



G R E A T E R S A L T L A K E

# Municipal Services District

## GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT (MSD)

### MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES

March 11, 2020 at 6:00 p.m.  
2001 South State Street, Room N2-800  
Salt Lake City, UT 84190

#### **Trustees Present:**

Joe Smolka, Chair  
Paulina Flint, Vice-Chair  
Dan Peay  
Keith Zuspan  
Sean Clayton (via speaker phone)  
Kelly Bush (via speaker phone)  
Max Burdick (via speaker phone)

#### **Staff Present:**

Bart Barker, General Manager  
Brian Hartsell, Associate General Manager  
Marla Howard, Chief Financial Officer  
Lupita McClenning, Director of Planning and Development Services  
Ina Oviatt, Office Coordinator/Records Officer  
Izabela Miller, Operations Officer  
Mark Anderson, Legal Counsel  
Maridene Alexander, Communications Manager  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering

#### **Others Present:<sup>1</sup>**

Rachel Manko, Business Analyst  
Robert Thompson, Salt Lake County Watershed Section Manager  
Todd Andersen, Economic Development Specialist

#### **1. Call to Order:**

Chair Smolka called the meeting to order at 6:00 p.m.

#### **2. Pledge of Allegiance:**

The Pledge of Allegiance was recited.

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<sup>1</sup> Other individuals may have been present who were not specifically recognized by the Chair.

### **3. Public Comments:**

Bart Barker introduced Todd Andersen, the new Economic Development Specialist in Regional Transportation, Housing & Economic Development. Mr. Andersen briefly addressed the Board.

### **4. Presentation of the Citizen Problem Reporter application:**

Rachel Manko, a Business Analyst for the MSD, has developed a Citizen Problem Solver web app that she demonstrated to the Trustees with support from Izabela Miller. She explained how the app will help citizens submit complaints. She expects the app to go live the first week of April. Trustee Flint asked if the link can be shared. Ms. Manko responded that it can be shared, the only issue being that the app will not work if the complainant is outside of the MSD's service area.

Maridene Alexander displayed photographs of three MSD vehicles that have been rebranded with the MSD logo. Eleven vehicles remain to be rebranded.

### **5. Discussion of the new MSD stormwater permit:**

Bob Thompson reviewed a seven page handout entitled "MSD Phase II Municipal Separate Storm Water Sewer System (MS4)" with the Trustees. He explained that a Utah Pollution Discharge Elimination System ("UPDES") Permit issued by the State in 2013 was extended until a new Discharge Permit could be issued, which occurred on February 26, 2020. He reviewed requirements imposed by the new Permit, control measures, best management practices, and additional compliance requirements. The Permit governs the discharge of municipal stormwater within the MSD's jurisdiction to waterbodies of the state pursuant to federal and state laws and regulations. During the discussion, Mr. Thompson and Lupita McClenning responded to questions from the Trustees. There are two Permits. One Permit covers Salt Lake County (Phase 1), and the other Permit is specifically for the MSD (Phase 2-small municipality, which is not as strict as a Phase 1). There is a \$1,000,000 labor budget to fund the resources that are needed to comply with the UPDES Permit. Mr. Barker confirmed that part of this budget is covered by MSD personnel and part is covered by the Interlocal Agreement with Salt Lake County.

### **6. Consideration of a Geographic Information Systems Data Sharing Interlocal Agreement between the MSD and Salt Lake County:**

Izabela Miller explained that Salt Lake County has a GIS Steering Committee that governs what GIS information can be shared. The proposed Interlocal Agreement with the County provides that publicly available data in the databases maintained by Salt Lake County IT Services may be accessed. It was moved by Trustee Flint and seconded by Trustee Burdick as follows:

**That Resolution 2020-03-01 be adopted, thereby approving the Interlocal Agreement for Geographic Information Systems Data Sharing between the Greater Salt Lake Municipal Services District and Salt Lake County.**

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

### **7. Consideration of a proposal to bring Addressing in-house, and to give Salt Lake County a 180-day notice of intent:**

Bart Barker noted that the MSD currently contracts with Salt Lake County to provide addressing services. The monthly cost of these services varies, depending upon development activity within the MSD. For the period between October 2019 and January 2020, the invoices totaled \$12,140. Currently, development projects within the MSD include 2,300 units, in various stages, with a

likely cost of approximately \$92,000 for addressing services over the next few months. Izabela Miller said that her GIS team will implement a solution that will enable the MSD to provide this service in-house at a lower cost. Mr. Barker said that MSD staff has met with County representatives and told them about the MSD's plans. There will still be a Salt Lake County Addressing Department after the MSD withdraws from receiving this service.

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

**That the process of bringing addressing services in-house to the MSD Planning and Development Department be initiated by Mark Anderson preparing and Chair Smolka signing a letter that will give 180 days notice of the cancelation of the Addressing Services Interlocal Agreement with Salt Lake County.**

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

#### **8. Update on the COVID-19 novel coronavirus and local preparations:**

Brian Hartsell provided an overview of the potential impact of the coronavirus on the MSD, and recommended personal preparations. On March 6, 2020, Governor Herbert declared a state of emergency for the state of Utah due to the virus. Salt Lake County Mayor Wilson has also declared a state of emergency for the County. These declarations led to the creation of the ECC (Emergency Command Center), which currently is at level 3. These declarations may qualify the MSD for federal funding. Weekly action plans and daily updates will be generated from the ECC. Among other things, we need to be mindful that the level of some services provided by the MSD will be affected. Some services will have to be reduced or eliminated because of the virus.

Mark Anderson explained that, under Utah law, the MSD cannot declare a state of emergency. However, the CEO of a municipality or a county can declare a state of emergency for that municipality or county. The Metro Township Mayors and the Mayor of the Town of Brighton could declare an emergency at any time, which could be ratified by the municipality's legislative body if the declaration is to be in effect longer than 30 days. Mr. Anderson said that funding could come from the federal government through the state. The state and county declarations are sufficient for the MSD possibly to qualify to receive funding. Mr. Barker clarified that the state and county declaring states of emergencies will cover the MSD for federal and state aid to respond to the virus. Mr. Anderson also explained that the MSD comes under the Statewide Mutual Aid Act. Trustee Flint advised that, to receive FEMA money, the MSD and the Metro Townships should keep track of all of their expenses (payroll, field workers, etc.). She admonished the MSD to do more regarding the Emergency Relief Plan.

Trustee Bush requested that the Parks Department hold off on opening public parks until further notice.

Brian Hartsell stated that the Emergency Management Task Force will meet every Monday morning at 8:30 a.m. in the COW room (N2-800).

#### **9. Consideration of a reimbursement cooperative agreement with UDOT for a HAWK signal at Kearns Jr. High School in the amount of \$140,000**

Madeline Francisco-Galang asked the Board to approve a Cooperative Agreement for Safe Routes to Schools with the Utah Department of Transportation ("UDOT") for an infrastructure related project that will improve safety for students who walk and bicycle to Kearns Junior High School. The MSD would front the cost of the work and UDOT would reimburse the cost up to \$140,000. The work will be completed this summer when school isn't in session. In response to a question

from Mr. Anderson, Ms. Francisco-Galang stated that she expects the Granite School District's maintenance department to take care of snow removal on this project. Snow removal for other roads and sidewalks around the area will be performed by County Public Works Operations under contract with the MSD.

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

**That the Cooperative Agreement Safe Routes to Schools between the MSD and the Utah Department of Transportation be approved as presented.**

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

**10. Consideration of a contract among UDOT, GSLMSD and Kimley-Horn and Associates for Northwest Avenue Sidewalk, 5415 South To 5570 South, for preconstruction engineering services:**

Ms. Francisco-Galang reviewed the proposed Local Government Contract between the MSD and Kimley – Horn and Associates for preconstruction engineering services for the Northwest Avenue Sidewalk. The project also involves a \$208,000 Federal Aid Agreement for design and construction that was signed earlier, with the MSD being responsible for a 6.77% share of the total cost (\$14,082). The Local Government Contract calls for a maximum payment to Kimley – Horn and Associates of \$25,843.61.

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

**That the Local Government Contract with Kimley – Horn and Associates to complete preconstruction engineering services for the Northwest Avenue Sidewalk project be approved as presented.**

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

**11. Proposal to cancel the April 22, 2020, MSD Board of Trustees Meeting**

Bart Barker explained that this agenda item calls for the Board to formally approve the cancellation of the April 22, 2020 MSD Board meeting. It was moved by Trustee Flint and seconded by Trustee Zuspan as follows:

**That cancellation of the April 22, 2020 MSD Board meeting be ratified and approved.**

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

**12. General Manager report:**

Mr. Barker briefly reviewed the Community Outreach Specialist hiring process, which identified two very good finalists.

Mr. Barker praised Nathan Bracken's effort on the anti-gambling Bill sponsored by Senator Mayne, and noted that Mr. Bracken's efforts have already cost the Kearns Metro Township \$15,000. He suggested that all of the municipalities served by the MSD will benefit from Mr. Bracken's efforts, and recommended that Mr. Bracken be paid by the MSD under a contract with Mr. Bracken's firm

to provide land use legal services. Trustee Flint noted that other Metro Townships have also incurred legislative costs. In particular, the White City attorney and lobbyists have also worked on the Bill. Paul Ashton, White City's attorney, voiced support for paying Mr. Bracken under the land use attorney contract.

Finally, Mr. Barker reported that he and Brian Hartsell met earlier in the day with ACCT (Association of Community Councils Together) representatives. ACCT has requested a budget allocation of \$20,000. ACCT currently has a \$12,000 budget carry forward. Mr. Barker expressed a desire to determine whether this is a long-term trend. Trustee Flint, who has a long-standing association with ACCT, provided background information on ACCT and pledged to work closely with the organization. Mr. Hartsell suggested that 25% would be a good reserve balance for ACCT.

Explaining that he had a time conflict, Trustee Burdick excused himself and terminated his telephone connection to the meeting.

**13. Other Metro Township, Unincorporated County Community Councils and Greater Salt Lake Municipal Services District business:**

Trustee Clayton asked about the Salt Lake County vehicles that were transferred to the MSD. These vehicles, all of which are black, are being rebranded to name each Metro Township, the Town of Brighton and Salt Lake County (unincorporated area) on the sides of the vehicles.

Chair Smolka asked the Board to consider authorizing the General Manager to cancel the March 25, 2020 meeting. Trustee Clayton stated that the Copperton Metro Township Council plans to hold a "virtual meeting", with only the Mayor at the anchor location. Mr. Barker will work with the Chair to arrange an electronic meeting.

**14. Discussion of future agenda items:**

No agenda items were suggested.

**15. Adjourn:**

There being no further business to come before the Board, Chair Smolka declared the meeting to be adjourned at 7:40 p.m.

Approved by the Board of Trustees on the \_\_\_\_ day of April, 2020.

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Joe Smolka, Chair

**ATTEST:**

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Marla Howard, Clerk