



GREATER SALT LAKE

## Municipal Services District

### MEETING MINUTES BOARD OF TRUSTEES MEETING GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT Wednesday, February 10, 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  
Dan Peay  
Laurie Stringham  
Keith Zuspan

#### **Trustees Excused:**

Sean Clayton

#### **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  
Mark Anderson, MSD General Counsel  
Rachel Manko, MSD GIS Business Analyst  
Greg Baptist, MSD SWPP Grading Supervisor  
Mikala Jordan, MSD Long Range Planner  
Crystal Hulbert, Salt Lake County Public Works Engineering  
Madeline Francisco-Galang, Salt Lake Public Works Engineering  
Corey Bullock, Salt Lake County Parks Maintenance  
Joselyn Romero, Salt Lake County Regional Development  
Abby Evans, Salt Lake County Council Senior Policy Advisor

#### **Others Present:**

Paul Ashton, Magna Metro and White City Legal Counsel

<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.

---

#### **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>					

**1. Call to Order** - Joe Smolka, Chair at 6:04 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**

The temporary conduct of electronic meetings of the board was read by Chair Smolka

**4. Public Comments**

No comments were read into the minutes.

**5. Approval of Meeting Minutes for January 27, 2021.**

There were no comments on the minutes.

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

**6. Tips on using the Citizen Problem Reporter**

Rachel Manko demonstrated the installation and use of the MSD Citizen Problem Reporter. The GM mentioned that Maridene can help each Member get it set up on their websites.

**7. Consideration of a federal aid agreement for Kearns bicycle route wayfinding**

Madeline Francisco-Galang reviewed the bicycle way finding agreement for Kearns. The bids have come in and it will be about \$10,000 more than budgeted, but she is asking for \$15,000 to cover contingency. The adjustment would pull \$15,000 from the miscellaneous capital budget that has a FY2021 appropriation of \$225,000. She is asking for the agreement to be approved as well as the budget adjustment. The total is about \$95,000, grant of \$60,000 with a match of \$35,000 to be funded by the MSD. The bid discrepancy was higher than what we usually see but this is the first time that we will be using funds from the miscellaneous account. The AGM indicated that there will be another budget adjustment presented later in the meeting that will pull from the miscellaneous capital budget line.

**Trustee Flint moved to approve the federal aid agreement for the Kearns bicycle route wayfinding. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**8. Consideration of a budget adjustment for Kearns bicycle route wayfinding**

Madeline Francisco-Galang presented the budget adjustment for the above-mentioned project to move \$15,000 from the miscellaneous account.

**Trustee Flint moved to approve the budget adjustment for the Kearns bicycle route wayfinding. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**9. Consider of a federal aid agreement for a sidewalk project on the north side of 8425 South between 1300 E and 1475 E in Sandy Hills**

Madeline Francisco-Galang presented the project that is in the unincorporated. The total cost is \$396,000, the grant is \$322,855 and the match is \$72,345. She is requesting that the federal aid agreement be approved.

**Trustee Stringham moved to approve the federal aid agreement sidewalk project on the north side of 8425 South between 1300 E and 1475 E in Sandy Hills. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**10. Consideration of a budget adjustment to complete payment for the MSD’s share of the SR-210 widening and the Grit Mill Parking Lot, previously approved by the Board**

Madeline Francisco-Galang presented a grant that was obtained from the State of Utah through Utah Outdoor Recreation for \$150,000. The budget adjustment recognizes the income from the grant. The agreement is between Salt Lake County and UDOT. The grant is between Utah Outdoor Recreation Grant and the MSD. Funds need to be moved to Salt Lake County to satisfy the contract. This was approved about 2 years ago. MSD’s share has already been paid.

**Trustee Flint moved to approve a budget adjustment to complete payment for the MSD’s share of the SR-210 widening and the Grit Mill Parking Lot, previously approved by the board in the amount of \$150,000. Trustee Stringham seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**11. Consideration of a federal aid agreement for 2820 South from 7630 W to 7440 W in Magna**

Crystal Hulbert presented the WRC federal aid agreement for TAP funding for a sidewalk at 2820 South from 7630 W to 7440 W in Magna. The project is \$423,000. The match is \$33,666. This sidewalk will be along a collector road, so it is an important project.

**Trustee Flint moved to approve a federal aid agreement for sidewalk from 2820 South from 7630 W to 7440 W in Magna. Trustees Peay seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**12. Consideration of a Cooperative Agreement for a sidewalk project on the north side of SER-48 from 8626 W to 8662 W in Copperton - \$94,100 budget adjustment**

Crystal Hulbert presented this new project which is in Copperton. It is an agreement with UDOT for a sidewalk. UDOT requires a higher match than does the Federal grants. The total project is \$270,300 and the match will be \$94,100. The other \$176,200 is from grant

proceeds. We usually have a delay of up to five years on some of the grant sources, therefore, it is difficult to budget for the grant income when in the planning process for a project. Chair Smolka asked some questions about the project and points of access on the buildings affected by construction. Trustee Flint suggested using prospective funds from the unused CARES funding for the match.

**Trustee Flint moved to approve the cooperative project for a sidewalk project on the north side of SER-48 from 8626 W to 8662 W in Copperton. Trustees Stringham seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**13. Consideration of a budget adjustment for a sidewalk project on the north side of SER-48 from 8626 W. to 8662 W. in Copperton**

**Trustee Flint moved to approve the budget adjustment in the amount of \$270,300, including \$94,100 from the miscellaneous capital budget, for a sidewalk project on the north side of SER-48 from 8626 W to 8662 W in Copperton. Trustee Stringham seconded the motion and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

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

The Audit Committee meeting was tabled until February 24, 2021.

**Trustee Flint moved to table the topic until the next meeting. Trustee Peay seconded the motion, and Chair Smolka, Trustees Bush, Flint, Peay, Stringham and Zuspan all voted “aye”.**

**15. Update on the 2020 audit and schedule**

The CFO shared that she has commenced the groundwork for the audit of the 2020 financial statements. The check register for checks disbursed in 2020 have been sent to the auditors to make test selections. As soon as the final invoices for 2020 are paid, then the 2021 check register to that date will be sent, which we anticipate will be by the end of February. The auditors will randomly select about 35 disbursements for review. Also, at this point, a trial balance will be sent and Pelorus will be notified to begin the creation of the financial statements. She is anticipating that the audit will be completed by the end of May, barring no complications.

Trustee Flint reminded the board members to provide their training certificates to the MSD to be provided to the auditors. Mark Anderson reviewed the requirements. Trustee Flint asked for the training certificates to include the date and trainer on their certificates. The CFO was directed to get copies of training certificates to those in attendance. Trustee Stringham will get her training and provide copies to Ina Oviatt.

## 16. General Manager report

The GM reported on the County Council's Committee of the Whole meeting on February 11, 2021, on getting land use authority for Brighton. Brighton is in the Mountainous Planning District (the "MPD"). Brighton is the only municipality in Utah without land use authority. The County Council unanimously adopted legislative intent to seek state legislation to achieve four goals: First, the County Council will seek a repeal of the June 1, 2021, sunset of the MPD. The second is to exclude Brighton from the MPD so they may have their own land use authority. The third is a repeal of the sunset on the County's authority to subsidize public safety in the canyons from its general fund. The fourth is the County to establish the size and composition of the MPD planning commission. The County Council also adopted, by a 6-3 vote, legislative intent to establish the composition in the MPD planning commission. Members of the MSD Board voiced their support of this legislation.

Trustee Flint asked for a map of the MPD with Brighton excluded. Trustee Stringham agreed to provide one. The board directed the GM to review the bill to ensure it is drafted in a way the supports their position.

Trustee Stringham spoke about funding for emergency services outside this area.

The GM presented the final numbers on the Emigration Canyon overlay project. The budget was \$3.9 million, and the contract came in at \$3.1 million. Due to some public concerns, the engineering company did outreach which added to the cost of the project. There were some project changes and in addition the County Surveyor identified sixteen survey monuments that needed to be uncovered. PW Engineering and Operations were commended on their work on this much needed project.

The GM reported that today, he and John Crandall of Stifel signed a no cost agreement to consult with the MSD regarding the bond issuance. A kickoff meeting will be held next week. There is a question about including a lower Millcreek Canyon Road mill and overlay project in the bond. Council Member Stringham will spearhead the discussion at the February 23 County Council meeting regarding this project and will report back at the MSD's board meeting on February 24. Trustee Flint asked if work has been done to determine a ballpark number for the repairs. She suggested that at the February 24 meeting that there is a limit on the amount of the bond proceeds used on this project and that any overages should be paid for by the unincorporated county. The GM also reported that Stifel has agreed to extend the agreement if needed. The GM noted that they want a sufficient contingency in the bond. Trustee Flint doesn't want to "Christmas tree" this bond. This bond will be paid by Class B&C road funds. Tentative numbers will be presented at the February 24 meeting. The Board will be asked to consider any County Council request for the proposed Millcreek Canyon Road project.

***Trustee Bush signed off the zoom meeting at 7:13pm*** – Ina Oviatt notified the MSD Board Members.

The GM asked that a legislative update be included in the next two meetings. The GM asked Mark Anderson to give the Board a legislative update:

- HB 82 is about single-family housing modifications. It's currently up to a third substitute and deals with internal accessory dwelling units to increase the stock of low-income rental units in Salt Lake.
- HB 98 allows developers and builders to opt out from local government inspections and hire their own inspectors. Nathan Bracken has been very involved in the process

and is lobbying for a notice or certificate be provided to buyers that states that the building or home was inspected by a private inspector and not the local government. The GM will sent a fact sheet to Trustees during the meeting.

- HB 244 is regarding road funds in counties of the first class. A portion of the funding will be available to metro townships. The GM has a meeting scheduled with the County regarding this.
- HB 58 by Senator Mayne is in first substitute and would allow metro townships to assess municipal energy and telecommunications taxes. It is moving well.
- SB 125, in first substitute, is on the open meetings act and impacts electronic meeting requirements. It has passed the senate. The bill eliminates the need to read the full open meeting statement and read only a summary at each electronic meeting.

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

There was no other business.

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

There was no future agenda items.

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

Meeting adjourned at 7:43 pm

**APPROVED:**

Joe Smolka  
Joe Smolka, Chair

**ATTEST:**

Marla Howard  
Marla Howard, Clerk