



G R E A T E R   S A L T   L A K E

## Municipal Services District

### MEETING MINUTES BOARD OF TRUSTEES MEETING GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT Wednesday, February 24, 2021, 6:00 p.m.

*Due to the COVID-19 pandemic, this meeting will be held electronically\*. To watch or listen, please see the information at the end of this agenda.*

Members of the Board of Trustees may participate electronically. Portions of meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.

#### **Trustees Present:**

Joe Smolka, Chair <sup>1</sup>  
Paulina Flint, Vice-Chair  
Kelly Bush  
Sean Clayton  
Dan Peay  
Laurie Stringham  
Keith Zuspan

#### **Trustees Excused:**

#### **Staff Present:**

Bart Barker, MSD General Manager  
Brian Hartsell, MSD Associate General Manager  
Marla Howard, MSD Chief Financial Officer  
Lupita McClenning, MSD Director of Planning and Development Services  
Izabela Miller, MSD Operations Officer  
Ina Oviatt, MSD Records Officer  
Greg Baptist, MSD SWPP Grading Supervisor  
Alex Rudowski, MSD Senior GIS Planner  
Michael Duncan, MSD Enterprise System Administrator  
Maridene Alexander, MSD Communications Manager  
Mark Anderson, MSD General Counsel  
Lisa Hartman, Salt Lake County Associate Deputy Mayor  
Crystal Hulbert, Salt Lake County Public Works Engineering  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering  
Scott Baird, Salt Lake County Director of Public Works  
Corey Bullock, Salt Lake County Parks Maintenance  
Joselyn Romero, Salt Lake County Economic Development

<sup>1</sup> All participants listed above joined the meeting electronically. Other individuals may have been present or via Zoom, who were not specifically recognized by the Chair.

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#### **Trustees**

<b>Joe Smolka</b>	<b>Paulina Flint</b>	<b>Max Burdick</b>	<b>Kelly Bush</b>	<b>Sean Clayton</b>	<b>Dan Peay</b>	<b>Keith Zuspan</b>
<b>Chair</b>	<b>Vice Chair</b>					

Abby Evans, Salt Lake County Senior Policy Analyst

**Others Present:**

Paul Ashton, Magna Metro and White City Legal Counsel

Rori Andreason, White City Metro Administrator

Brian Richards

Gary Bowen, Emigration Canyon Community Council

Barbara Cameron, Big Cottonwood Community Council

**1. Call to Order** - Joe Smolka, Chair called the meeting to order at 6:00 pm.

**2. Pledge of Allegiance**

The Pledge of Allegiance was not recited.

**3. Statement of Board Chair concerning the temporary conduct of electronic meeting of the board consistent with the Utah Open and Public Meetings Act**

Chair Smolka read the required statement regarding requirements for holding an electronic board meeting consistent with the Utah Open and Public Meetings Act.

**4. Public Comments** (up to 3 minutes each)

There were no public comments to be read into the minutes.

**5. Approval of Meeting Minutes** for February 10, 2021

There were no comments on the minutes.

**Trustee Flint moved to approve the minutes for January 27, 2021. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Flint, Clayton, Peay, Stringham and Zuspan all voted “aye”.**

**6. Legislation update**

HB 98 - Greg Baptist discussed HB 98 and the problems that the legislation would cause. He said that his department will ensure that the MSD is compliant with the rules and regulations. Mark Anderson stated the first substitute came out today. Although, there were some concerns expressed about the bill, it will most likely move over to the Senate. It requires that plan reviews be completed within fourteen days and gives alternatives for builders to get permits if this time frame isn't met; it allows builders to use outside certified inspectors; it addresses design elements; it allows cities and townships to still have critical powers to maintain essential elements such as historic areas, etc.

SB 58 is in first substitute and is now ready to go to the governor. It puts the metro townships on the same footing as cities and towns.

HB 128 which is accumulated fund balance amendments and may apply to metro townships due to other language contained within the bill.

HB 82 was discussed at the last meeting. Deals with alternative dwelling units within single family housing units. It's in the fourth substitute that has been adopted.

HB 244 is first class highway fund amendments is in the third substitute pairs the bill back significantly. It deals with funding allocation. The GM wants to talk to the sponsors to see the intent since it is a fifteen-year proposition. He asked for Mark Anderson to provide a report at the end of the session on the bills that affect the entities of the MSD.

Laurie Stringham asked about HB 342. Mark Anderson stated that it does not apply to any districts but should be watched as it is a privatization bill.

## 7. Update on proposed MSD bond

- a. Update on the bond method of sale and the planning process: The GM referred to the “Method of Bond Sale” which was included in the Board packet. On Monday, there is a meeting with Salt Lake County engineering and the advisor to discuss the draw/payment schedule for the projects covered by the bond. We will discuss whether the projects can be done within the scheduled time imposed by the bond. The question is whether to issue the bond once or in multiple offerings. Trustee Flint voiced her concerns whether the staff can manage the projects within the required timeframe. Three dynamics that may cause the price to go up are interest rate, fees associated with issuance and construction inflation.
- b. Consideration of adding the overlay of the of the lower Millcreek Canyon road to the bond: The Chair turned the item over to Laurie Stringham to discuss the lower Millcreek Canyon Road project. She went over the history of the proposed work and that the MSD will be responsible for the road below the snow fence. The Salt Lake County Council passed it unanimously and requested that it be part of the bond. The GM added that at a previous meeting the Trustees asked about the appropriateness of including this project in the MSD’s bond funding. It is a County road in the Unincorporated Salt Lake County and the MSD does get funding through Class B&C Road funds and meets the criteria to be a project through the MSD. The Class B&C road funds will be pledged as payments for the bond. Scott Baird stated that this road was scheduled for maintenance in 2019 and they had hoped that it would be covered by the US Forest Grant, which it will not. It has an overall rating of 46% in condition and the work is needed and timely, waiting will just add more cost to the repairs/maintenance. Trustee Flint reinforced that it needs to be done because of the poor condition rating. She reminded that the MSD does a lot with a little and encouraged that we get the bond to get these critical projects done. It will save taxpayers money over time. Crystal Hulbert said that she had no additional points to add to the discussion.
- c. Update on the cost estimate for the 4700 South project: The GM stated that they will be withdrawing this item from the agenda to finalize some estimates. He spoke with the Board Chair earlier in the day about the reason to the withdrawal. He asked that this item be moved to the 3/10/21 meeting.

The GM asked for a motion to vote to add the overlay on the lower Millcreek Canyon Road to the bond funding. It was pointed out that Millcreek City and the US Forest Service submitted letters of support.

**Trustee Flint moved to include the overlay of lower Millcreek Canyon in the bond financing. Trustee Bush seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**8. Consideration of HW Lochner Inc. Construction Engineering Modification 1 Contract for Northwest Avenue Sidewalk from 5415 S to 5570 S.**

Madeline Francisco-Galang informed the Board that the cost increase is due to additional time needed and is \$15,879 but will be covered by the grant. Trustee Zuspan asked for an explanation regarding the increase. Madeline Francisco-Galang informed the board that there was additional work that needed to be done and the subcontractor selected due to low bid, requires more supervision due to lack of experience with UDOT standards.

**Trustee Bush moved to approve the HW Lochner Inc. Construction Engineering Modification 1 Contract for Northwest Avenue Sidewalk from 5415 S to 5570 S. Trustee Zuspan seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**9. Consideration of a budget adjustment for Northwest Avenue Sidewalk CEM Mod 1**

Madeline Francisco- Galang reviewed the reason for the cost increase of \$15,873.29 and that it will be covered by the grant.

**Trustee Bush moved to approve the budget adjustment for Northwest Avenue Sidewalk CEM Mod 1 for \$15,873.29. Trustee Flint seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**10. Update from the February 24, 2021, Audit Committee Meeting**

Trustee Clayton informed the Board that there was an audit committee meeting today and that the MSD does a great job regarding the segregation of duties. The Audit Committee questioned the billing from the Salt Lake County Parks Maintenance for the month of December. The AGM will get with the appropriate department to go over the invoices. Trustee Bush stated that there is a new Associate Director, Patrick Leary and that the Trustees should get to know him. The GM asked that the detail be sent to the various metros. Trustee Bush asked that Patrick Leary come and introduce himself to the Board. Trustee Stringham asked about the planned staffing for park maintenance. Corey Bullock stated that the staffing hasn't been filled and that the billing is about a month and half behind.

**11. Planning and Development Services report**

Lupita McClenning, MSD Director of Planning and Development Services reported that the entire team has been working on the legislative updates, she spoke about the FIRO-B assessments that was the focus of the annual staff retreat. She explained the various ways the assessment that is used in the workplace. She referred to the YouTube video that explains the assessment. The link to the video will be provided to the Members.

They are working on some general plans and zoning. She reported on the relationship with Utah State University and the two projects that students are doing. They will be getting reports from last year that looks at the entire area. She will share the reports with the Board.

**12. General Manager report**

The GM reported that there have been discussions about subsequent payments to the Members that did not use their entire CARES Act funding during the first tranche. Lisa Hartman stated that this has been a priority for Mayor Wilson, and that Salt Lake County is planning at the March 8<sup>th</sup> meeting to approve the payments. The GM stated that the money will belong to the metro townships that receive the funds. Trustee Flint reminded the Board that the restoration of the funds would enable the metro townships to use the funds for specific municipal projects. The funds will go to each Council for spend approval.

The Chair reported that he stopped by the office today and noted that the remodel was moving along nicely.

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

No other business was brought forth.

**14. Discussion of future agenda items (5 minutes)**

No items were discussed.

**15. Adjourn** Trustee Zuspan moved to adjourn the meeting, Trustee Flint seconded the motion.

Meeting adjourned at 8:30pm

**APPROVED:**

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Joe Smolka, Chair

**ATTEST:**

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Marla Howard, Clerk