 2016 $ 50.00

**Raymond C. Reese** 2016 $ 10.00

 2016 $ 35.00

 2016 $ 10.00

 2016 $ 10.00

**Rael Raymundo** 2016 $110.00

**Marc P. Savageau** 2016 $150.00

**Frank R. Schultz** 2016 $ 50.00

**Epimenio Trujillo** 2016 $ 50.00

**Alan Young** 2016 $ 10.00

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending denial of the request of **Olmstead Capital** for waiver of penalty and interest charged for delinquent payment of 2015 property taxes on property identified as Parcel No. 27-01-429-025.

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Sugarmill Lofts** for waiver of penalty and interest charged for delinquent payment of 2015 property taxes on property identified as Parcel No. 16-16-354-038.

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending denial of the request of **Wanda D. Sellers** for 2016 prorated tax relief on property identified as Parcel No. 21-20-354-087.

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Rodger T.** and **Rebecca C. Mitchell** for a primary residential exemption for 2011-2015 on property identified as Parcel No. 16-06-103-088.

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending approval of the request of **Rebecca J. Hofer** for a 2012-2015 hardship settlement on property identified as Parcel No. 21-20-380-025. She recommended abating $481.03 for 2012, $504.31 for 2013, $552.20 for 2014, and $576.96 for 2015, and settling the tax delinquencies for $2,825.89. If not paid by October 3, 2016, this settlement will be invalid.

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted letters recommending approval of the requests of the following taxpayers for tax relief:

Taxpayer Parcel No. Year Type of Relief

**Carmen Figueroa** 20-24-153-023 2016 Indigent

**Parvis Gharagozloo-Las** 21-04-431-010 2016 Hardship

**Carolina Gutarra** 16-05-353-011 2016 Indigent

**Rosalinda Harward** 15-13-480-005 2016 Indigent

**Dede C. Herrera** 22-31-430-003 2016 Indigent

**Rebecca J. Hofer** 21-20-380-025 2016 Indigent

**Ana E. Howard** 15-13-278-009 2016 Indigent

**Nga Thi Hoang Nguyen** 08-27-304-021 2016 Indigent

**Cheryl W. Panoussi** 15-30-256-003 2016 Indigent

**Lanay D. Valencia** 14-28-458-021 2016 Hardship

**Angela K. Zarr** 21-20-131-001 2016 Hardship

**Wendy J. Brewster** 28-17-279-011 2015 Hardship

**Karl W. Michel** 16-08-226-004 2015 Hardship

**Barbara Sagers** 27-01-227-016 2015 Hardship

**Colleen Swapp** 27-27-404-012 2015 Hardship

 Ms. Fehrmann also recommended denial of the requests of the following taxpayers for tax relief:

Taxpayer Parcel No.

**Erva Dean Dastrup** 22-30-403-018

**Mary Lee Sieverts** 28-04-151-019

**Sally Snow** 21-02-153-045

**Bianca Velasquez** 22-30-131-001

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 Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted letters recommending approval of the request of the following taxpayers for veteran exemptions:

Taxpayer Parcel No. Year

**Christopher M. Bentley** Vehicles 2015

**Kevin Berdan** 32-12-229-011 2015

**Audra F. Davis** Vehicles 2015

**Horace G. Fleming** 33-05-251-029 2015

**Jill Fuchuck** 22-11-203-007 2015

**James R. Haines** 22-20-362-010 2015

**Dixie L. Inlay** 21-13-483-011 2015

 Vehicles 2015

**Thomas A. LaRochelle** Vehicles 2015

**Dean Parker** Vehicles 2015

**Raymond Pease** 15-33-178-020 2015

**Steve P. Pittenger** 26-02-302-005 2015

**Byron P. Quick** Vehicles 2015

**Rael Raymundo** Vehicles 2015

**Kenneth L. Russell** 16-09-282-020 2015

**Marc P. Savageau** Vehicles 2015

**John P. Terrion** 22-03-128-002 2015

**Derik A. Udink** 21-05-378-007 2015

 Council Member Bradshaw, seconded by Council Member Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. (Council Member Newton, seconded by Council Member Granato, moved to approve the tax matters 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 Treasurer to effect the same, showing that all Council Members present voted “Aye.”

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 THIS BEING THE TIME heretofore set for a public hearing to receive public comments regarding use of County tax revenues through tax increment financing for a Sandy Transit Oriented Development (TOD) (Sandy City). 4:20:27 PM

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

 **Ms. Alexandra Eframo** stated she did not know what “TOD” was.

 **Council Member Burdick** stated it stood for Transit Oriented Development. It is a different kind of development, in that it may be near a transit hub, include more density, and have less need for car space.

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 **Mr. Steve Van Maren** stated he was concerned that Sandy was picking up the bill for the parking structure in this development. The Utah Transit Authority (UTA) should be building its own parking structure.

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

 Council Member Jensen, seconded by Council Member Wilson, moved to modify the interlocal agreement so that Sandy City receives 100 percent of the tax increment.

 **Council Member Jensen** stated with this change, all of the personal property increase will be given to Sandy City and the city will give it back to the County like it would all of the other tax increment. Personal property has been excluded and can be outside of the new growth formulas. That is a windfall that would go to other taxing entities. However, the County wants its portion of that personal property to come back to the County.

 **Mr. David Delquadro**, Chief Financial Manager, Council Office, stated that is exactly right. This situation came up when the Facebook EDA was discussed and this is the response that was developed. The County is now trying to apply this even-handedly to all the CDAs that were discussed a few weeks ago.

 **Council Member Burdick** asked if the Council was premature in making this motion.

 **Mr. Delquadro** stated no. The idea of the interlocal agreement is for the Council to provide feedback to the Mayor indicating it is fine with this as long as this modification is made.

 Council Member Jensen, seconded by Council Member Wilson, moved to ask the Mayor’s Office to modify the interlocal agreement so that Sandy City receives 100 percent of the tax increment. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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 Ms. Angela Lane, Deputy District Attorney, submitted the following ordinance reflecting desired clarifications of and changes to practices of the County’s flood control program, including clarifications regarding required permitting along flood control facilities and including a new enforcement, penalties, and appeals process.

ORDINANCE NO. 1800 DATE: September 13, 2016

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING TITLE 17 CHAPTERS 8 AND 32 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, REFLECTING DESIRED CLARIFICATIONS OF AND CHANGES TO PRACTICES OF THE COUNTY’S FLOOD CONTROL PROGRAM, INCLUDING CLARIFICATIONS REGARDING REQUIRED PERMITTING ALONG FLOOD CONTROL FACILITIES AND INCLUDING A NEW ENFORCEMENT, PENALTIES, AND APPEALS PROCESS.

The Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Chapter 17.08 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 17.08 - FLOOD CONTROL FACILITIES

Sections:

17.08.010 - Definitions.

As used in this chapter:

“County facility” means any flood control, storm drainage, water quality control, or water conservation structure, facility, appurtenance, as well as any other property owned, constructed, maintained or controlled by or on behalf of the county, including such flood control facilities as are identified in Section 17.08.040 of this chapter.

"Governmental entity" means the state and its political subdivisions.

"Master plan design flow" means the flow amount set by a regional or local storm drainage master plan study conducted by a registered profession engineer.

"One percent annual chance flood" means the flood event having a one percent chance of being equaled or exceeded in any given year. The one percent chance flood is also referred to as the "base flood" or "100-year flood".

"Political subdivisions" means any county, city, town, metro township, school district, public transit district, redevelopment agency, special improvement or taxing district, or any other political subdivision or public corporation.

“Responsible person” means a person including the property owner and any person or entity, including but not limited to firms, corporations, and government entities, whether as owner, agent, or occupant, who commits, aids in committing, contributes to, causes, supports, retains, or permits a violation of this title. Every successive owner or tenant of a property or premises who fails to correct the violation upon or in the use of property or premises caused by a former owner or tenant is also a responsible person. In cases where there is more than one responsible person, the County may proceed against one, some, or all of them.

“Structure” means that which is built or constructed, an edifice, building, or wall of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

"State of Utah" means the state of Utah or any office, department, agency, authority, commission, board, institution, hospital, college, university or other instrumentality thereof.

(Ord. 827 § 2, 1982: Ord. 817 § 2 (part), 1982: prior code § 7-2-1 (part))

17.08.020 - Permit—Required.

A. **Required Permits.** A permit from the Division is required [~~It is unlawful~~ ]for:

1. [~~a~~]Any structure, encroachment, facility, or appurtenance that [~~person, firm, corporation or governmental entity to~~ ]interferes with, causes damage to, destroys, or uses for any purpose[~~s~~] any ~~flood control, storm drainage, water quality control, or water conservation structure, facility, appurtenance~~County facility ~~or any other property owned, constructed, maintained or controlled by or on behalf of the county, as identified in Section 17.08.040 of this chapter~~[~~, without having first received a written permit from the division~~].

i. The County considers the following to interfere with, cause damage to, destroy, or use any County facility pursuant to 17.08.020(A)(1):

a. A structure, encroachment, facility, or appurtenance that compromises the structural integrity or lateral support of a County facility.

b. A structure, encroachment, facility, or appurtenance that impedes the ability of a County facility to withstand a one percent annual chance flood.

c. Adding, moving, or removing fill within or along any flood control facility or channel identified in Section 17.08.040.

d. Any structure or other encroachment that prevents access to or along a flood control facility, as identified in Section 17.08.040, upon property which the County has a property interest in or that is controlled in behalf of the County.

ii. The above does not constitute an all-inclusive list and the County is in nowise limited by this list when determining what interferes with, causes damage to, destroys, or uses a County facility.

2. Any obstruction, material, or matter of any kind in [~~the~~]a channel or drain or within or upon any flood control channel, reservoir, detention basin, debris basin, spreading ground or other property over which the county has an interest, [~~matter of any kind~~ ]that may operate to impede, retard or change the normal direction of the flow of floodwaters, stormwaters, or other waters, or that may catch or collect debris carried by such waters, or that may be carried downstream by such waters to the damage and detriment of adjacent private or public property, or that may degrade the quality of the water.[~~, without first obtaining a written permit for such placement from the director of the division.~~]

B. **Property Owner Responsibility**. This provision is applicable to all responsible persons. The property owner is responsible for ensuring that all structures, encroachments, facilities, appurtenances, obstructions, etc. on his or her property are properly permitted by the Division, and for ensuring his or her property’s compliance with this title. [~~The Division may impose such terms and conditions as may be necessary to provide for the carrying away and the safe disposal of natural stormwaters and floodwaters, and to prevent the destruction or obstruction of any such structure, facility, appurtenance, etc., and to ensure the proper maintenance and restoration of any such structure, facility, appurtenance or property.~~ ] To ensure compliance with this Chapter, a property owner will contact the County’s Flood Control Division for all construction or landscaping activities within 40 feet from the top of the County facility’s bank to determine if permitting is necessary.

C. **Unpermitted Encroachments Prohibited.** It is unlawful for any responsible person to construct any structure, encroachment, facility, appurtenance, or obstruction covered by 17.08.020 without first receiving a permit in accordance with 17.08.020 of this title, or to fail to remove any structure, encroachment, facility, appurtenance, obstruction, etc. that is not in compliance with this title when requested to do so by the County.

D. **Permit Applications.** Application for permits ~~use of such structures, facilities, appurtenances or property~~ shall be made to the director of the [~~division~~]Division and shall set forth the particular use desired and the purpose and duration of use. The Division may impose such terms and conditions as may be necessary to provide for the carrying away and the safe disposal of natural stormwaters and floodwaters, and to prevent the destruction or obstruction of any such structure, facility, appurtenance, etc., and to ensure the proper maintenance and restoration of any such structure, facility, appurtenance or property. Permits shall be revocable when, in the discretion of the director of the [~~division~~]Division, the public interest and welfare so requires.

(Ord. 817 § 2 (part), 1982: prior code § 7-2-1 (part))

17.08.030 - Exemptions.

The provisions of the above section shall not apply to any entry or use in the course of duty by any peace or police officer or by a duly authorized employee of the county.

(Ord. 817 § 2 (part), 1982: prior code § 7-2-2)

17.08.040 - Specific facilities.

A. The following facilities, wherever located in the county, including open channel sections and sections in conduit, are declared to be part of the storm drainage and flood control system and are subject to the provisions of this chapter relating to such facilities:

1. The Jordan River;

2. City Creek;

3. Red Butte Creek;

4. Emigration Creek;

5. Parley's Canyon Creek;

6. Mountain Dell Canyon Creek;

7. Lamb's Canyon Creek;

8. Mill Creek;

9. Neff's Creek;

10. Big Cottonwood Creek;

11. Little Cottonwood Creek;

12. Dry Creek from Bell's Canyon Reservoir to Jordan River;

13. Big Willow Creek;

14. Little Willow Creek;

15. Corner Creek;

16. Beef Hollow Creek Downstream from Camp Williams Boundary;

17. Wood Hollow Creek Downstream from Camp Williams Boundary;

18. Rose Creek;

19. Butterfield Creek;

20. Copper Creek;

21. Midas Creek;

22. Bingham Creek;

23. Barney's Creek;

24. Harker's Canyon Creek;

25. Coon Canyon Creek;

26. Utah Lake Distributing Company Canal;

27. Utah and Salt Lake Canal;

28. South Jordan Canal;

29. North Jordan Canal;

30. Kennecott Canal;

31. Riter Canal;

32. Kersey Creek;

33. C-7 Ditch;

34. Lee Creek;

35. 8000 West Drain—Utah and Salt Lake Canal to C-7 Ditch;

36. Kearns-Chesterfield Drain—Utah and Salt Lake Canal to Jordan River including Decker Lake;

37. Lee Drain—Lee Drain Pump Station to Lee Creek;

38. Goggin Drain Surplus Canal to Great Salt Lake;

39. Surplus Canal;

40. 2700 West Drain—North Jordan Canal to I-215 Drain;

41. I-215 Drain—4700 South to 4100 South and 2700 West Drain to Decker Lake;

42. 4100 South Drain—3200 West to Jordan River;

43. 4700 South Drains—South Jordan Canal to I-215 Drain and North Jordan Canal to Jordan River;

44. 3200 West Drain—4700 South to 4100 South;

45. 5400 South Drain—Utah and Salt Lake Canal to Jordan River;

46. City Drain, West Branch from CWA 2 Drain to Sewage Canal;

47. Sewage Canal from City Drain to Great Salt Lake;

48. CWA 2 Drain from CWA 1 Drain to West Branch City Drain;

49. CWA 3 Drain from Brighton Canal Extension to CWA 2 Drain;

50. CWA 1 Drain from Roper Yard to CWA 2 Drain;

51. 4th Avenue Drain—Virginia Street to City Creek;

52. 8th South Drain—East High School Detention Basin to Jordan River;

53. 7200 South Drain—East Jordan Canal to Jordan River;

54. 9000 South Drain—Sandy Irrigation Canal to Jordan River;

55. Salt Lake City Canal to Red Butte Creek;

56. East Jordan Canal;

57. East Jordan Canal Extension;

58. 2700 South Storm Drain—Nibley Park Outfall to Mill Creek.

B. If not owned by the county, the rights of the county in and to canals and storm drains specified above are limited to those included in specific agreements for their use with the owners of such facilities.

C. The provisions of this chapter shall also apply to the following classes of facilities:

1. All collection storm drains and subsurface collection systems installed in dedicated easements and other easements in which the county has a legal interest, and located in the unincorporated county area;

2. All collection storm drains and subsurface collection systems installed in dedicated easements and located in the incorporated areas of the county through contracts and agreements specifically outlining duties and responsibilities of the city and county on each facility.

(Ord. No. 1784, § II, 4-14-2015; Ord. 1478, § 2, 2001; Ord. 1433, § 2, 1998; Ord. 918, § 1, 1985; Ord. 817, § 2 (part), 1982; prior code, § 7-2-5)

17.08.050 - Existing use—Permit not required.

No permit shall be required for any existing use of natural channels within the county for such beneficial purposes as are approved by the Office of the State Engineer for the state; nor shall it affect any water rights established by the State Engineer or by any court of competent jurisdiction. No provision contained in this title shall be construed to interfere with or permit the regulation, allocation or reallocation of water rights or water right use or of any culinary water collection or distribution system or waters and facilities used in connection therewith.

(Ord. 817 § 2 (part), 1982: prior code § 7-2-6)

17.08.060 - Performance bond required.

The division may require a performance bond to assure proper and timely completion of work authorized under a permit issued pursuant to Section 17.08.020, or to assure timely completion of improvements required under Section 17.08.080.

(Ord. 817 § 2 (part), 1982: prior code § 7-2-7)

17.08.070 - Control by the county.

Any and all projects which involve the drainage of stormwaters and floodwaters or which affect the quality of water which flows through all natural channels to be performed on any such projects, either existing or to be completed subsequent to the effective date of the ordinance codified in this title, shall be under the control and discretion of the mayor, and shall be subject to approval by the county council during its annual review of the budget of the flood control and water quality management program as prepared by the division.

(Ord. 1473 (part), 2001: Ord. 817 § 2 (part), 1982: prior code § 7-2-8)

17.08.080 - Review of development plans.

All plans for public and private development that will alter the natural flow of surface water upon the lands involved in the development shall be submitted to the division for review and approval prior to the commencement of work thereon. Plans for a development which will drain into a flood control or storm drainage facility maintained by a city shall be the responsibility of that city and submission of the plans to the division shall not be required. The city shall review such plans to assure compliance with those provisions of Section 17.08.020 applicable to city facilities which connect to those facilities identified in Section 17.08.040 of this chapter. The division may require the design of erosion and sediment control or other measures to protect the capacity of any flood control or storm drainage facilities or the quality of the water flowing through any part of the flood control and storm drainage system as defined in Section 17.08.040. "Water quality" or "quality of water," whenever used in this section, refers to and incorporates those definitions and standards which are set forth in the county's then-current water quality management plan, as established by the division.

(Ord. 817 § 2 (part), 1982: prior code § 7-2-3)

17.08.090 - Replacement and new bridges and culverts—Design criteria.

A. Replacement and new bridges or culverts on the natural tributaries and open man-made channels, except irrigation canals, listed in Section 17.08.040, shall be sized for a frequency based on consideration of the benefits and costs derived from the improvements. As a minimum all such bridges and culverts shall be designed to pass the greater of the one percent annual chance flood discharge or the stormwater master plan design flow, where a master plan for the flood control facility has been adopted by the director of the division of flood control and engineering, unless the division director shall deem such level of protection unwarranted. In addition to the design flow, consideration shall be given to the freeboard necessary to pass debris and accommodate bed load and bulking.

[~~B. The phrase "one percent annual chance flood" means the flood event having a one percent chance of being equaled or exceeded in any given year. The one percent chance flood is also referred to as the "base flood" or "100-year flood".~~

~~C. The phrase "master plan design flow" means the flow amount set by a regional or local storm drainage master plan study conducted by a registered profession engineer.~~ ]

(Ord. No. 1702, § II, 5-3-2011; Ord. 921, § 1, 1985; prior code § 7-2-9)

17.08.100 – [~~Obstruction of or damage to facilities prohibited~~]Enforcement and penalties.

~~It is unlawful for any person, firm or corporation, or governmental entity to place or cause to be placed in the channel or drain or within or upon any flood control channel, reservoir, detention basin, debris basin, spreading ground or other property over which the county has an interest, matter of any kind that may operate to impede, retard or change the normal direction of the flow of floodwaters, stormwaters, or other waters, or that may catch or collect debris carried by such waters, or that may be carried downstream by such waters to the damage and detriment of adjacent private or public property, or that may degrade the quality of the water, without first obtaining a written permit for such placement from the director of the division.~~

All enforcement of these provisions shall be conducted in accordance with Chapter 17.32 of this title. [(Ord. 827 § 3, 1982: Ord. 817 § 2 (part), 1982: prior code § 7-2-4)

(Ord. 817 § 2 (part), 1982: prior code § 7-9-1)

SECTION III. Chapter 17.32 of Title 17 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

17.32.010 – Definitions.~~Violation deemed misdemeanor.~~

~~It is unlawful for any person, corporation, association, partnership or governmental instrumentality to wilfully violate any of the provisions of this title, or to aid or cause the violation of any of said provisions.~~

~~(Ord. 817 § 2 (part), 1982: prior code § 7-9-1)~~

“Division” means Salt Lake County’s Flood Control Engineering Division.

“Emergency Abatement” means abatement procedures conducted upon the determination that the obstruction, encroachment, violation, or other circumstance is immediately hazardous to public health, safety, or welfare, including but not limited to conditions that are likely to result in a flood event.

“Responsible person” means any person, including the property owner, or entity, including but not limited to firms, corporations, and government entities, whether as owner, agent, or occupant, who commits, aids in committing, contributes to, causes, supports, retains, or permits a violation of this title. Every successive owner or tenant of a property or premises who fails to correct the violation upon or in the use of property or premises caused by a former owner or tenant is also a responsible person. In cases where there is more than one responsible person, the County may proceed against one, some, or all of them.

17.32.020 - Penalty.

1. The provisions of this title may be enforced by injunctions, mandamus, abatement, criminal or civil penalties, or any other remedies provided by law. Any one, all, or combination of the penalties and remedies set forth herein may be used to enforce the provisions of this title.
	1. Criminal Penalties. It is unlawful for any responsible person to willfully violate any of the provisions of this title, or to aid or cause the violation of any of said provisions. Any person who is convicted of violating any of the provisions of this title shall be guilty of a Class B misdemeanor and shall be punishable as set out in Chapter 1.12 of this code.
	2. Civil Penalties. Any responsible person found in violation of the provisions of this title may be fined according the Flood Control Violation Civil Penalty Schedule, adopted by the County’s governing body.

 (Ord. 1473 (part), 2001: 1986 Recodification: Ord. 817 § 2 (part), 1982: prior code § 7-9-2)

~~17.32.030 - Additional sanctions against corporation or association.~~

~~A. When a corporation or association is convicted of violating any of the provisions of this title, the court may, in addition to or in lieu of imposing other authorized penalties, require the corporation or association to give appropriate publicity of the conviction by notice to the class or classes of persons or sections of the public interested in or affected by the conviction, by advertising in designated areas, or by designated media or otherwise.~~

B. ~~When an executive or high managerial officer of a corporation or association is convicted of a violation of any of the provisions of this title, committed in furtherance of the affairs of the corporation or association, the court may include in the sentence an order disqualifying him from exercising similar functions in the same or other corporations or associations for a period not exceeding five years if it finds the scope or wilfulness of his illegal actions make it dangerous or inadvisable for such functions to be entrusted to him.~~

~~(Ord. 817 § 2 (part), 1982: prior code § 7-9-3)~~

17.32.035. Enforcement Procedure.

The following procedures govern the enforcement of the provisions of this Title.

1. Stop Work Order. Whenever the Division finds that there is or has been a violation of this Title, the Division may serve upon a responsible person a written Stop Work Order, directing no further work shall be performed or approved until otherwise authorized by the Division. A Stop Work Order may be personally served, may be mailed to responsible person by certified mail, or may be posted in a prominent location upon the property where the violation exists.
	1. A Stop Work Order must include:
		1. The activity or action that must be stopped immediately;
		2. name of responsible person;
		3. the location of violation;
		4. date violation was observed;
		5. explanation of the violation specifying ordinance sections in violation;
		6. obligation of the responsible person to bring violation into compliance, including the date by which to bring violation into compliance; and
		7. notice of the appeals process found in 17.32.060 of this Chapter.
	2. If responsible person has not remediated the violation within the timeframe allotted in Stop Work Order, the Division may proceed with a Notice of Violation or abatement procedures.
2. Notice of Violation. The Division may serve upon a responsible person a written notice of the violation whenever the Division finds that there has been a violation of this Title. A notice of violation may be personally served, may be mailed to responsible person by certified mail, or may be posted in a prominent location upon the property where the violation exists.
	1. A notice of violation under this Title must include:
3. name of responsible person;
4. the location of violation;
5. date violation was observed;
6. explanation of the violation specifying ordinance sections in violation;
7. obligations of the responsible person to bring violation into compliance, including the date, of not less than thirty days, by which to bring violation into compliance;
8. date and rate which civil penalties will begin to accrue;
9. a reminder of the County’s ability to abate the violation pursuant to 17.32.040 of this title; and
10. notice of the appeals process found in 17.32.060 of this Chapter.
	1. This first notice of violation may be issued after discovery of a violation of this Title, and may serve to start a warning period commencing upon receipt of the notice.
	2. If the responsible person has not remediated the violation within the timeframe allotted in the first notice, the Division may serve a second notice of violation upon the responsible person. The second notice of violation ends any warning period provided by the first notice of violation. The penalties described in 17.32.020 will be imposed and begin to accrue upon service of the second notice of violation.
	3. The Division may issue further notices of violation as needed. All subsequent notices of violation will include the total accrual of all civil penalties as of the date of the notice. After penalties begin accruing, remediation of the violation will not relieve the responsible person from payment of any accrued penalty, nor will payment of a civil penalty relieve the responsible person from the obligation to correct the violation. The Division Director, in his or her discretion, may waive all or a portion of the civil penalty for good cause.
11. The Division may bring an action for abatement of the nuisance caused by violation of this Title as set forth in 17.32.040 if:
	1. After thirty days from the date of the second notice of violation or the Stop Work Order, the responsible person has not remediated the violation;
	2. After issuance of the Stop Work Order, the responsible person continues to violate the provisions of this Title; or
	3. At any time upon the determination that the encroachment violation is immediately hazardous to public health, safety, or welfare.
12. The Division’s right to abate a violation does not extinguish through passage of time and may be exercised at any time after the initial requirements set forth in 17.32.035 C(1)-(3) have been met.

17.32.040 - Removal of obstruction - Abatement.

1. In addition to any penalties which may be imposed pursuant to this chapter, the ~~d~~Division may [~~do the following~~]bring an action to abate any violation of this ordinance or of any permit issued by the Division and to [~~:~~][~~A. R~~]remove any [~~of the~~]obstruction[~~s~~] or other encroachment violation described in [~~Section 17.08.100 and also, any pipelines or other devices installed in violation of~~ ]Section 17.08.020 or otherwise is in violation of this Title.[~~; and/or~~]
2. Abatement Procedure. To abate a violation under this title, the Division must first follow the enforcement procedure as set forth in 17.32.035 of this Title, unless the violation falls under 17.32.035(C)(3).
	1. To conduct an abatement, the Division must have either the written permission of the property owner to conduct the abatement, or a court order or other legal document authorizing access and the violation’s abatement. The Division may direct the Salt Lake County District Attorney’s office to bring an action for abatement of the violation.
	2. After receiving permission or a court order as provided above, and before abating a violation under 17.32.035(C)(1-2), the Division may [~~G~~]give written final notice to responsible persons[] of the impending abatement[~~in violation of the provisions of this chapter requiring the removal of offending installations from natural channels or other storm drainage facilities~~]. This notice will include the date and time of the abatement, as well as notice that the Division can recover abatement costs from the responsible person. Notices may be personally served or may be mailed to violators by ~~registered~~ certified mail provided that a copy is also posted on offending installations[ ~~for a period of ten days~~].
	3. If such installations are not removed [~~within ten days~~ ]after notice is given, the [~~division~~ ]Division, acting with permission or by order of the court, may effect removal at the expense of the person in violation and may recover its costs and expenses in conducting the abatement according to 17.32.040(D) of this Chapter.
3. Emergency Entry. The Division has the authority, based on cause and exigent circumstance, to enter any property, without a search warrant or court order to conduct emergency flood control work or emergency abatement to mitigate a threat to public health, safety, and welfare, but only in a situation of extreme, imperative, or overwhelming necessity when immediate action is necessary to save human life or avert destruction or damage of property.
	1. Before conducting an emergency entry or emergency abatement under 17.32.035(C)(3), the Division must give whatever notice is practicable and reasonable under the circumstances and based upon the severity of the threat to public health, safety, and welfare. The Division may not authorize such emergency entry or emergency abatement if the threat is not so imminent as to allow time to obtain permission, a court order, injunction, preliminary injunction, temporary restraining order or other court order before action is taken.
	2. After an emergency entry, the Division shall notify the owner or responsible person of the action taken, which notice shall be served immediately after completion of the entry and work. A person wishing to appeal this entry, work, or abatement may do so as authorized in Title 17.32.060(B)(1).
	3. The responsible person shall be liable for all costs associated with an emergency abatement. The County may recover costs pursuant to 17.32.040(D) of this Chapter.
4. Reimbursement. After the violation is abated pursuant to 17.32.040(C), 17.32.040(D) or 17.32.040(F) of this Title, the Division may recover its abatement costs and expenses.
5. Division will create an inventory of all costs and expenses expended by the Division in abating the violation[ ~~therefor: and/or~~] and will serve notice of the inventory of costs upon the responsible person within thirty business days of the abatement.
6. If the responsible person fails to pay such costs within thirty days after receipt, the Division may [~~Bring~~ ]bring an action [~~for the abatement of the nuisance caused by the offending installation, or~~] for the recovery of the [~~county's~~ ]Divisions’ costs and expenses incurred in removing the offending installation pursuant to [~~subsections A or B of this section~~]the above subsections.
7. Nothing set forth in this Title shall prevent the Division from abating any violation, removing any obstruction, or exercising any powers granted by Utah Code Section 17-8-5, on County property or within a County easement without following the enforcement procedures in this Chapter, so long as the Division does not trespass upon another’s property.

(Ord. 817 § 2 (part), 1982: prior code § 7-9-4)

17.32.050 – Recordation of Notices of Violation

1. If the Division issues a notice of violation to a responsible person, and the property remains in violation after the deadline established in the notice of violation, and no request for an appeal has been filed, the Division has authority to record a notice of violation with the Recorder’s Office of Salt Lake County.
2. The recordation shall include the name of the property owner, the parcel number, the legal description of the parcel, a copy of the notice of violation or order, and any other relevant information.
3. The recordation does not: (i) place a lien on the property; (ii) encumber the property, or (iii) serve as a notice of interest in the property, but merely places future interested parties on notice of any continuing violation found upon the property.
4. A notice of the recordation shall be served on the responsible person and the property owner by personal services or certified mail.
5. Compliance. When the violation has been corrected, the responsible person will request an inspection by the Division. If after inspection, all violations have been corrected, necessary permits issued and finalized, and civil penalties and administrative fees paid, the Division shall issue a Notice of Correction of Violation to the responsible person and shall record such notice of compliance with the Recorder’s Office of Salt Lake County.

17.32.060 – Appeals.

1. Any person aggrieved by the issuance of any enforcement or abatement proceeding authorized by this Chapter may appeal to the County.
2. First Appeal. The notice of appeal shall be in writing and filed with the Flood Control Engineering Division Director. Upon receipt of an appeal, the Flood Control Engineering Division Director or his designee will conduct an informal meeting with the appellant. The Flood Control Engineering Division Director or designee will provide reasonable notice to appellant of this meeting. The Flood Control Engineering Division Director or designee will make a final determination within two business days of the meeting, and will send by certified mail a copy of the determination to appellant.
	1. Time. Appeals must be appealed no later than ten calendar days after notice was received.
	2. Staying an Abatement. Any abatement or emergency abatement may be appealed, however, any notice to appeal an abatement or emergency abatement will not stay abatement or emergency abatement proceedings, or prevent the Division from carrying out an abatement.
3. Second Appeal. The appellant may appeal the Flood Control Engineering Director or designee’s determination to the Public Works Director or designee. The appeal shall be in writing and filed with the Public Works Director no later than ten business days after the Flood Control Engineering Director’s determination.
	1. Upon receipt of an appeal, the Public Works Director or his designee will conduct an appeal. The Public Works Director or designee will provide reasonable notice to appellant of this meeting. The Public Works Director or designee will make a determination within two business days of the meeting, and will send by certified mail a copy of the determination to appellant.
4. Third Appeal. The appellant may appeal the Public Works Director or designee’s determination by requesting an administrative hearing as provided in Chapter 1.16 of the Salt Lake County Code. The appellant may appeal the final administrative order as provided by state law.

SECTION III. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED AND ADOPTED in Salt Lake City, Salt Lake County, Utah, this 13th day of September, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

 By /s/ MAX BURDICK

 Chair

By /s/ SHERRIE SWENSEN

 County Clerk

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 Mr. Zach Shaw, Deputy District Attorney, submitted the following ordinance adjusting time periods and types of land use applications, and distinguishing how they apply to an incorporation of a city versus an incorporation of a metro township.

ORDINANCE NO. 1801 DATE: September 13, 2016

LAND USE APPLICATIONS PRIOR TO INCORPORATION

AN ORDINANCE AMENDING SECTION 2.92.100 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, TITLED “LAND USE APPLICATIONS PRIOR TO INCORPORATION,” BY ADJUSTING THE TIME PERIODS AND TYPES OF LAND USE APPLICATIONS TO WHICH THE SECTION APPLIES, AND DISTINGUISHING HOW THE SECTION APPLIES TO AN INCORPORATION OF A CITY VERSUS AN INCORPORATION OF A METRO TOWNSHIP, AND MAKING OTHER RELATED CHANGES.

 The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

 SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

 SECTION II. Section 2.92.100 of the Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

**2.92.100 Land Use Applications Prior to Incorporation**

The county mayor, council, planning commission, and township commissions [~~and land use hearing officer~~] require adequate time to complete the notice, hearing and review process for various land use applications prior to a scheduled city or metro township incorporation. To avoid duplication, confusion and imposition of fees or exactions for applications that may not be fully processed prior to incorporation, and to allow an incorporating city or metro township to decide new legislative land use applications, the planning and development services division shall not accept a[~~n~~] new application for a zone or general plan change for property that is subject to either a city or metro township incorporation ~~[, a subdivision or conditional use permit~~] one hundred twenty days prior to the scheduled official date of incorporation. The planning and development services division shall not accept a new application for a subdivision or conditional use permit for property that is subject to a city incorporation sixty days prior to the scheduled official date of incorporation. The planning and development services division shall process to completion all other land use applications that are filed prior to the scheduled official date of incorporation of a city or metro township. [~~Requests to a land use hearing officer for a variance, special exception or appeals shall not be accepted ninety days prior to incorporation. Building permit applications and non-discretionary permitted uses shall not be accepted thirty days prior to scheduled incorporation date.~~]

 SECTION III: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this 13th day of September, 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 Wilson, moved to approve the ordinances. The motion passed unanimously, authorizing the Chair to sign the same, directing the County Clerk to attest his signature, and to publish the ordinance summaries in a newspaper of general circulation, 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 Community Services Department and the **Utah Performing Arts Center Agency** – Procurement of Audio Visual Equipment for the George S. and Dolores Doré Eccles Theater. The Utah Performing Arts Center Agency (UPACA) will pay the County $161,751.61 to procure the furniture, fixtures, and equipment (FF&E); manage receipt, storage, re-packaging and delivery of the FF&E to the theater; provide security, technical material handling and transportation for the FF&E; and be responsible for all County overhead expenses for procurement, payment, legal counsel, and accounting for these services. The County will document all purchases and expenses incurred, and will complete the final accounting and reconciliation no later than June 30, 2017.

RESOLUTION NO. 5122 DATE: September 13, 2016

RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE INTERLOCAL ENTITY KNOWN AS THE UTAH PERFORMING ARTS CENTER AGENCY (“UPACA”)

The Legislative Body of Salt Lake County resolves as follows:

 WHEREAS, the Utah State Legislature provided under Utah Code Ann. §§ 11-13-101, et seq., that any two or more public agencies may enter into agreements with one another for joint or cooperative action;

 WHEREAS, Salt Lake County (“County”) desires to enter into an Interlocal Cooperation Agreement (“Agreement”) with UPACA for the procurement of audio visual equipment for the George S. and Dolores Dore Eccles Theater, attached and incorporated into this Resolution as Exhibit “A.”

 NOW, THEREFORE, BE IT RESOLVED by the Salt Lake County Council that the Interlocal Agreement as attached as Agreement, Exhibit “A,” between Salt Lake County and UPACA is approved and the Salt Lake County Mayor is authorized to execute the same.

APPROVED and ADOPTED this 13th day of September, 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 Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Granato, 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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 Mr. K. Wayne Cushing, County Treasurer, submitted a letter requesting that 145 uncollectible returned checks totaling $15,602.88, and uncollectible retuned check fees and charges totaling $5,800.00, be purged from the records, and the items and related files transmitted to archives for destruction.

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

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 The Council reviewed a request to sign and send a letter to the Redevelopment Agency of West Jordan City requesting the County’s tax increment not be collected and used to pay funds to other taxing entities.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Snelgrove, moved to authorize the Chair to sign and send a letter to the RDA of West Jordan denying its request to transfer the County’s tax increment to another entity.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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 Ms. Becky Kapp, Director, Aging & Adult Services Division, submitted a letter advising that Cabinetry by Karman has offered to donate $250.00 to the Meals on Wheels program.

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 Ms. Becky Kapp, Director, Aging & Adult Services Division, submitted a letter advising that the Taylorsville Advisory Committee has offered to donate $1,886.00 to the Taylorsville Senior Center to be used for a New Step.

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 Ms. Becky Kapp, Director, Aging & Adult Services Division, submitted a letter advising that Intermountain Healthcare has offered to donate $2,500.00 to the Aging and Adult Services Division to be used for physical fitness, healthy lifestyles, and wellness activities at the Riverton Senior Center.

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 Ms. Becky Kapp, Director, Aging & Adult Services Division, submitted a letter advising that the South County Community Council has offered to donate $1,500.00 to be used as follows: $500.00 to the Draper Senior Center; $500.00 to the West Jordan Senior Center and $500.00 to the Sandy Senior Center.

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 Ms. Becky Kapp, Director, Aging & Adult Services Division, submitted a letter advising that American Express has offered to donate $5,000.00 to the Aging and Adult Services Division to be used for the Meals on Wheels program.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Newton, seconded by Council Member Granato, moved to accept the donations and forward the Declaration of Gift forms 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 Forms and directing the County Clerk to attest his signature and forward them to the donors, showing that all Council Members present voted “Aye.”

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 Mr. Daniel Hayes, General Manager, Salt Palace Convention Center, submitted a letter requesting approval for an interim budget adjustment of $27,415,091 to record the difference between the cash paid for the purchase of land for the Salt Palace Convention Center and the fair market value as additional expenditure and contribution revenue to be in compliance with the Generally Accepted Accounting Principles.

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 Mr. Sim Gill, District Attorney, submitted a letter requesting approval for an interim budget adjustment of $226,853 for 26 copy machines leased from the Les Olson Company.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Wilson, seconded by Council Member Jensen, moved to approve the interim budget adjustment 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. Spencer Hymas,** Planning & Development Services Division, reviewed the following ordinance, which was heard during the August 30, 2016, Council meeting and forwarded to today for formal consideration:

 Application #29971 – **Michael Smith** to reclassify property located at 1212 East 4500 South from an R-2-10 to an R-M zone.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to approve Application #29971 and the following ordinance:

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-2-10 ZONE TO THE R-M ZONE

 The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, The Zoning Map of Salt Lake County, Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

 The property described in **Application #29971** filed by MICHAEL SMITH, and located at **1212 East 4500 South** within Salt Lake County, is hereby reclassified from the R-2-10 Zone to the R-M Zone, said property being described as follows:

PARCEL NO: 22-05-432-001-0000

LEGAL DESCRIPTION:

**Parcel 22054320010000 Legal description**

**LOT 2, RILEY SUBDIVISION**

Contains approximately 0.32 Acres

 Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County Code of Ordinances, 2001.

 Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

 IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this 13th day of September, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

 By /s/ MAX BURDICK

 Chair

By /s/ SHERRIE SWENSEN

 County Clerk

The motion passed unanimously, authorizing the Chair to sign the ordinance, and directing the County Clerk to attest his signature and publish it in a newspaper of general circulation, showing that all Council Members present voted “Aye.”

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 **Mr. Jeff Miller**, Planning & Development Services Division, reviewed the following ordinance, which was heard during the August 30, 2016, Council meeting and forwarded to today for formal consideration:

 Application #29759 – **Richard Smith** to reclassify property located at 4102, 4108, and 4120 South 900 East, and 849, 857, 865, and 875 East 4125 South from an R-2-10 to an R-M zone.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to approve Application #29759 and the following ordinance:

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-2-10 (MEDIUM DENSITY RESIDENTIAL) ZONE TO R-M (HIGH DENSITY RESIDENTIAL) ZONE.

 The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

 Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

 The properties described in Application #29759 filed by Richard Smith, and located at 4102 South 900 East, 4108 South 900 East, 4120 South 900 East, 875 East 4125 South, 865 East 4125 South, 857 East 4125 South, and 849 East 4125 South, within Salt Lake County (the “Properties”), are hereby reclassified from the R-2-10 (MEDIUM DENSITY RESIDENTIAL) zone to the R-M (HIGH DENSITY RESIDENTIAL) zone with the following condition to be added as a zoning condition:

* Heights of structures are limited to 35 feet to peak or ridgeline of the structure.

The Properties are more particularly described as follows:

LEGAL DESCRIPTIONS

Parcel No. 16-32-376-026:

BEG N 0°04’ E 168.2 FT FR SE COR LOT 12, BLK 5, 10 AC PL A, BF SUR; S 0°04’ W 58 FT; S 89°54’ W 379.5 FT; N 0°04’ E 58 FT; N 89°54’ E 379.4 FT TO BEG. 0.51 AC.

Parcel No. 16-32-376-030:

COM AT SE COR LOT 12 BLK 5 10 AC PLAT A BIG FIELD SUR N 0°04’ E 110.2 FT S 89°54’ W 185.5 FT S 0°04’ W 55.04 FT E 54.5 FT S 0°04’ W 55.2 FT E 131 FT TO BEG 0.4 AC

Parcel No. 22-05-126-003:

COM AT NE COR LOT 13 BLK 5 10 AC PLAT A BIG FIELD SUR S 93 FT; W 131 FT; N 93 FT; E 131 FT TO BEG. 0.28 AC.

Parcel No. 22-05-126-002:

BEG 131 FT W OF SE COR LOT 12, BLK 5, TEN AC PLAT A, BIG FIELD SUR; N 0°04’ E 55.2 FT; S 89°54’ W 54.5 FT; S 0°04’ W 148.2 FT; E 54.5 FT; N 93 FT TO BEG 0.18 AC M OR L

Parcel No. 16-32-376-029:

BEG 185.5 FT W OF SE COR LOT 12, BLK 5, 10 AC PLAT A, BIG FIELD SUR; N 0°04’ E 110.2 FT; S 89°54’ W 54.4 FT; S 0°04’ W 203.2 FT; E 54.5 FT; N 93 FT TO BEG. 0.25 AC

Parcel No. 16-32-376-028:

COM 240 FT W FR NE COR LOT 13 BLK 5 10 AC PLAT A BIG FIELD SUR S 93 FT W 64.5 FT N 203.2 FT E 64.5 FT S 110.2 FT TO BEG 0.3 AC.

Parcel No. 16-32-376-027:

COM 304.5 FT W FR SE COR LOT 12 BLK 5 10 AC PLAT A BIG FIELD SUR N 110.2 FT W 79.18 FT S 203.3 FT E 79.18 FT N 93 FT TO BEG. 0.37 AC.

 Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County Code of Ordinances, 2001.

 Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this 13th day of September, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

 By /s/ MAX BURDICK

 Chair

By /s/ SHERRIE SWENSEN

 County Clerk

The motion passed unanimously, authorizing the Chair to sign the ordinance, and directing the County Clerk to attest his signature and publish it in a newspaper of general circulation, showing that all Council Members present voted “Aye.”

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 **Mr. Jeff Miller**, Planning & Development Services Division, reviewed the following ordinance amendment, which was heard during the August 30, 2016, Council meeting and forwarded to today for formal consideration:

 Application #29887 – **Angel Juarez-Aguilar** to reclassify property located at 5405 West 4700 South from an M-1 to a C-2 zone.

 Council Member Bradshaw, seconded by Council Member Wilson, moved to approve Application #29887 and the following ordinance:

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE M-1 (MANUFACTURING) ZONE TO C-2 (COMMERCIAL) ZONE.

 The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

 Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

 The properties described in Application #29887 filed by Angel Juarez-Aguilar, located at 5405 West 4700 South within Salt Lake County (the “Property”), are hereby reclassified from the M-1 (MANUFACTURING) zone to the C-2 (COMMERCIAL) zone with the following condition to be added as a zoning condition:

* Heights of structures are limited to 35 feet to peak or ridgeline of the structure.

The Property is more particularly described as follows:

PARCELS # 20-12-102-007 and 20-12-102-014

LEGAL DESCRIPTION (20-12-102-007):

BEGINNING AT A POINT SOUTH 00°00’30” WEST 33 FEET AND NORTH 89°59’30” WEST 1520.29 FEET FROM THE NORTH QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°00’30” WEST 219.1 FEET; THENCE NORTH 89°59’30” WEST 50.0 FEET; THENCE NORTH 00°00’30” EAST 219.1 FEET; THENCE SOUTH 89°59’30” EAST 50.0 FEET TO THE POINT OF BEGINNING

LEGAL DESCRIPTION (20-12-102-014):

BEGINNING 1319.48 FEET NORTH 89°59’30” WEST AND 33 FEET SOUTH 00°00’30” WEST FROM THE NORTH QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 00°00’30” WEST 219.1 FEET TO THE CENTERLINE OF A RAILROAD SPUR TRACK; THENCE ALONG SAID CENTERLINE NORTH 89°59’30” WEST 198.813 FEET; THENCE LEAVING SAID TRACK NORTH 00°00’30” EAST 219.1 FEET; THENCE SOUTH 89°59’30” EAST 198.813 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTH 7 FEET OF SAID PROPERTY.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

A TRACK OF LAND BEING A PORTION OF THE MACARONI FACTORY PROPERTY LOCATED AT 5405 WEST 4700 SOUTH, IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, KEARNS CITY, SALT LAKE COUNTY, STATE OF UTAH.

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4700 SOUTH STREET, WHICH POINT BEING 1319.48 FEET NORTH 89°59’30” WEST ALONG THE SECTION LINE AND 33 FEET SOUTH 00°00’30” WEST FROM THE NORTH QUARTER CORNER OF SAID SECTION 12; AND RUNNING THENCE SOUTH 00°00’30” WEST 219.10 FEET TO A POINT ON THE CENTERLINE OF AN ABANDONED RAILROAD; THENCE ALONG SAID RAILROAD NORTH 89°59’30” WEST 25.00 FEET; THENCE NORTH 00°00’30” EAST 219.10 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE OF 4700 SOUTH STREET; THENCE ALONG SAID RIGHT OF WAY SOUTH 89°59’30” EAST 25.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE NORTHERLY 7 FEET, MORE OR LESS, AS PREVIOUSLY CONVEYED TO SALT LAKE COUNTY IN RIGHT-OF-WAY DEED RECORDED SEPTEMBER 7, 1976 AS ENTRY NO. 2852926 IN BOOK 4325 AT PAGE 494 OF THE OFFICIAL RECORDS.

COMBINED LEGAL DESCRIPTION (20-12-102-007 and 20-12-102-014):

BEGINNING AT A POINT ON THE SOUTH LINE OF 4700 SOUTH STREET, SAID POINT BEING NORTH 89°59’30” WEST 1344.48 FEET ALONG THE SECTION LINE AND SOUTH 00°00’30” WEST 40.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, AND RUNNING THENCE SOUTH 00°00’30” WEST 212.10 FEET TO THE CENTERLINE OF A RAILROAD SPUR TRACK; THENCE NORTH 89°59’30” WEST 225.81 FEET ALONG SAID CENTERLINE; THENCE NORTH 00°00’30” EAST 212.10 FEET; THENCE SOUTH 89°59’30” EAST 225.81 FEET TO THE POINT OF BEGINNING, CONTAINING 1.100 ACRES.

 Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances, 2001.

 Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this 13th day of September, 2016.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

 By /s/ MAX BURDICK

 Chair

By /s/ SHERRIE SWENSEN

 County Clerk

The motion passed unanimously, authorizing the Chair to sign the ordinance, and directing the County Clerk to attest his signature and publish it in a newspaper of general circulation, showing that all Council Members present voted “Aye.”

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 THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:26:02 PMuntil Tuesday, September 20, 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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