



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

April 8, 2020
Video Conferencing via Zoom¹

Trustees Present:

Chair Joe Smolka
Vice-Chair Paulina Flint
Dan Peay
Keith Zuspan
Sean Clayton
Kelly Bush
Max Burdick

Staff Present:

Bart Barker, General Manager
Brian Hartsell, Associate General Manager
Marla Howard, Chief Financial Officer
Lupita McClenning, Director of Planning and Development Services
Izabela Miller, Operations Officer
Ina Oviatt, Office Coordinator/Records Officer
Trent Sorensen, Chief Building Official
Mark Anderson, General Counsel
Madeline Francisco-Galang, Public Works Engineering
James Woodward, Emergency Manager
Travis Hair, Planner

Others Present:²

Kevyn Smeltzer, Salt Lake County Director of Public Works Operations
Greg Schultz, Municipal Administrator for Magna Metro Township

1. Call to Order

The meeting was called to order by Chair Smolka at 6:05 p.m.

2. Pledge of Allegiance

It being an electronic meeting, there was no pledge of allegiance.

¹ The meeting was held purely as an electronic meeting, including an opportunity for the public to monitor the meeting and provide comments, pursuant to an Executive Order suspending portions of the Open and Public Meetings Act due to the COVID-19 pandemic issued by the Governor of the State of Utah on March 18, 2020.

² Other individuals may have been present who were not specifically recognized by the Chair.

3. Public Comments

There were no public comments or public comment emails to be read into the record.

4. Consideration of an amendment to the MSD Board meeting policy dealing with electronic meetings

Proposed amendments to Article V of the District's Board Meetings Policies and Procedures prepared by Mark Anderson, primarily to comply with an Executive Order issued by the Governor, were distributed to the Trustees prior to the Board meeting. Following a brief discussion, it was moved by Trustee Clayton and seconded by Trustee Burdick as follows:

That the Electronic Meetings portion of the District's Board Meetings Policy be amended as recommended.

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

5. Approval of Meeting Minutes

The Trustees acknowledged having read the March 25, 2020; October 9, 2019; October 23, 2019; February 12, 2020; February 26, 2020 and March 11, 2020 Board meeting minutes and, there being no corrections, it was moved by Trustee Flint and seconded by Trustee Bush as follows:

That the March 25, 2020; October 9, 2019; October 23, 2019; February 12, 2020; February 26, 2020 and March 11, 2020 Board meeting minutes be approved as presented.

The motion carried with Trustees Smolka, Flint, Peay, Clayton, Bush and Burdick each voting "aye". Due to not having been a member of the Board when two of the Board meetings were held, Trustee Zuspan abstained from voting on the 2019 Board meeting minutes, but voted to approve the minutes of the Board meetings held in 2020.

6. Consideration of a budget adjustment to fund the MSD's participation with South Jordan in an overlay of Bacchus Highway from Old Bingham Highway to 11800 South

Keyvn Smeltzer reviewed and explained the recommended Budget adjustment. The MSD's share of the cost of the project will be \$335,857.00. There was a lengthy back and forth discussion during which Mr. Smeltzer responded to a series of questions from Trustee Clayton, and Madeline Francisco-Galang and Bart Barker provided additional information. It was then moved by Trustee Clayton and seconded by Trustee Flint as follows:

That the recommended \$335,857.00 Budget adjustment to fund the MSD's participation with South Jordan City in an overlay of the Backus Highway from the Old Bingham Highway to 11800 South be approved as presented.

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

In response to a question from Mr. Smeltzer, Trustee Bush stated that the Kearns Metro Township, of which Trustee Bush is the Mayor, is not interested in contributing toward the cost of paving a road following the installation of a water pipeline.

7. Consideration of an agreement among the MSD, UDOT and Alta Planning + Design, Inc, for preconstruction engineering services for Kearns Bicycle Route Signing Wayfinding

Madeline Francisco-Galang explained that the MSD's share of the cost of the \$80,000 project is \$20,000, and recommended approval of the Agreement. Mark Anderson confirmed that he had reviewed the Agreement. It was moved by Trustee Clayton and seconded by Trustee Flint as follows:

That the Agreement among the MSD, the Utah Department of Transportation and Alta Planning + Design, Inc. for preconstruction engineering services for the Kearns Bicycle Route Signing Wayfinding Project be approved as presented.

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

8. Review of a proposal for annual fee schedule updates by MSD member entities

Lupita McClenning introduced Travis Hair to the Trustees. He came to the MSD from Wasatch County. He will assist with the Ordinance updates, working with Nathan Bracken and Jim McNulty. Mr. Hair explained that the updated fee schedule is substantially the same as the current fee schedule. He suggested that the fee schedule be updated every October, so the Metro Townships, the County and the Town of Brighton can adopt the fee schedule as part of the annual Budget approval process. Bart Barker stated that the current fee structure heavily subsidizes development, but cautioned against a fee increase during the COVID-19 pandemic. Trustee Flint recommended that the annual fee schedule updates be forwarded to each Metro Township and the Town of Brighton for consideration.

9. Earthquake update

Trent Sorensen updated the Board on the interaction of staff with residents to address earthquake damage, particularly in light of COVID-19 complications. Mr. Sorensen responded to questions from Chair Smolka. James Woodward and Greg Schultz provided information regarding the number of earthquake aftershocks, FEMA (Federal Emergency Management Agency) and other matters. There was a general back and forth discussion during which Brian Hartsell, Bart Barker and Marla Howard provided additional information. Ms. Howard explained that \$34,600 in personnel time has been allocated to the earthquake response and \$16,400 has been allocated to COVID-19, as of the end of the previous work week.

10. Coronavirus update

Brian Hartsell discussed staff members working remotely and daily emergency updates, and reviewed how expenses are being tracked and strategies are being evaluated to enable the MSD to cope with anticipated reductions in revenues. He noted that the Coronavirus Response Act requires the MSD to provide 80 hours of sick leave, if it is related to COVID-19, and 12 weeks of job protected leave. In response to a question from Chair Smolka, Trustee Burdick explained that a County Tax Administration employee and County Councilman Arlen Bradshaw tested positive for COVID-19, both of whom are recovering. There are no known cases of COVID-19 among the MSD's employees. In response to a question from Trustee Clayton, Mr. Barker discussed the morale of MSD employees, and praised Lupita McClenning and Izabella Miller for their efforts to keep employees well informed and as comfortable as possible. Mr. Barker also discussed a review being conducted by himself, Brian Hartsell and Marla Howard. Lupita McClenning explained how the current crisis might enable the MSD to use Planning and Development employees and resources to assist cities that may be forced to furlough employees. Trustee Flint noted that the workload to serve our MSD communities will increase.

11. Consideration of provisions to support businesses during the COVID 19 crisis (such as deadline extensions; fee deferrals, waivers or reductions; penalty reductions or waivers; and similar provisions) with future ratification by MSD member jurisdictions

Mark Anderson briefly explained that, in providing planning and development and other services to the five Metro Townships, the Town of Brighton and unincorporated Salt Lake County (the “Constituent Entities”), MSD staff collects fees, sets deadlines, etc. Staff would like to waive or reduce fees, extend deadlines, and take other steps to help reduce the immediate blow of COVID-19 on business activities, if the MSD Board is comfortable with that approach. Mr. Barker and Lupita McClenning provided details regarding waiving late fees and extending the term of licenses, including business licenses. Brian Hartsell provided information, particularly respecting small business permits for remodeling activities. The Trustees reached the following consensus: MSD staff can waive penalties, extend deadlines and defer fee payments, but not reduce fee amounts. Mrs. McClenning will follow-up with other cities to see how they are handling these issues and coordinate with the Councils of the Constituent Entities.

12. Consideration of reinstating the canceled April 22, 2020, MSD Board of Trustees Meeting

Chair Smolka suggested reinstating the cancelled April 22, 2020 MSD Board meeting. It was moved by Trustee Clayton and seconded by Trustee Flint as follows:

That the April 22, 2020 Board meeting be reinstated.

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

13. Report of Audit Committee

Trustee Clayton, who chairs the Committee, reported on the most recent Audit Committee meeting. Trustee Bush also serves on the Audit Committee. Trustee Clayton declared that Marla Howard has a “good handle” on GASB (Government Accounting Standards Board) requirements, particularly GASB 34. GASB requirements haven’t been followed 100%, but that is being rectified. A Charter has been prepared for the Audit Committee which calls for a minimum of two Trustees, one of whom should have audit experience, to serve on the Committee, along with at least one member of the public.

14. Review of Financial Reports

Marla Howard will provide monthly financial reports, which will promote transparency. She discussed GASB compliance, and changing the format of some reports. Mr. Barker stated that monthly financial reports will be available by the second MSD Board meeting of each month.

15. Planning and Development Services update

Lupita McClenning shared dashboards that were created by the GIS/IT team and discussed meetings with the Historic Preservation Commission, the Utah Film Commission and others. She reviewed plans to help Magna get on the Historic Register, which will open up opportunities for grants and other financial incentives and may enhance Magna’s use as a filming location. She also discussed personnel and the scope of work being performed by MSD employees. She noted that designation on the Historic Register won’t prevent a property owner from redeveloping a historic building, but may provide financial resources and incentives for compatible construction activities. Mrs. McClenning explained that there are 46 Opportunity Zones in Utah, and Magna is one of

them. She discussed concepts that could be included in the Preservation Ordinance for historic downtown Magna. Mrs. McClenning concluded her report by discussing personnel, the long range planners' work on the Transportation Element and the General Plan, the use of dashboards, and the scope of the services that are being provided by staff. She reported that Jim McNulty has been hired as the Planning Manager. Mr. McNulty will be introduced during the next MSD Board meeting.

16. General Manager report

Bart Barker discussed the Budget analysis process during the COVID-19 pandemic. Some cities have estimated a reduction in sales tax and road revenues in the 30% to 40% range. Because the MSD is heavily dependent on sales tax revenue, great care is being taken in preparing the analysis. Fortunately, the MSD has a good, solid fund balance, which will help cushion revenue shortfalls. In response to questions from Chair Smolka, Mr. Barker reviewed the sources of the revenue reduction estimates, noting that Marla Howard has an estimate from Summit County and Darin Casper is looking into revenue shortfall issues for Salt Lake County. Many of the MSD's capital projects are heavily funded by grants, which makes the MSD Budget go further.

17. Other Metro Township, Town, Unincorporated County, and Greater Salt Lake Municipal Services District business

There was no other business to be considered by the Board.

18. Discussion of future agenda items

The Audit Committee Charter will be an agenda item for the next Board meeting. In response to a question from Trustee Flint, Mr. Barker reported that subsidies to cities, particularly Millcreek and Holliday, for public works services provided by Salt Lake County ended last July, and the employment of dedicated employees ended in December. The MSD is now paying the same as others for services provided by Salt Lake County Public Works.

19. Adjourn

It was moved by Trustee Flint to adjourn the Board meeting, after which Chair Smolka declared the meeting to be adjourned at 7:59 p.m.

Approved by the Board of Trustees on the 13__ day of May, 2020.

DocuSigned by:
Joe Smolka
Joe Smolka, Chair

ATTEST:

DocuSigned by:
Marla Howard
Marla Howard, Clerk