

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, JUNE 11, 2019

The City Council of Salt Lake City, Utah, met in Formal Session on Tuesday, June 11, 2019 in Room 315, Council Chambers, City County Building, 451 South State.

The following Council Members were present:

James Rogers	Amy Fowler	Charlie Luke
Chris Wharton	Erin Mendenhall	Andrew Johnston
Analia Valdemoros		

Jennifer Bruno, Council Executive Deputy Director; David Litvack, Mayor's Deputy Chief of Staff; Patrick Leary, Mayor's Chief of Staff; Lynn Pace, Acting City Attorney; and DeeDee Robinson, Deputy City Recorder were present.

Councilmember Luke presided at and Councilmember Valdemoros conducted the meeting.

The meeting was called to order at 7:15 p.m.

OPENING CEREMONY

#1. [7:09:35 PM](#) **Pledge of Allegiance.**

#2. [7:09:55 PM](#) **Welcome and Review of Standards of Conduct.**

#3. [7:15:50 PM](#) Councilmember Mendenhall moved and Councilmember Fowler seconded to **approve the Formal Meeting minutes of Tuesday, April 23, 2019 and Tuesday, May 28, 2019.** [View Minutes](#)
(M 19-3)

PUBLIC HEARINGS

#1. [7:16:13 PM](#) Accept public comment regarding **Grant Application: COPS Office Law Enforcement Mental Health Wellness Application, requesting to fund a full-time civilian program coordinator and computer for the Salt Lake City Police Department's Peer Support Program.** [View Attachments](#)

There was no public comment.

Councilmember Rogers moved and Councilmember Johnston seconded to **close the public hearing and refer the item to a future Consent Agenda,** which motion carried, all members voted aye.
(B 19-3)

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POTENTIAL ACTION ITEMS

#1. [7:16:59 PM](#) Adopting an ordinance amending the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2018-19. *Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications (Budget Amendment No. 6).* [View Attachments](#)

Councilmember Luke moved and Councilmember Fowler seconded to adopt [Ordinance 19 of 2019](#), amending the Fiscal Year 2018-2019 final budget of Salt Lake City as proposed by the Administration, except for Item A-6, and with the addition of I-1 funding contingency as shown on the adoption ordinance, which motion carried, all members voted aye.
(B 19-8)

#2. [7:17:54 PM](#) Adopting an ordinance amending Section 14.52.030, Salt Lake City Code, pertaining to the disposition process of City-owned alleys pursuant to Petition No. PLNPCM2018-00081. *The proposal would modify the application process related to the disposition of City-owned alleys. Currently, in order to request that the City relinquish ownership of a public alley, at least 80 percent of the neighbors owning property along the alley must sign a petition in favor of the request. The proposed text amendment would reduce the minimum required property owners' signatures to 75 percent.* [View Attachments](#)

Councilmember Rogers moved and Councilmember Fowler seconded to adopt [Ordinance 22 of 2019](#), which motion carried, all members voted aye, except Council Members Mendenhall and Wharton, who voted nay.
(P 19-9)

Note: Ordinances listed below (3-12) were associated with the implementation of the Mayor's Recommended Budget for Salt Lake City, including the Library Fund, for the Fiscal Year (FY) 2019-2020. [See Overall Motion Sheet](#)

[7:19:17 PM](#) Councilmember Luke read a [statement](#) about the Council's role in the budget process.

#3. [7:38:58 PM](#) Adopting an ordinance appropriating necessary funds to implement, for Fiscal Year 2019-2020, the provisions of the Memorandum of Understanding (MOU) between Salt Lake City Corporation and the American Federation of State, County, and Municipal Employees (AFSCME) Local 1004, representing eligible employees. [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt [Ordinance 26 of 2019](#), which motion carried, all members voted aye.

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(0 17-6)

#4. Adopting an ordinance appropriating the necessary funds to implement, for Fiscal Year 2019-2020, the provisions of the Memorandum of Understanding (MOU) between Salt Lake City Corporation and the International Association of Firefighters Local 81, representing eligible employees. [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt **Ordinance 27 of 2019**, which motion carried, all members voted aye.
(0 18-9)

#5. Adopting an ordinance approving a compensation plan for all non-represented employees of Salt Lake City. [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt **Ordinance 28 of 2019**, which motion carried, all members voted aye.
(0 19-7)

#6. Adopting an ordinance appropriating necessary funds to implement, for Fiscal Year 2019-20, the provisions of the Memorandum of Understanding (MOU) between Salt Lake City Corporation and the Salt Lake Police Association, representing eligible employees. [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt **Ordinance 29 of 2019**, which motion carried, all members voted aye.
(0 17-7)

#7. [7:27:32 PM](#) Adopting an ordinance adopting the rate of tax levy, including the levy for the Library Fund, upon all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2019-2020. [View Attachments](#)

Motion 3: Councilmember Luke moved and Councilmember Mendenhall seconded to adopt **Ordinance 25 of 2019**, setting the final rate of tax levy, including the final levy for the Library Fund, upon all real and personal property within Salt Lake City, made taxable by law for Fiscal Year 2019-2020 as listed on the motion sheet, and authorize the Council Chair to sign the necessary documentation for the State Tax Commission.

A tax of .004623 on each dollar of taxable valuation of which:

- a) .003205 shall be credited as revenue in the General Fund, generating \$85,840,025 of on-going revenue; and
- b) .000025 shall be credited to the judgement levy for the General Fund, a one-year adjustment generating \$678,442 of one-time revenue; and
- c) .000648 shall be credited toward repayment of General Obligation Bonds, generating \$17,362,742 of on-going revenue; and

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- d) .000741 shall be credited as revenue in the special Library Fund, generating \$20,265,640 of on-going revenue; and
- e) .000004 shall be credited to the judgement levy for the Library Fund, a one-year adjustment generating \$109,396 of one-time revenue, which motion carried, all members voted aye.

(B 19-1)(B 19-2)

#8. [7:27:02 PM](#) Adopting an ordinance adopting the budget for the Library Fund of Salt Lake City, Utah for Fiscal Year 2019-2020. [View Attachments](#)

Motion 2: Councilmember Wharton moved and Councilmember Fowler seconded to adopt Ordinance 24 of 2019, which motion carried, all members voted aye.

(B 19-2)

#9. Adopting an ordinance amending various fees and fee information set forth in the Salt Lake City Consolidated Fee Schedule (CFS). [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt Ordinance 30 of 2019, which motion carried, all members voted aye.
(O 17-3)

#10. Adopting an ordinance that would adopt a new water and sewer rate structure. *The new rate structure would coincide with the adoption of the Department of Public Utilities budget for Fiscal Year 2019-2020.* [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt Ordinance 31 of 2019, which motion carried, all members voted aye.
(O 19-6)

#11. [7:23:27 PM](#) Adopting an ordinance adopting the budget for Salt Lake City, Utah, excluding the budget for the Library Fund which is separately adopted, and the employment staffing document of Salt Lake City, Utah for Fiscal Year 2019-2020. [View Attachments](#)

Motion 1: Councilmember Luke moved and Councilmember Johnston seconded to adopt Ordinance 23 of 2019, approving Salt Lake City's Fiscal Year 2019-2020 budget as outlined in the attached key changes spreadsheets and staffing document, excluding the schedule for capital projects and debt, the Library Fund, and the following item which will be considered separately, which motion carried, all members voted aye.

(B 19-1)

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Motion 1A: Councilmember Rogers moved and Councilmember Fowler seconded to approve \$500,000 of one-time funds in the Fiscal Year 2019-2020 budget for Volunteers of America street outreach and mitigation, which motion carried, all members voted aye, except Councilmember Johnston who recused himself due to his current employment with Volunteers of America.

Motion 4 [7:29:23 PM](#): Councilmember Luke moved and Councilmember Wharton seconded to adopt \$33,126,371 to be transferred into Capital Improvement Program (CIP), including approving \$13,219,666 in funding for annual debt service, as detailed in the Mayor's Recommended CIP Budget, and with the understanding that funding for CIP projects will be considered separately later this year, which motion carried, all members voted aye.

Motion 5 [7:30:03 PM](#): Councilmember Fowler moved and Councilmember Johnston seconded to adopt the Legislative Intent Statements as outlined on the motion sheet under Motion 5, Items A through N, which motion carried, all members voted aye.

- a. **Golf Food and Beverage Options** - It is the intent of the Council to ask the Administration to examine the open space zone ordinance, with the goal of removing barriers to providing flexible food and beverage options in golf courses. To the extent that barriers exist in State law, the Council requests an analysis of those, and that changing them be identified as a future legislative priority.
- b. **Fire Department Medical Response Team** - It is the intent of the Council to ask the Administration to continue to evaluate call volume over the next 12-18 months to determine the cost/benefit of a Medical Response Team approach for other areas of the City with a high volume of medical calls.
- c. **Police Uniform Allowance** - It is the intent of the Council that from the outset of the next MOU process with the Salt Lake City Police Association, the Administration include discussion of the uniform allowance, with the intent to make it more competitive with local agencies.
- d. **Park Ranger Program** - It is the intent of the Council that the Administration develop a proposal for Council consideration that addresses the overall goal of increasing the perception of safety in parks, including the concerns raised by community and Council Members that uniformed police officers could cause fear or uncertainty among minority and at-risk populations, interfering with their enjoyment of these public spaces.

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e. Funding Our Future

- i. Unspent Funds - It is the intent of the Council that any funds allocated in Fiscal Year 2020, but not expected to be spent by the end of the fiscal year, be included in the FY 2021 Annual budget discussions for evaluation and appropriation.
 - ii. Affordable Housing Allocation - It is the intent of the Council that the City evaluate the impact that the infusion of the 10% tax differential from the Northwest Quadrant/Inland Port Authority will have on the City's ability to fund housing programs.
 - iii. Housing Program Outcome Report - It is the intent of the Council that the Administration provides a written report on housing program outcomes and metrics funded from Funding Our Future revenue in time for consideration in the fiscal year 2021 (FY 21) budget.
 - iv. New Sales Tax Funds for Public Safety - It is the intent of the Council that the definition of "public safety" include the Police Department, Fire Department, and 911 Dispatch for allocation of Funding Our Future revenue.
- f. Building Rehab projects near HRCs - It is the intent of the Council that this funding be used for a pilot program around each of the new Homeless Resource Centers and that the Administration will provide a written report on the use of the funding after distribution, and evaluate a future expansion of the funding and a City-wide application.
- g. Complete Streets Definition - It is the intent of the Council to ask the Administration to clarify the components of the "complete streets" concept and evaluate whether there are additional opportunities to include pedestrian and neighborhood safety as it relates to any future CIP project and, specifically, to consider how pedestrian and neighborhood safety can build on the current ordinance.
- h. Traffic Calming - It is the intent of the Council to request the Administration begin a pilot program to work on traffic-calming initiatives in addition to 500 North, including placement of new crosswalks, changing street widths, and other measures, and then to report back to the Council on outcomes and a recommendation for future opportunities.

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- i. Economic Development position - It is the intent of the Council that the Administration use the additional \$110,000 in funding for a new staff position as needed, and that any of this funding that is not used for the new position would either be recaptured or fall to fund balance.
- j. Crossing Guards - It is the intent of the Council that the Administration provide a briefing on the City's crossing guard program staffing (including efforts to increase the number of crossing guards and coordinate with the School District), as well as challenges related to staffing and the City's responsibility in crosswalk coverage. The goal of further discussion is to identify future steps for coordination or funding that would improve the number of crosswalks, staffing, and student safety, which may include an RFP and outside contract to provide this service. The Administration is also requested to evaluate whether volunteers could be either incorporated in the City's program or otherwise encouraged.
- k. Fund Balance "Floor" - It is the intent of the Council to change the City's target for the Fund Balance minimum from 10% to 13% beginning in Fiscal Year 2020.
- l. Sustainability-Rate Increase - It is the intent of the Council that the Administration conduct public engagement on various options for a waste collection rate increase, in time of an updated proposal to be considered in the Fiscal Year 2021 budget.
- m. Green Team Metrics - It is the intent of the Council that the Administration work with its Green Team partners to develop metrics that track tangible improvements in job-related skills among participants, in addition to graduate employment rates.
- n. Holding Accounts - It is the intent of the Council to set aside funding for some new proposed projects to discuss with the Administration the portions of the recommended budget that establish new programs not previously reviewed by the City Council. The Council will schedule briefing time as soon as information is available to minimize any impacts. The items or projects set aside into the holding account include:
 - i. \$60,369 for an ADA Administrator position in Community & Neighborhoods
 - ii. \$100,000 for Traffic Calming initiative
 - iii. Funding for equity training and other coordination

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- a. \$60,369 Equity Administrator
- b. \$300,000 Funding Our Future funding for "Build a More Equitable City" (also listed below)
- c. \$50,000 Sustainability Environment and Energy funding
- d. Digital Equity Policy

iv. Funding Our Future Housing Programs

- a. \$100,000 Shared Housing Opportunities
- b. \$400,000 Incentivized Rent Assistance
- c. \$200,000 Support for the Most Vulnerable
- d. \$250,000 New House 20
- e. \$300,000 Down Payment Assistance
- f. \$350,000 Landlord Insurance Pilot

#12. Adopting an ordinance regarding penalties for violations of the parking ordinances, amending Sections 12.56.550 and 12.56.580, Salt Lake City Code, in order to address changes in Utah law. [View Attachments](#)

Councilmember Rogers moved and Councilmember Johnston seconded to adopt **Ordinance 32 of 2019**, which motion carried, all members voted aye. (0 17-4)

QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL [7:39:50 PM](#)

There were no new questions.

COMMENTS TO THE CITY COUNCIL [7:40:16 PM](#)

Carlos Jimenez spoke about the Korean War Memorial located in Memory Grove. He said the memorial had approximately 145 names of which 34 names whose remains had yet to be returned. He said family representatives of the missing had been in contact with the Department of Defense to identify/return those remains and planned to have a mark (cross) installed/placed next to the 34 names on the memorial.

Michael Clara spoke in opposition of the T-Mobile Franchise Agreement ordinance. Comments included: T-Mobile submitted an inaccurate

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permit in November 2018, they were dishonest regarding corrections that were needed, previous requests from the City for records (franchise agreement/plans) were denied, and work was done outside the scope of approved plans with no enforcement.

Councilmember Johnston took a moment of personal privilege and said the City was under State/Federal law enforcement limitations and the current Franchise Agreement before the Council was stricter; however the City would continue with enforcement and hold entities accountable going forward.

UNFINISHED BUSINESS

#1. [7:47:13 PM](#) Adopting an ordinance granting a Telecommunication Franchise Agreement to T-Mobile West LLC. *The agreement would allow the company to place and maintain its facilities within the City rights-of-way. The company would be governed by certain conditions, need to secure appropriate permits and pay the telecommunications tax under state law.* [View Attachment](#)

Councilmember Wharton moved and Councilmember Fowler seconded to **adopt Ordinance 33 of 2019**, which motion carried, all members voted aye. (0 19-8)

#2. [7:48:29 PM](#) Adopting an ordinance granting a Master License Agreement for wireless facilities in the public way to Verizon Wireless (VAW) LLC. *The agreement would allow Verizon Wireless LLC to install small cell wireless facilities throughout the City. Small cell wireless facilities utilize antenna and fiber optics to add capacity and coverage to a wireless broadband network.* [View Attachment](#)

Councilmember Luke moved and Councilmember Rogers seconded to **adopt Ordinance 34 of 2019**, which motion carried, all members voted aye. (0 19-9)

#3. [7:48:52 PM](#) Adopting an ordinance granting a Master License Agreement for wireless facilities in the public way to New Cingular Wireless PCS. *The agreement would allow New Cingular Wireless PCS to install small cell wireless facilities throughout the City. Small cell wireless facilities utilize antenna and fiber optics to add capacity and coverage to a wireless broadband network.* [View Attachment](#)

Councilmember Luke moved and Councilmember Rogers seconded to **adopt Ordinance 35 of 2019**, which motion carried, all members voted aye. (0 19-10)

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CONSENT [7:49:11 PM](#)

Councilmember Rogers moved and Councilmember Luke seconded to **approve the Consent Agenda**, which motion carried, all members voted aye.

#1. Setting the date of Tuesday, July 9, 2019 at 7:00 p.m. to accept public comment and consider a request to vacate 125-feet of a north to south running alley located at approximately 1249 East between Crystal Avenue and Stratford Avenue pursuant to Petition No. PLNPCM2017-00478. *The applicants would like to close the northern end of this alley segment in order to restrict pedestrian access and limit potential crime. This proposal is associated with PLNPCM2018-0001. The approval and adoption of this proposed alley vacation is contingent on the approval and adoption of PLNPCM2018-0001. The Planning Commission forwarded a negative recommendation, therefore an ordinance has not been drafted. If the Council decides to approve the zone change and master plan amendments, an ordinance would be drafted and considered for approval.*

[View Attachment](#)

(P 19-13)

#2. Setting the date of Tuesday, July 9, 2019 at 7:00 p.m. to accept public comment and consider adopting an ordinance that would rezone property at 2058 North 2200 West from Agricultural District (AG-2) to Light Manufacturing (M-1) pursuant to Petition No. PLNPCM2018-00657. *The amendment would accommodate future commercial land uses such as retail and service type businesses not permitted under the current zoning. No specific site development proposal has been submitted at this time. Although the applicant has requested that the property be rezoned to AG-2, consideration may be given to rezoning the property to another zoning district with similar characteristics.* [View Attachment](#)

(P 19-6)

#3. Setting the date of Tuesday, July 9, 2019 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Salt Lake City Code pertaining to building height in the FB-UN2 Form Based Urban Neighborhood District pursuant to Petition No. PLNPCM2017-00590. *The applicant is requesting the maximum height regulations be increased (from 4 stories/50 feet to 5 stories/65 feet) for a mixed-use development project located along Washington Street at approximately 200 West and 900 South. Other sections of Title 21A, Zoning, may also be amended as part of this petition.* [View Attachment](#)

(P 18-31)

#4. Approving Grant Holding Account Items for Fiscal Year 2018-19 (Consent Agenda No. 5, Budget Amendment No. 6):

1. G-1: Utah State Office of Education, Summer Food Service Program – Youth. *Summer Snack Programs grant recognizing grant funds*

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to offset the costs of food and snacks purchased for children participating in summer programs. The Liberty Park, Ottinger Hall, Fairmont Park, Sorenson Unity Center, and the Northwest Teen Programs will all receive reimbursements through the State Office of Education based on qualified snack expenses.

2. G-2: Andeavor Foundation, Event Sponsorship Grants Program, recognizing grant funds to fund the costs of marketing efforts for the Breathe Clean Festival in 2018, and the Environment + You Festival in 2019. The purpose of these events is to inform the public of short and long-term solutions to improve the environment and individual, family, and public health. [View Attachment](#)

(B 19-3)

#5. Approving the appointment of **Derek Deitsch** as an **ex-officio member to the Business Advisory Board** for a term ending on December 28, 2020. [View Attachment](#)
(I 19-12)

The meeting adjourned at 7:49 p.m.

Council Chair

City Recorder

This document is not intended to serve as a full transcript as additional discussion may have been held; please refer to the audio or video for entire content pursuant to Utah Code §52-4-203(2)(b).

This document along with the digital recording constitute the official minutes of the Salt Lake City Council meeting held June 11, 2019.

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