

SALT LAKE COUNTY

*2001 So. State Street
Salt Lake City, UT 84114
(385) 468-7500 TTY 711*



Meeting Minutes

Tuesday, June 22, 2021

4:00 PM

AMENDED AGENDA

Council Chambers, N1-110

County Council

Minute Book, County Council, Salt Lake County

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1. CALL TO ORDER

Present: Council Member Laurie Stringham
Council Member Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Dave Alvord
Council Member Aimee Winder Newton
Council Member Ann Granato
Council Member Steve DeBry
Council Member Dea Theodore

Invocation - Reading - Thought

Pledge of Allegiance

Council Member Stringham led the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN PUBLIC INPUT

Mr. Lawrence Horman relayed a joke to provide some levity.

3. REPORT OF ELECTED OFFICIALS:

3.1. Council Members

Council Member Stringham reported that a meeting was held with the Facilities group the other day. It was one of the first meetings that everybody attended. She will have more information in the next few months.

Council Member Snelgrove announced the Salt Lake Community College Men's Soccer team won the National Junior College Athletic Men's Soccer Championship, and the Herriman High School Rugby team won the Boy's High School Rugby National Championship.

Council Member DeBry asked that everyone be careful with fireworks this year, considering the climate conditions. Local jurisdictions can determine whether fireworks can be used or not, but just because someone can legally use legal fireworks, they still need to keep in mind that they can be accountable for any

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reckless behavior.

Ms. Catherine Kanter, Deputy Mayor of Regional Operations, stated for the record, the non-emergency phone numbers to report fireworks are: Salt Lake City and Sandy City (801) 799-3000; everywhere else in the valley (801) 840-4000.

3.2. Other Elected Officials

3.3. Mayor

4. PROCLAMATIONS, DECLARATIONS, AND OTHER CEREMONIAL OR COMMEMORATIVE MATTERS

5. PUBLIC HEARINGS AND NOTICES

- 5.1 Set a Public Hearing for Tuesday, June 29, 2021, at 4:00 PM to Receive Comments Regarding Naming the Recreation Center at 10866 S. Redwood Road the "Marv Jenson Recreation Center" 21-0768

Attachments: Staff Report

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, to set the public hearing for Tuesday, June 29, 2021, at 4:00 PM. The motion carried by a unanimous vote.

- 5.2 Continuation of the Public Hearing that was held June 8th to discuss the disposal of a certain parcel of real property owned by Salt Lake County. The parcel of real property is located at approximately 7188 South Union Park Ave., Midvale, Utah, identified as Parcel No. 22-29-202-060. 21-0761

Attachments: Staff Report

Council Member Bradshaw stated this is a continuation of the public hearing from June 8, 2021. It was his understanding the parties had not only failed to reach an agreement, but they were probably further from reaching an agreement than they were last week. The Council will not be taking further action.

No one appeared in favor of or in opposition to this request.

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A motion was made by Council Member Bradshaw, seconded by Council Member Winder Newton, to close the public hearing. The motion carried by a unanimous vote.

5.3 Notice of the Following Public Hearings to be Held on June 22, 2021 at 6:00 PM: 21-0767

Salt Lake County

Public Hearing to Consider Adjustments to the 2021 County Budget Adopted On December 1, 2020 and Adoption of Proposed and Final Tax Rates for 2021

Redevelopment Agency of Salt Lake County

Public Hearing to Consider Adjustments to the 2021 Budget of the Redevelopment Agency of Salt Lake County Adopted on December 1, 2020

Salt Lake County Municipal Building Authority

Public Hearing for the Purpose of Giving Interested Persons the Opportunity to Comment on the Adjustments to the 2021 Budget for the Salt Lake County Municipal Building Authority

Attachments: Staff Report

6. DISCUSSION ITEMS

6.1 Consideration of a Resolution Authorizing and Approving the Issuance of up to \$21,000,000 of the Municipal Building Authority of Salt Lake County's Lease Revenue Bonds, Giving Authority to Certain Officers to Approve the Final Terms of the Bonds and Providing for Related Matters 21-0770

Attachments: Staff Report
County Delegating Bond Resolution v2

Proceedings authorizing and approving the issuance and the sale by the Municipal Building Authority of Salt Lake County, Utah of up to \$21,000,000 of the Authority's Lease Revenue Bonds, Series 2021

RESOLUTION NO. 5870

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A Resolution of the County Council of Salt Lake County, Utah (the "*County*") authorizing and approving the execution and delivery of a Third Amendment to Master Lease Agreement, by and between the County as Lessee and the Municipal Building Authority of Salt Lake County, Utah as Lessor; authorizing the authorizing the execution and delivery of a Bond Purchase Agreement; authorizing and approving the issuance and sale by the Authority of its Lease Revenue Bonds, Series 2021, in an aggregate principal amount not to exceed \$21,000,000 to (a) finance the costs of libraries and related facilities, (b) fund any required deposit to a debt service reserve fund and (c) pay costs associated with the issuance of the Bonds; authorizing the execution of a Fourth Supplemental Indenture of Trust and a security document, and other documents required in connection therewith; authorizing and approving the use of a Preliminary Official Statement and a final Official Statement; giving authority to certain officers to approve the final terms and provisions of the bonds within the parameters set forth herein; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and providing for related matters.

WHEREAS, Salt Lake County, Utah (the "*County*") is a body corporate and politic duly and regularly created, established, organized and existing under and by virtue of the Constitution and laws of the State of Utah;

WHEREAS, the County has previously authorized and directed the creation of the Municipal Building Authority of Salt Lake County, Utah (the "*Authority*") pursuant to a resolution adopted on November 20, 1991 (the "*Creating Resolution*");

WHEREAS, pursuant to the Creating Resolution, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and laws of the State of Utah, including, in particular, the provisions of the Utah Revised Nonprofit Corporation Act, Title 16, Chapter 6a, Utah Code Annotated 1953, as amended, and the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (collectively, the "*Building Authority Act*");

WHEREAS, under the Articles of Incorporation of the Authority (the "*Articles*"), the objects and purposes for which the Authority has been founded and incorporated are to acquire, improve or extend one or more projects and to finance their costs on behalf of the County in accordance

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with the procedures and subject to the limitations of the Building Authority Act in order to accomplish the public purposes for which the County exists;

WHEREAS, pursuant to the provisions of the Building Authority Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (collectively, the "*Act*") the Authority has authority to issue its lease revenue bonds for the purpose of financing certain improvements for and on behalf of the County;

WHEREAS, the Authority has previously issued its \$17,840,000 of Lease Revenue Bonds, Series 2019 (the "*Series 2019 Bonds*"), to finance on behalf of the County, among other things the acquisition and construction of a new library located in Daybreak (the "*Daybreak Library*");

WHEREAS, due to unforeseen circumstances and increases in costs of construction additional funds are required to complete the Daybreak Library;

WHEREAS, the County desires to finance the costs of (a) completing the acquisition and construction of the Daybreak Library and (b) acquiring and constructing a new library to be located in Granite (South Salt Lake), including any related facilities (collectively, the "*Series 2021 Project*");

WHEREAS, the Authority proposes to finance the Series 2021 Project and to pay costs of issuance by issuing its Lease Revenue Bonds, Series 2021 in an aggregate principal amount not to exceed \$21,000,000 (the "*Series 2021 Bonds*"), to be issued pursuant to the terms of the General Indenture of Trust, dated as of December 1, 2009 as heretofore amended and supplemented (the "*General Indenture*") between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (the "*Trustee*"), a copy of which is attached hereto as *Exhibit A*, as further amended and supplemented by a Fourth Supplemental Indenture of Trust (the "*Fourth Supplemental Indenture*") between the Trustee and the Authority, in substantially the form presented to this meeting and attached hereto as *Exhibit B* (the General Indenture and the Fourth Supplemental Indenture are sometimes collectively referred to herein as the "*Indenture*");

WHEREAS, pursuant to the Act, a (a) Notice of Public Hearing and Intent to Issue Bonds (the "*Notice of Public Hearing*") will be published on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, no less than 14 days before the public hearing

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that is to be held on July 13, 2021, and will notice a public hearing and (b) Notice of Bonds to be Issued (the "*Notice of Bonds*") will be published once in *The Salt Lake Tribune*, a newspaper of general circulation in the County and will notice the Authority's intent to issue bonds and a 30-day period in which the registered voters of the County may submit a written petition requesting an election to approve or disapprove the issuance of the Series 2021 Bonds;

WHEREAS, pursuant to the Act, a public hearing will be held on July 13, 2021 to receive input from the public with respect to (i) the issuance by the Authority of the Series 2021 Bonds and (ii) any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Series 2021 Bonds may have on the private sector;

WHEREAS, the County desires to lease the Series 2021 Project, as lessee, from the Authority, as lessor, pursuant to the terms and provisions of an annually renewable Master Lease Agreement dated as of December 1, 2009 (the "*Master Lease*"), a copy of which is attached hereto as *Exhibit D*, and a Third Amendment to Master Lease Agreement, in substantially the form presented to this meeting and attached hereto as *Exhibit E* (the "*Third Amendment*" and, collectively with the Master Lease, the "*Lease*");

WHEREAS, the plans and specifications for, and the estimated costs of the acquisition and construction of, the Series 2021 Project, including a certificate of the engineer/architect for the Series 2021 Project setting forth the estimated useful life of the Series 2021 Project, have been or will be submitted to the County for approval prior to the issuance of the Series 2021 Bonds;

WHEREAS, to further secure its payment obligations under the Indenture, the Authority proposes to grant a lien on and security interest in the Series 2021 Project pursuant to a Leasehold Deed of Trust, Assignment of Rents and Security Agreement in substantially the form presented to this meeting and attached hereto as *Exhibit F* (the "*Security Document*") for the benefit of the holders of the Series 2021 Bonds and as provided in the Indenture;

WHEREAS, the County desires to approve the preparation, use and distribution of a Preliminary Official Statement (the "*Preliminary Official Statement*"), in substantially the form attached hereto as *Exhibit G*, and a final Official Statement, in substantially the form of the Preliminary Official

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Statement, with respect to the Series 2021 Bonds;

WHEREAS, the Authority and the County have determined to sell the Series 2021 Bonds to Wells Fargo Bank, National Association (the "*Underwriter*") pursuant to the terms of the Bond Purchase Agreement (the "*Purchase Agreement*") among the Authority, the County, and the Underwriter, in the form before this meeting and attached hereto as *Exhibit H*;

WHEREAS, the County desires to improve and promote the local health and general welfare of the citizens of the County by entering into the documents and taking the actions described above;

WHEREAS, under the Articles, the Authority may not exercise any of its powers without prior authorization by the County Council and, therefore, it is necessary that the County Council authorize certain actions by the Authority in connection with the transactions contemplated hereby in connection with the issuance of the Series 2021 Bonds; and

WHEREAS, there has been presented to the County Council the Third Amendment, the Fourth Supplemental Indenture, the Purchase Agreement, the Preliminary Official Statement, the Official Statement and the Security Document for the purpose of obtaining the approval and authorization of the County Council of the terms and provisions thereof and for the purpose of confirming the execution thereof (where required) as the official act of the County.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Salt Lake County, Utah, as follows:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the County Council and by the officers of the County directed toward the creation and establishment of the Authority, the issuance of the Series 2021 Bonds, including without limitation the financing and leasing of the Series 2021 Project by the Authority to the County pursuant to the Lease, are hereby ratified, approved and confirmed.

Section 2. The County Council hereby finds and determines, pursuant to the Constitution and laws of the State of Utah, that the leasing of the Series 2021 Project under the terms and provisions and for the purposes set forth in

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the Lease and the other documents, instruments and conveyances hereinafter approved and authorized, is necessary, convenient and in furtherance of the governmental and proprietary purposes of the County and is in the best interest of the citizens of the County, and the County Council hereby authorizes the financing of the Series 2021 Project by the Authority in accordance with the provisions of the Indenture and the leasing of the Series 2021 Project in the manner provided in the Lease. As provided in the Lease, the County and the Authority are hereby authorized to undertake the acquisition and construction of the Series 2021 Project and to execute and deliver agreements with respect to such acquisition and construction.

Section 3. For the purposes set forth above and in accordance with the Act, there is hereby approved the execution, issuance, sale and delivery of the Series 2021 Bonds in an aggregate principal amount not to exceed \$21,000,000. The Series 2021 Bonds shall be dated as of the date of the initial delivery thereof and shall mature on the dates and in the principal amounts and shall bear interest payable on the dates and at the rates per annum determined by the Designated Officer (defined below) in the Certificate of Determination (defined below). If the Designated Officer determines pursuant to Section 4 hereof that the principal amount to be issued shall be less than Twenty-one Million Dollars (\$21,000,000), then the principal of the Series 2021 Bonds shall be limited to the amount so determined by the Designated Officer. The Series 2021 Bonds shall be in authorized denominations, shall be payable, and shall be executed and delivered all as provided in the Indenture. The Series 2021 Bonds shall be subject to redemption prior to maturity as provided in the Certificate of Determination and the Fourth Supplemental Indenture.

Section 4. There is hereby delegated to the Designated Officer, subject to the limitations contained in this Resolution, the power to approve the following terms with respect to the Series 2021 Bonds and the Designated Officer is hereby authorized to make such approvals:

(a) the principal amount of the Series 2021 Bonds necessary to accomplish the purpose of the Series 2021 Bonds set forth in the preamble to this Resolution and the aggregate principal amount of the Series 2021 Bonds to be executed and delivered pursuant to the Indenture and this Resolution; *provided* that the aggregate principal amount of the Series 2021 Bonds shall not exceed Twenty-one Million Dollars (\$21,000,000);

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(b) the maturity date or dates and principal amount of each maturity of the Series 2021 Bonds to be issued; *provided, however*, that the Series 2021 Bonds mature over a period of not to exceed twenty-three (23) years from their date or dates;

(c) the interest rate or rates of the Series 2021 Bonds, *provided, however*, that the interest rate or rates to be borne by any Series 2021 Bond shall not exceed five and a half percent (5.50%) per annum;

(d) the interest payment dates and the date on which payment of interest will commence;

(e) the sale of the Series 2021 Bonds and the purchase price to be paid by the, the Underwriter; *provided, however*, that the discount from par of the Series 2021 Bonds shall not exceed two percent (2.00%) (expressed as a percentage of the principal amount);

(f) the Series 2021 Bonds subject to redemption at the election of the Authority and the date such Series 2021 Bonds are first subject to redemption as provided in the Indenture; *provided, however*, that the first date the Series 2021 Bonds shall be subject to redemption not later than ten and a half (10.5) years from the date of issuance thereof;

(g) the Series 2021 Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(h) the final use and deposit of the proceeds of the Series 2021 Bonds;

(i) any other provisions deemed advisable by the Designated Officer not materially in conflict with the provisions of this Resolution.

Immediately following the sale of the Series 2021 Bonds the Designated Officer shall obtain such information as he or she deems necessary to make such determinations as provided above. Thereupon, the Designated Officer shall make such determinations as provided above, shall execute a Certificate of Determination, the form of which is attached hereto as *Exhibit I*, of the Designated Officer delivered pursuant to Section 3 of this Resolution, setting

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forth certain approved terms and provisions of the Series 2021 Bonds (the "*Certificate of Determination*"), containing such approved terms and provisions of the Series 2021 Bonds, which execution shall be conclusive evidence of the approval of the Series 2021 Bonds by the Designated Officer as to the matters stated therein. The provisions of the Certificate of Determination shall be deemed to be incorporated in this Resolution.

For purposes of this Resolution, "*Designated Officer*" means (a) the Mayor, the Deputy Mayor for Finance and Administration and Chief Financial Officer (the "*Chief Financial Officer*"), the Deputy Mayor for Regional Operations, the Deputy Mayor for County Services and Chief Administrative Officer of the County and any Associate Deputy Mayor (collectively, the "*Mayor*"); or (b) any other officers or employees of the County who are duly authorized to execute contracts, obligations or other documents of the County.

Section 5. The Third Amendment, the Fourth Supplemental Indenture, the Purchase Agreement, the Preliminary Official Statement, the Official Statement and the Security Document, in substantially the respective forms presented to this meeting and attached hereto as exhibits, are in all respects approved, authorized and confirmed, and the Mayor is authorized to execute and deliver the Third Amendment, the Official Statement and the Purchase Agreement in the forms and with substantially the same content as attached hereto for and on behalf of the County. When authorized by the Governing Body of the Authority, the County hereby approves and authorizes the execution and delivery of the Third Amendment, the Official Statement, the Fourth Supplemental Indenture, the Security Document and the Purchase Agreement, by the Authority in substantially the forms presented to this meeting and attached hereto as exhibits for and on behalf of the Authority.

Section 6. For the purpose of providing funds to finance the acquisition of the Series 2021 Project, fund a deposit to a debt service reserve fund and to pay certain costs of issuance and for such other purposes as may be authorized under the Indenture, the Authority shall issue the Series 2021 Bonds which shall be designated as provided in the Fourth Supplemental Indenture.

Section 7. The County hereby authorizes the preparation and utilization of the Preliminary Official Statement in substantially the form attached hereto as *Exhibit G* and hereby approves the final Official Statement in substantially

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the form of the Preliminary Official Statement. If necessary, the Mayor is hereby authorized to execute the final Official Statement evidencing its acceptance by the County.

Section 8. The Authority is authorized to issue and sell the Series 2021 Bonds to the Underwriter pursuant to the terms of the Purchase Agreement and the Certificate of Determination. The Series 2021 Bonds shall be dated as of the date of delivery and shall bear interest and mature as set forth in the Fourth Supplemental Indenture.

The form, terms and provisions of the Series 2021 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, tender and number shall be as set forth in the Indenture in the form to be executed by the Authority. The Series 2021 Bonds shall mature prior to the expiration of the estimated useful life of the Series 2021 Project. The President (as defined in the resolution of the Authority authorizing the issuance of the Series 2021 Bonds) of the Authority is hereby authorized to execute the Series 2021 Bonds and to deliver the Series 2021 Bonds to the order of the Underwriter. The Secretary (as defined in the resolution of the Authority authorizing the issuance of the Series 2021 Bonds) of the Authority is authorized to attest to the signature of such President and to cause the seal of the Authority (or a facsimile thereof) to be affixed to the Series 2021 Bonds. The signatures of the President and the Secretary of the Authority may be by facsimile or manual execution.

Section 9. The appropriate officers of the Authority and the County are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby and are authorized to take all action necessary in conformity with the Act and the Articles to finance the Series 2021 Project, to acquire the Series 2021 Project and to lease the Series 2021 Project pursuant to the Lease, including, without limitation, the execution and delivery of any amendments to the documents for the Series 2019 Bonds to provide for the completion of the Daybreak Library; any facilities leases, and any closing and other documents required to be delivered in connection with the sale and delivery of the Series 2021 Bonds.

Section 10. Upon their issuance, the Series 2021 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2021 Bonds and the Indenture.

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No provision of this Resolution, the Lease, the Preliminary Official Statement, the Official Statement, the Indenture, the Series 2021 Bonds, the Security Document, nor any other instrument authorized hereby, shall be construed as creating a general obligation of the Authority or of creating a general obligation of the County, the State of Utah or any political subdivision of the State of Utah, nor as incurring or creating a charge upon the general credit of the County or against its taxing powers. Except as otherwise provided in the Lease, the County shall not be obligated to pay out of its funds, revenues, or accounts, or to make any payment in respect of the Series 2021 Bonds, Base Rentals, Additional Rentals and Purchase Option Price pursuant to the Lease (as those terms are defined in the Lease). The obligation of the County to pay any such rentals, and the obligation of the Authority to pay the Series 2021 Bonds will not constitute a general obligation or a debt of the County, the Authority, the State of Utah or any political subdivision of the State of Utah. The Series 2021 Bonds are not an indebtedness or a liability of the County, the Authority or the State of Utah.

Section 11. The Mayor is hereby authorized to make any alterations, changes or additions in the Third Amendment, the Preliminary Official Statement or the Official Statement herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to other provisions of such instruments and the agreement with the Underwriter, to the provisions of this Resolution, the Creating Resolution, or the provisions of the laws of the State of Utah or the United States.

Section 12. The appropriate officials of the Authority are authorized to make any alterations, changes or additions in the Third Amendment, the Fourth Supplemental Indenture and the Security Document herein authorized and approved which may be necessary to correct errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments and the agreement with the Underwriter, to the provisions of this Resolution, the Creating Resolution or any resolution adopted by the County or the Authority, or the provisions of the laws of the State of Utah or the United States.

Section 13. If any provision of this Resolution (including the exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

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Section 14. The County Clerk and the Deputy County Clerk are hereby authorized to attest to all signatures and acts of any proper official of the County, and, as necessary, to place the seal of the County on the Third Amendment and the Purchase Agreement. The Mayor and other proper officials of the County and each of them, are hereby authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the matters herein authorized. Any action authorized to be taken by the Mayor of the County may, in his absence, be taken by any duly authorized acting mayor.

Section 15. The Secretary of the Authority is hereby authorized to attest to all signatures and acts of any proper official of the Authority, and, as necessary, to place the seal of the Authority on the Third Amendment, the Fourth Supplemental Indenture, the Security Document, and any other documents authorized, necessary or proper pursuant to this Resolution or any resolution of the Authority. The appropriate officials of the Authority, and each of them, are hereby authorized to execute and deliver for and on behalf of the Authority any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the matters authorized in this resolution and any resolution of the Authority.

Section 16. This Resolution shall become effective immediately upon its adoption by the County Council.

Section 17. All bylaws, orders and resolutions of the County or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution, or ordinance or part thereof.

PASSED by the County Council of Salt Lake County, Utah, this 22nd day of June, 2021.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ STEVE DEBRY

Chair

By /s/ GAYELEN GUDMUNDSON

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Deputy County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Winder Newton, that this agenda item be approved. The motion carried by a unanimous vote.

- 6.2 **An Ordinance, Amending Title 19, Entitled "Zoning" of the Salt Lake County Code of Ordinances, 2001, by Reclassifying Certain Property Located in Salt Lake County From the A-2 Zone (Agriculture) to the M-2 Zone (Manufacturing)** 21-0774

Attachments: Staff Report

2021-05-24 REZ2021-293 CC-packet Hardle

REZ2021-293 CC-Ordinance Hardle

Formal Adoption may be Considered at the Tuesday, June 29, 2021 Council Meeting.

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, to forward the ordinance to the June 29, 2021, 4:00 PM Council meeting for formal consideration. The motion carried by a unanimous vote.

- 6.3 **Formal Adoption of an Ordinance of the Legislative Body of Salt Lake County, Utah, Amending Chapter 2.26 of the Salt Lake County Code of Ordinances, Entitled "Hazardous Chemical Local Planning Committee"** 21-0762

Attachments: Staff Report

LEPC revised ordinance 2.26 6-2-21

LEPC Committee Members - June2021

Staff Report LEPC 06.15.2021

ORDINANCE NO. 1881

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING CHAPTER 2.26 OF THE SALT LAKE COUNTY CODE OF ORDINANCES TO CLARIFY THAT DESIGNEES MAY SERVE AND MAKE OTHER TECHNICAL AND PUNCTUATION CHANGES.

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The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Chapter 2.26 of the Salt Lake County Code of Ordinance is hereby amended as follows:

Chapter 2.26 – HAZARDOUS CHEMICAL LOCAL PLANNING COMMITTEE

2.26.010 - Creation of a hazardous chemical local emergency planning committee, membership, selection of chair, and length of terms.

A. Salt Lake County creates and authorizes as set forth in this chapter a Salt Lake County Hazardous Chemical Local Emergency Planning Committee ("LEPC"). The LEPC shall review the use and storage of hazardous materials and hazardous material incidents pursuant to this ordinance and the Federal Emergency Planning and Community Right-to-Know Act of 1986 ("EPCRA"), 42 U.S.C. Sections 11001 through 11050.

B. The LEPC members are appointed by the county mayor with advice and consent of the county council. The committee shall consist of representatives of each of the following groups or organizations, selected by the county mayor, as follows (terms outlined in Section D):

1. One [~~or more named elected state and~~] elected local official[s] chosen by the county mayor and one elected local official chosen by the county council or either officials' designee:

2. One named representative from law enforcement;

3. One named representative from emergency management [±];

4. One named representative from firefighting;

5. One named representative from emergency medical services;

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6. One named representative from health professions;
 7. One named representative from local environmental group;
 8. One named representative from a hospital;
 9. One named representative from transportation;
 10. One named representative from broadcast and print media;
 11. One named representative from non-governmental organization;
 12. One named representative from a facility covered by EPCRA [~~Federal Emergency Planning and Community Right to Know Act of 1986~~ "EPCRA"), 42 U.S.C. Sections 1101 through 11050];
- C. One LEPC member can represent more than one listed group, so long as there is a minimum of nine named members of the LEPC.
- D. All representatives shall serve three-year terms from the date of appointment, or until their successors are appointed, except for inaugural terms of less than three years addressed in Section 2.26.010.D.1.
1. For inaugural committee appointments, members described in Section 2.26.010.B.1-4. shall serve a full term of three years, members described in Section 2.6.010.B.5-8. shall serve a partial term of two years, and members described in Section 2.26.010.B.9-12. shall serve a partial term of one year. All inaugural members and alternates shall serve until their successors are appointed.
 2. All subsequent appointments of members and alternates shall be made, as possible, so one-third of the terms of those serving on the committee expire each year. The terms are staggered to provide depth of experience to the committee. Vacancies on the committee occurring otherwise than by expiration of the term shall be filled for the unexpired term in the same manner as the original appointments.
 3. No representative shall serve more than two successive full three-year terms on the committee unless there is good cause.

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4. The mayor, with the advice and consent of the council, may remove a member of the committee for cause.

E. A chair of the committee shall be selected by majority vote of the committee members on an annual basis.

F. Support staff, meeting rooms, and other facilities and assistance for the committee shall be provided by the Unified Fire Authority or Salt Lake County.

2.26.020 - Committee meetings.

A. The chair of the LEPC shall provide notice of each committee meeting to committee members as early as possible, but no less than seventy-two hours before the scheduled meeting time. A notice, with agenda, will be prepared at least twenty-four hours in advance of each meeting, as required by the Open Meetings Act.

B. LEPC meetings are governed by the Utah Open and Public Meetings Act (Utah Code Title 52, Chapter 4) and meetings shall be open to the public and to members of the media and minutes shall be taken in accordance with state statute. Electronic meetings may be held in accordance with state statute.

C. A quorum of the LEPC consists of at least one-half the number of appointed members.

2.6.030 - Local emergency planning committee duties and functions.

A. The LEPC shall develop an emergency response plan meeting the requirements of EPCRA, review it at least annually, and provide information about chemicals in the community to citizens. The LEPC shall base the emergency response plan on the chemical information provided to the LEPC by local facilities.

B. The LEPC shall follow any adopted state or local policy to receive and process requests for public information under EPCRA.

C. If the LEPC is appointed as the local emergency planning committee by the Utah Hazardous Chemical Emergency Response Commission, the

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LEPC may have, and may undertake, other duties in this capacity as provided by federal and state law.

APPROVED and ADOPTED this 22nd day of June, 2021.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ STEVE DEBRY

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

7. RATIFICATION OF DISCUSSION ITEM ACTIONS IN COUNCIL WORK SESSION

7.1 ZAP Countywide Policy 1031 Update

21-0726

Attachments: Staff Report

ZAP Policy 1031 (Draft 5.26.21)

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be ratified. The motion carried by a unanimous vote.

7.2 BUDGET WORKSHOP:

21-0760

- Sheriff

- District Attorney

- Resolution of Items Introduced June 15, 2021

o Compensation: including backstop funds to retain and finance market-competitive pay for permanent and temporary employees AND need to adjust salaries for vacant positions based on mid-year pay adjustments

o Clerk

o Economic Development

o New Projects for Health: Waste Disposal

o Extension Services

o Other

- New TRCC Projects

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- Ratification of Budget Adjustments Already Approved by the Council
- Council Direction Regarding Overhead Charges as it Relates to Building Security
- Council Adoption of Mayor's Recommendations as the Mid-Year Budget Default
- Other

Attachments: Staff Report
2021 Midyear Budget Presentation Council

8. RATIFICATION OF CONSENT ITEM ACTIONS IN COUNCIL WORK SESSION

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that the consent agenda be ratified. The motion carried by a unanimous vote.

8.1 ZAP Tier I Board Appointment: Peter Klinge, District 3 21-0753

Attachments: Staff Report
Peter Klinge Application Redacted
Peter Klinge Resume Redacted
2021 ZAP Tier 1 Nomination information
Board Appointment Approval form Council Klinge

The vote on this consent item was ratified.

8.2 ZAP Tier II Board Appointment: Linda Hamilton-Oar, District 2 and Spencer Millerberg, District 5 21-0754

Attachments: Staff Report
2021 ZAP Tier 2 Board Nomination information
Linda Hamilton-Oar Application Redacted
Linda Hamilton-Oar Resume Redacted
Board Appointment Approval form Council Hamilton-Oar
Spencer Millerberg Application Redacted
Spencer Millerberg Resume Redacted
Board Appointment Approval form Council Millerberg

The vote on this consent item was ratified.

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- 8.3 **ZAP Tier II Board Reappointments: Maren Slaugh, District 6 and Jason Myers, District 4** 21-0755

Attachments: Staff Report
2021 ZAP Tier 2 Board Nomination Packet
6.7.21 Redacted
Maren Slaugh Resume Redacted
Maren Slaugh Application Redacted
Board Appointment Approval form Council Slaugh
Jason Myers Application Redacted
Jason Myers Resume Redacted
Board Appointment Approval form Council Myers

The vote on this consent item was ratified.

- 8.4 **Appointment of Maricela Gomez and Allissa Blake, Sheriff's Office employees, as Bail Commissioners pursuant to Utah Code Annotated Section 17-32-1** 21-0744

Attachments: Staff Report
Bail Commissioner Appointment Form Allissa Blake
Bail Commissioner Appointment Form Maricela Gomez

The vote on this consent item was ratified.

- 8.5 **Approval of District Attorney's Office Contributions for Community Programs through Flourish Ventures, the Ron McBride Foundation, and Wheels of Justice** 21-0758

Attachments: Staff Report
Flourish Ventures SLCO DA's Contribution
Ron McBride Foundation salt lake county contribution request
Wheels of Justice Donation Application 2020

The vote on this consent item was ratified.

9. TAX LETTERS

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9.1 2021 Tax Sale Final Preferential Bidding

21-0731

Attachments: 2021 Tax Sale Final Preferential Bidding

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.2 2021 Tax Sale Final Sold All

21-0732

Attachments: 2021 Tax Sale Final Sold All

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.3 2021 Tax Sale Final Withdrawn

21-800

Attachments: 2021 Tax Sale Final Withdrawn

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.4 Auditor Tax Letters

21-0740

Attachments: Staff Report

2020 Property Valuation - Davidson, Paul & Linda - Change from \$483,100 to \$453,400 Redacted

2020 Property Valuation - Jacobson, Alisha & Joseph - Change from \$536,800 to \$510,000 Redacted

2019 Property Valuation - Wasatch Land & Improvement Co. - Change from \$1,775,550 to \$1,602,300 Redacted

2020 Property Valuation - Hillcrest Investment Co., LLC - Change from \$11,744,100 to \$8,151,400 Redacted

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.5 Returned Check Adjustments

21-0743

Attachments: Staff Report

Returned Check Adjustments

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A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.6 Partial Release of Lien

21-0745

Attachments: Staff Report
Genevieve B Olsen Rev Tr 22-03-351-001
Pertl Liv Tr et al 22-23-351-9006
Yale Kilgore Inv LLC 20-25-351-006
Van B Perkins 14-29-226-011

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

9.7 DMV Registration Refunds

21-0756

Attachments: Staff Report
MA 000067 2021 Personal Property Tax Refund DMV Vet
\$1,266.00

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

10. LETTERS FROM OTHER OFFICES

11. PRIVATE BUSINESS DISCLOSURES

12. APPROVAL OF MINUTES

12.1 Approval of Council Minutes for June 8, 2021

21-0741

Attachments: 060821 - Council

A motion was made by Council Member Bradshaw, seconded by Council Member Bradley, that this agenda item be approved. The motion carried by a unanimous vote.

ADJOURN

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:10 PM until Tuesday, June 22, 2021, at 6:00 PM.

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SHERRIE SWENSEN, COUNTY CLERK

By 
DEPUTY CLERK

By 
CHAIR, SALT LAKE COUNTY COUNCIL