

MINUTES OF THE SALT LAKE CITY COUNCIL WORK SESSION MEETING

TUESDAY, OCTOBER 13, 2020

The City Council met in Work Session on Tuesday, October 13, 2020, in an Electronic Meeting, pursuant to the Chair's determination and Salt Lake City Emergency Proclamation No. 2 of 2020(2)(b).

In Attendance: Council Members Chris Wharton, James Rogers, Amy Fowler, Analia Valdemoros, Daniel Dugan, and Darin Mano.

Absent: Councilmember Andrew Johnston.

Staff in Attendance: Cindy Gust-Jenson, Council Executive Director; Jennifer Bruno, Council Executive Deputy Director; Erin Mendenhall, Mayor; Rachel Otto, Mayor's Chief of Staff; Katherine Lewis, City Attorney; Lisa Shaffer, Mayor's Chief Administrative Officer; David Litvack, Mayor's Senior Advisor; Lorna Vogt, Public Services Director; Mike Brown, Police Chief; Mary Beth Thompson, Chief Financial Officer; Benjamin Luedtke, Council Policy Analyst; Lehua Weaver, Council Associate Deputy Director; Amanda Lau, Council Staff Assistant; Vicki Bennett, Sustainability Environment Director; Lani Eggertsen-Goff, Housing and Neighborhood Development Director; Bill Wyatt, Airport Director; Brian Butler, Airport Finance/Accounting Director; Tony Milner, Housing and Neighborhood Development Policy/Program Manager; Jennifer Schumann, Housing and Neighborhood Development Deputy Director; Blake Thomas, Community and Neighborhoods; Sam Owen, Council Policy Analyst; Jonathan Larsen, Transportation Director; and Scott Crandall, Deputy City Recorder.

Councilmember Wharton presided at and conducted the meeting.

The meeting was called to order at 2:04 p.m. [2:04:07 PM](#)

AGENDA ITEMS

#1. [2:05:16 PM](#) Informational: Updates Relating to Mayor's Proclamations Declaring Local Emergencies for COVID-19, March Earthquake, and Windstorm

The Council will receive an update from the Administration about the Mayor's emergency declarations relating to COVID-19 (coronavirus), the March 18th earthquake in the Salt Lake Valley, and the September 8th windstorm. As part of the update, the Council may discuss public health and other public safety, policy and budget issues stemming from the emergency declarations. The Council may also receive information or updates from organizations or experts related to the emergency responses and coordination, including but not limited to earthquake damage to the City, the

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functioning of the Emergency Operations Center (EOC), City response and aid, and the status of City buildings.

Erin Mendenhall, Rachel Otto, Lisa Shaffer and **Lorna Vogt** briefed the Council. Comments included increasing the City's restriction level to orange, total re-work of the color system (for transmission levels), currently operating in the moderate restriction level, required mask mandate (in most places in the state), transitioning Streets crews away from debris removal (back to normal duties), release of the Utah National Guard, coordinating with the State/County to assist Public Utilities with clearing trees from streams (to prevent flooding problems), sidewalk repairs due to stumps in the right-of-way/, information submitted to Federal Emergency Management Agency (FEMA) (no response yet), and no significant injuries/accidents reported.

Lisa Shaffer informed the Council they would be briefed about Budget Amendment No. 3 which included preliminary damage assessment numbers totaling almost \$6 million related to the windstorm (based on contractor estimates). She explained this was not the final tally and reminded the Council of her last update with estimated costs of around \$11 million.

Discussion was held regarding the parking enforcement moratorium (emergency proclamations effecting parking).

Council Members requested the following item from Staff:

- Provide total numbers on tonnage of tree/debris removal.

#2. 2:15:45 PM Informational: Updates on Relieving the Condition of People Experiencing Homelessness

The Council will hear updates and discuss issues pertaining to relieving the condition of people experiencing homelessness in neighborhoods throughout Salt Lake City.

Mayor Mendenhall, Rachel Otto, and Lisa Shaffer briefed the Council regarding week two of phase II of the Community Commitment Program focused on the 700 South area (resource center) including outreach (3 weeks of daily efforts) and determining needed/wanted services. She stated the Saint Vincent DePaul overflow facility was set to open Wednesday night.

Discussion was held regarding the Health Department beginning to abate encampment activity on 700 South (October 23,

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2020) and adequate notice being provided to the encampments in advance of abatement activities.

#3. [2:26:22 PM](#) Informational: Updates on Racial Equity and Policing

The Council will hold a discussion about recent efforts on various projects City staff are working on related to racial equity and policing in the City. The conversation may include issues of community concern about race, equity, and justice in relation to law enforcement policies, procedures, budget, and ordinances. Discussion may include:

- *An update or report on the newly created Commission on Racial Equity in Policing; and*
- *Other project updates or discussion.*

Councilmember Wharton stated discussion of this item would be combined with Item 5 (Budget Amendment No. 3).

#4. [2:27:30 PM](#) Ordinance: Police Officer Body-worn Cameras

The Council will discuss options for a new ordinance for the Police Department's use of body-worn cameras. The Police Department has policies for body-worn camera use and there have been executive orders relating to footage release. Currently, however, there is not a City ordinance that standardizes the policy direction. This is part of a multifaceted approach the City is taking to examine internal systems and identify paths toward better accountability and equity. [View Attachment](#)

Jennifer Bruno, Cindy Gust-Jenson, Katherine Lewis, Mayor Mendenhall, and Mike Brown briefed the Council with attachments. Comments included constituent feedback (public interest to maintain/expand body-worn camera use), updating the ordinance to reflect the statute of limitations retention schedule (4 years), outline of the draft ordinance (define officer involved critical incidents (including K-9), keeping record of instances when a body-worn camera was deactivated (how the record would be audited/provided to elected officials), adding a placeholder for further discussion/understanding of what "valid law enforcement purposes" meant, and monthly random audits to ensure officers were complying with State law/City code/Police Department policy.

Discussion was held regarding reasons why an officer would turn off a body-worn camera, potential of additional staff to handle auditing functions, number of audits being considered (five

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per month), retention/data storage options/costs, whether the Civilian Review Board Administrator (with current work load) was the appropriate person to perform audits, and timeline to release footage of body-worn cameras to the Council (two versus five business days).

Unanimous Straw Poll: Support to have the ordinance state that body-worn camera footage should be provided as soon as practicable but within no more than five business days to the Council. All Council Members present were in favor; Councilmember Valdemoros and Johnston were absent for the vote.

Council Members requested the following items from Staff:

- Provide the cons of triggering an Officer Involved Critical Incident (OICI), including K-9 bites.
- Consider more staff to perform work being done by the Civil Service Commission and pricing of the auditing functions (who reviews/how provided).

#5. 3:34:25 PM Ordinance: Budget Amendment No. 3 for Fiscal Year 2020-2021

The Council will receive a briefing about an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2020-21. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. The proposed amendment includes funding for Airport Projects, Racial Equity in Policing Commission operating costs and windstorm expenses, among other items. [View Attachment](#)

Benjamin Luedtke, Mary Beth Thompson, Bill Wyatt, Brian Butler, Lorna Vogt, David Litvack, and Jennifer Bruno briefed the Council with attachments. Comments included revenues update (projected deficits), Fund Balance update, expenses in response to the September 8, 2020 windstorm (working with Federal Emergency Management Agency (FEMA)/Insurance for reimbursement), General Fund update, and review of Administrative/Council added/requested budget items.

Discussion was held regarding the use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding (could not be used to off-set revenues), anticipated/predicted deficits, excess of Fund Balance, projected/actual revenues, Sales and Use Tax revenue (line items), FEMA reimbursement (18-24 months), use of

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Police Impact Fees, Fire/Parks Impact Fees proposed/eligible expenses/spending, Item A-1 Airport Hardstand: examples of additional scopes of work that would benefit from the requested larger budget adjustment, how Airport passenger comfort would be addressed (moving from a bus to the plane during inclement weather), Item A-2 Windstorm Damage Cost Estimates: explanation of contracting an Archeologist, expenses for plot damages at the Cemetery, responsibility of concrete repairs damaged from fallen tree stumps (in parking strips), plot owners covering costs of damaged headstones, Item A-3 Racial Equity in Policing Commission: ongoing versus onetime costs of additional City employees to address the continual workload of the Racial Equity in Policing Commission, Racial Equity in Policing Committee Facilitator activities, Commission Members stipend determination/ potential of increase, Committee recommendation procedures, and potential of funding through the Police Department (rather than the General Fund).

Council Members requested the following item from Staff:

- Provide actual revenues through the end of September.

#6. [4:35:21 PM](#) Tentative Break

#7. [4:53:36 PM](#) Resolution: Update to the City's 2020-24 Consolidated Plan Guiding Use of U.S. Department of Housing and Urban Development (HUD) Coronavirus Aid, Relief, and Economic Securities (CARES) Act Funds

The Council will receive a briefing about updating the City's 2020-24 Consolidated Plan as required by the U.S. Department of Housing and Urban Development (HUD). The City expects to receive approx. \$7.1 million in HUD CARES Act funding and must amend the Consolidated Plan and associated 2020-21 Annual Action Plan to utilize those funds. The Consolidated Plan details the City's goals and objectives to build healthy and sustainable communities through four federal grants: Community Development Block Grants (CDBG), Emergency Solutions Grants (ESG), Home Investment Partnerships, and Housing Opportunities for Persons with AIDS (HOPWA). [View Attachment](#)

Benjamin Luedtke, Lani Eggertsen-Goff, Tony Milner, Jennifer Schumann, and Blake Thomas briefed the Council with attachments. Comments included Budget Amendment No. 4 being crucial to the implementation of the CARES HUD-CV funding, CARES HUD-CV funding/process, and timelines/deadlines.

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Discussion was held regarding clarification on why Housing Stability was not implicated, process of targeting Small Business Grants, Emergency Solutions Grant (ESG-CV) funding use timeline, funding categories meeting the needs the Council receives feedback on from the community, and funding determination (what/when).

Council Members requested the following item from Staff:

- Provide quarterly reports of funding recipients for information purposes and to keep the community informed that funds were being used properly.

#8. 5:42:00 PM Ordinance: Dockless Shared Mobility Devices (Electric Scooters) Follow-up

The Council will receive a follow-up briefing about a proposed ordinance that would regulate the use of electric scooters and other dockless, shared mobility devices in the City. The Council would also consider amending the Consolidated Fee Schedule as part of the dockless shared mobility device ordinance. Currently, dockless scooter companies operate under temporary operating agreements until an ordinance is passed. The latest version of a draft ordinance was sent to the Council in March 2020. The updated ordinance incorporates some feedback and concerns including additional requirements for safety features, insurance requirement changes, and language to better differentiate between scooters and devices - motorized or otherwise - used by individuals with reduced or specialized mobility, among other changes. [View Attachment](#)

Sam Owen, Blake Thomas, and Jonathan Larsen briefed the Council with attachments. Comments included cost justification analysis, financial components, policy consideration, fee structure, and request for proposal (RFP) selection process.

Council Members thanked Staff and Administration for their hard work on this project and said they hoped to vote on this item before the end of the year.

#9. 5:56:00 PM Informational: Final Status of Sustainability Projects for the Fiscal Year 2020 Budget

The Council will receive a written briefing about the final status of Sustainability Projects approved in the Fiscal Year 2020 budget. [View Attachment](#)

Vicki Bennett and Mayor Mendenhall briefed the Council.

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Discussion was held regarding the Call2Haul program. No new information was available; however, work had continued and a hybrid system (balanced approach between old/new system) was being considered.

STANDING ITEMS

#10. [5:58:01 PM](#) REPORT OF THE CHAIR AND VICE CHAIR.

No discussion was held.

#11. [5:58:11 PM](#) REPORT OF THE EXECUTIVE DIRECTOR, INCLUDING A REVIEW OF COUNCIL INFORMATION ITEMS AND ANNOUNCEMENTS.

Report of the Executive Director, including a review of Council information items and announcements. The Council may give feedback or staff direction on any item related to City Council business, including but not limited to scheduling items.

See File M 20-5 for [announcements](#).

#12. [6:00:42 PM](#) CONSIDER A MOTION TO ENTER INTO CLOSED SESSION, IN KEEPING WITH UTAH CODE §52-4-205 FOR ANY ALLOWED PURPOSE.

Item not held.

The Work Session meeting adjourned at 6:01 p.m.

COUNCIL CHAIR

CITY RECORDER

This document is not intended to serve as a full transcript as other items may have been discussed; 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 City Council Work Session meeting held October 13, 2020.

Minutes Approved on June 8, 2021

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