

**GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT
(MSD)**

**MINUTES OF THE
BOARD OF TRUSTEES MEETING**

Wednesday, November 13, 2019 6:00 p.m.
2001 South State Street, COW Room N2-800
Salt Lake City, Utah

Trustees Present:

Joe Smolka, Chair
Paulina Flint, Vice-Chair
Dan Peay
Kelly Bush
Sean Clayton

Trustee Excused:

Max Burdick

Others Present:¹

Bart Barker, MSD General Manager
Brian Hartsell, MSD Assistant General Manager
Mark Anderson, MSD Legal Counsel
Cathy Jensen, MSD Chief Financial Officer
Lupita McClenning, Director of Planning & Development Services
Ina Oviatt, MSD Office Coordinator/Records Officer
Madeline Francisco-Galang, Salt Lake County Public Works Engineering
Crystal Hulbert, Salt Lake County Public Works Engineering
Paul Ashton, Magna and White City Metro Townships attorney

1. Call to Order.

Joe Smolka, Chair, called the meeting to order.

2. Pledge of Allegiance.

The Pledge of Allegiance was recited.

3. Public Comments.

There were no public comments.

¹ Other individuals may have been present who were not specifically recognized by the chair.

4. Consideration of minutes for April 10, 2019 and May 8, 2019.

None of the Trustees having any questions or comments concerning the minutes, it was moved by Trustee Bush and seconded by Trustee Clayton as follows:

That the April 10, 2019 and May 8, 2019 MSD Board meeting minutes be approved as presented.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting “aye”.

5. Update on the status of capital projects.

Madeline Francisco-Galang distributed a handout to the Trustees and reviewed a list of projects for which she is responsible, including the status of each project, with an emphasis on the capital projects that have been completed so far this year.

Crystal Hulbert used a PowerPoint presentation to review the status of the capital projects for which she is responsible.

Chair Smolka asked about two Magna Ponds projects. Staff explained that land-owner issues respecting those projects must be resolved. Trustee Bush explained stormwater issues that are being encountered in the Kearns Metro Township. Trustee Flint suggested involving the MSD’s land use attorneys.

6. Consideration of a construction engineering management Contract among UDOT, the MSD and TEA Group for the Magna Bridge Replacement Project.

Mark Anderson pointed out typographical errors in the Contract. Ms. Hulbert will see to it that the errors are corrected, after which the Contract will be given to Ina Oviatt to obtain signatures.

It was moved by Trustee Bush and seconded by Trustee Clayton as follows:

That the Contract for Construction Engineering Management among UDOT, the MSD and TEA Group (TEA Group-Structural Integrity Engineering, Inc.) for the Magna Bridge Replacement Project be approved, with corrections noted by Mark Anderson included in the Contract.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting “aye”.

7. Consideration of a modification of the contract among UDOT, MSD and HW Lochner for the design of the Magna Bridge Replacement Project.

Mr. Anderson pointed out a number of typographical errors in the Contract. Ms. Hulbert will see to it that the corrections are made and send the Contract to Mrs. Oviatt to obtain signatures.

It was moved by Trustee Flint and seconded by Trustee Peay as follows:

That the Modification of Contract for the design of the Magna Bridge Replacement Project among UDOT, the MSD and HW Lochner, Inc. be approved with the noted typographical errors first having been corrected.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting “aye”.

8. Consideration of a budget adjustment for the Magna detention ponds, 3100 So. Patrick Dr.

Following a brief discussion, it was moved by Trustee Bush and seconded by Trustee Clayton as follows:

That the recommended \$65,000 Budget adjustment for the Magna Bridge Detention Ponds, 3100 South Patrick Drive in the Magna Metro Township, be approved.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting “aye”.

9. Consideration and Approval of Interlocal Agreement between West Valley City and the MSD for 4700 South from 4000 West to 5600 West Design and Construction Project.

Following a brief discussion, it was moved by Trustee Bush and seconded by Trustee Clayton as follows:

That Resolution 2019-11-1 be adopted, thereby approving the Interlocal Agreement between West Valley City and the MSD for design and construction of 4700 South from 4000 West to 5600 West.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting “aye”.

10. Consideration of AECOM Technical Services modified contract for the Little Cottonwood Canyon Grit Mill Parking Lot.

This agenda item was tabled and will be considered during the December 11, 2019 Board meeting.

11. Resolution authorizing the General Manager to finalize details of a municipal emergency management planning services and reimbursement agreement, and to sign the agreement.

a. Consideration of an agreement with UFA for Municipal Emergency Management Planning Services and Reimbursement.

Following a brief discussion, it was moved by Trustee Bush and seconded by Trustee Flint as follows:

That Resolution 2019-11-2 be adopted, thereby authorizing the General Manager to finalize details of the Municipal Emergency Management Planning Services and Reimbursement Agreement with the Unified Fire

Authority, and to sign the Agreement after appropriate changes, including those recommended by the MSD's legal counsel, have been agreed upon.

The motion carried by the affirmative vote of Trustees Smolka, Flint, Peay, Bush and Clayton.

12. Awarding of zoning software purchase to Gridics software pursuant to a request for proposal ("RFP") process.

Lupita McClenning discussed the RFP to acquire zoning software, which is a critical need for Planning & Development Services. Mrs. McClenning recommend Gridics Software and explained how the software can help the Planning & Development Services Department. It can be found at Gridics.com. Gridics' personnel will be onsite to conduct training when the system goes live, and Gridics offers unlimited support. All planning staff members will be present for the training.

It was moved by Trustee Flint and seconded by Trustee Bush as follows:

That the zoning software purchase be awarded to Gridics Software based upon the RFP process.

The motion carried with Trustees Smolka, Flint, Peay, Bush and Clayton, each voting "aye".

13. Legislative update.

Mark Anderson pointed out that the Executive Summary of the Tax Restructuring and Equalization Task Force Tax Restructuring Policy Proposal was included in the Board packets. He reviewed some of the main points of the Proposal, and explained that the tax restructuring effort may have a major impact on the MSD and the Metro Townships it serves, and should be taken very seriously.

Paul Ashton said that Senator Karen Mayne has opened two "friendly" Bill files. Trustee Bush, who is the Mayor of the Kearns Metro Township, reported having received five phone calls from Rocky Mountain Power, trying to talk her out of the concept that was approved by the Kearns Metro Township Council that would enable Kearns' citizens to sign up to purchase "green" electric power, even though Rocky Mountain Power initially requested the action. The concern appears to center on the status of the Metro Townships, which most likely will be clarified in a 2020 cleanup Bill.

Mark Anderson briefly reviewed other legislative proposals that could be of particular interest to the MSD. During his presentation, Mr. Anderson responded to questions and comments from the Trustees.

Trustee Clayton shared with the Board his concern about the tax restructure Bill, noting that, if the formula is changed, the Metro Townships and the MSD could be in trouble. Bart Barker added that the 2019 Tax Restructuring Bill included a hold harmless provision that did nothing to hold the MSD and the areas it serves harmless.

14. Discussion of future agenda items.

Paul Ashton recommended that proper listings for the Metro Townships be considered, mentioning that, under the Government Records Access and Management Act (“GRAMA”), records requests may be made online, and suggested that the Board consider a Records Policy.

Trustees Bush and Clayton would like the Board to think of good people to serve on the MSD Audit Committee. They should have financial knowledge and be willing to serve. Trustee Clayton stated that the Board should expect to receive a report after the Audit Committee meets.

Trustee Flint asked about the guidelines for appointing Metro Townships representatives on various boards, such as Unified Fire and SLVSA. Mark Anderson was asked to review the applicable statutes and report back to the Board.

15. Possible closed session to discuss pending or imminent litigation.

There was no need for a closed session.

16. Adjourn.

The Trustees approved a motion to adjourn that was made by Trustee Bush, after which Chair Smolka declared the meeting to be adjourned at 7:54 p.m.

Approved by the Board of Trustees of the Greater Salt Lake Municipal Services District on the 11th day of December, 2019.

Joe Smolka, Chair

ATTEST:

Cathy Jensen, Clerk