



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, December 9, 2020, 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 ¹
Paulina Flint, Vice-Chair
Kelly Bush
Sean Clayton
Dan Peay
Keith Zuspan

Trustees Excused:

Max Burdick

Staff Present:

Bart Barker, MSD General Manager (GM)
Brian Hartsell, MSD Associate General Manager (AGM)
Marla Howard, MSD Chief Financial Officer (CFO)
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
Mark Anderson, MSD Legal Counsel
Crystal Hulbert, Salt Lake County Public Works Engineering
Madeline Francisco-Galang, Salt Lake County Public Works Engineering
Todd Andersen, Salt Lake County Municipal Economic Development Coordinator
Corey Bullock, Salt Lake County Parks Maintenance
Jevon Gibb, Salt Lake County Regional Economic Development Director
Amy McCormick, Salt Lake County Engineering and Flood Control Fiscal Manager
Maridene Alexander, MSD Communications Manager

Others Present:

Paul Ashton, Magna Metro and White City Legal Counsel

¹ 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

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

Rori Andreason, White City Administrator
Gary Bowen, Emigration Canyon Metro Township Council

1. Call to Order

Joe Smolka, Chair called the meeting to order at 9:01 am.

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 provision concerning the conduct of electronic meeting consistent with the Utah Open and Public Meeting Act.

4. Public Comments (up to 3 minutes each)

No public comments were read into the minutes.

5. Approval of Meeting Minutes

The Chair asked for any comments or corrections on the November 12, 2020 minutes. There were none.

Trustee Clayton moved to approve the November 12, 2020 meeting minutes. Trustee Bush seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

6. Annual Open Meetings Act Training

Mark Anderson conducted the Annual Open Meeting Act Training and shared a power point presentation that covered the annual requirements. Ina Oviatt will prepare certificates for each of the Board members in attendance.

7. Review of Grant Opportunities for the MSD, Town and Mero Townships.

There was a request from Magna’s town administrator asked not to have the presentation about the grant that was prepared for the Magna museum until it has been presented to Magna’s council. Chair Smolka asked Trustee Peay if this is correct and the reasoning behind their request. Paul Ashton stated that it would be okay to discuss the grant, but they would prefer to have the discussion after Magna’s council received the presentation.

Todd Andersen introduced Jevon Gibb, Salt Lake County’s new Economic Director. Jevon shared some of his professional background and his goals as the new Economic Director to create value to the MSD and the members.

8. Consideration of a budget adjustment for Madison Drive in Magna

Crystal Hulbert spoke about an emergency budget adjustment needed to repair a sinkhole in a lawn in Magna. The budget adjustment was approved by the GM, but the presentation was to inform the board about the circumstances requiring an adjustment and request a ratification.

Trustee Flint moved to ratify the budget adjustment for Madison Drive in Magna. Trustee Zuspan seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

9. Consideration of Community Development Block Grant (CDBG) contract for the construction of a sidewalk on 8950 West between Main Street and 2800 South in Magna

Crystal Hulbert shared the details about the grant and the purpose of the funds. The amount will be about \$300,000. The AGM will obtain professional liability insurance through Utah Locals Trust. They will share more details later. Mark Anderson recommended that the Board approve that either the Chair or GM be able to finalize the grant.

Trustee Flint moved to approve the Community Development Block Grant subject to getting the general liability approved and allowing either the Board Chair or the GM to finalize. Trustee Zuspan seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Zuspan and Peay voted “aye” and the motion passed unanimously.

10. Consideration of Contract Mod 1 with HW Lochner, Inc., for 4700 South reconstruction in Kearns

Madeline Francisco-Galang shared the reason behind the increase in the contract by about \$33,177.23 because of redesigns needed due to the environmental findings. Mark Anderson has reviewed and approved the contract. Our cost will be included in the road bond.

Trustee Flint moved to approve the Contract Modification 1 with HW Lochner, Inc., for 4700 South reconstruction in Kearns. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

11. Consideration of a contract with HDR Engineering Inc. for rights-of-ways acquisition services for 4700 South reconstruction in Kearns

Madeline Francisco-Galang shared the purpose of the contract with HDR Engineering for Rights of Way acquisition services. The contract is for \$149,859.87. Mark Anderson stated that is the same form used by HW Lochner and thus is okay. Madeline stated that there are some owners that will require long lead time for negotiations, so they are contacting now to give them time to process Kearns' request. Kearns' attorney will be reviewing the contracts. The public relations consultant has begun disseminating information to the affected landowners.

Trustee Bush moved to approve the contract with HDR Engineering Inc. for rights-of-ways acquisition services for 4700 South reconstruction in Kearns. Trustee Clayton seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

12. Consideration of budget adjustment for the 12600 South 7200 West project

Madeline Francisco-Galang explained the need for the budget adjustment. The agreement is through the MSD and there are grant funds available to reimburse the MSD. Part of the land will be donated, and the other part purchased.

Trustee Bush moved to approve the budget adjustment for the 12600 South 7200 West project. Trustee Peay seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

13. Consideration of a budget adjustment to move additional funds from capital projects to Public Work Operations

The CFO requested an adjustment to transfer funds budgeted in the Capital Account to the General Fund for maintenance.

Trustee Bush moved to approve the budget adjustment to move additional funds from capital projects to Public Work Operations. Trustee Flint seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

14. Consideration of authorizing to negotiate and for the Chair to sign an agreement with Insignia Partners for strategic planning services for up to \$60,000.

The CFO shared that the Strategic Planning Search Committee met with Insignia Partners and had a number of questions. Insignia Partners prepared a SOW answering the questions with prices, which was shared with the Board.

Trustee Bush moved to approve the authorizing the GM to negotiate and for the Chair to sign an agreement with Insignia Partners for strategic planning services up to \$60,000. Trustee Zuspan seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

15. Planning and Development Services 2019 report and 2020 Budget Adjustment

Lupita McClenning reported on the accomplishments of the Planning and Development department which were substantial, and all accomplished during the pandemic and the earthquake in March 2020. She reviewed the staff hired and training received. She discussed the accomplishments of the stormwater drain department. The permitting and licensing team worked to migrate to Cityworks and created the standard operating procedures. She summarized some hot topics within the department. Code enforcement, current and long-range planning, and GIS accomplishments and activities were discussed.

She shared the reason behind the need to make a budget adjustment within her administrative budget due to software acquisition and development.

16. Consideration of a letter of support to be submitted to the Utah Division of Emergency Management (DEM) regarding a Building Resilient Infrastructure and Communities (BRIC) grant application

The AGM spoke about the State's BRIC grant application to FEMA for a project scoping study for a state-wide or regional Fix the BRIC (FTB) program. If the State gets the grant, then in 2021 they will perform the scoping study. If successful, then a subsequent grant application will be made for the actual FTB program most likely in late 2022. To move forward with the project scoping application DEM is looking for letters of support from various communities. If the letter of support is approved, it would be signed by Chair Smolka. Funds wouldn't be committed at this time, just potentially staff time. He stated that the DEM would be grateful to have a letter of support from the MSD.

Trustee Clayton moved to approve the letter of support to be submitted to the Utah Division of Emergency Management regarding a Building Resilient Infrastructure and Communities (BRIC) grant application. Trustee Bush seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted "aye" and the motion passed unanimously.

17. Consideration of Resolution 20-12-01 for Surplus Property Declaration

The AGM spoke about the need to dispose of unusable excess electronic equipment. The cost to salvage exceeds the value of the items. This resolution allows for the proper disposition of the items and includes destruction of sensitive equipment.

Trustee Flint moved to approve the Resolution 20-12-01 for Surplus Property Declaration. Trustee Zuspan seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted "aye" and the motion passed unanimously.

18. Update on CARES Act funding

The AGM shared a spreadsheet of the distributions from the county and the total reported CARES expenditures and the balance that was returned to the Salt Lake County (County) within the prescribed deadlines. He shared a report from the bank showing confirmation that the funds were returned to the County. The final monthly CARES report is due to the County on December 15, 2020. The CARES act checking account will remain open until determined that it won't be needed.

19. Consideration of the MSD Board of Trustees Meeting schedule for 2021

The GM shared the 2021 Board of Trustee meeting schedule for approval and posting on the state's website. There is a reference at the top of the schedule that meetings may be held via zoom and changes can be made via notice on the public meeting website. The Chair asked if the meeting schedule is on the second and fourth Wednesday of the month.

Trustee Clayton moved to approve the MSD Board of Trustees Meeting schedule for 2021. Trustee Bush seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.

20. General Manager’s report

The GM complimented the AGM on a job well done on the CARES funding process.

He updated the Board on the remodeling status. The remodel will begin in January and will take about 90 days. It is being paid for by the County. Ina will be coordinating the process.

Magna scheduled a working meeting on January 19 to consider becoming a city and whether to remain in the MSD. A committee to consider the change will be appointed at that time. The MSD will support them through this process.

The MSD wanted an update on the former franchise tax status. Mark Anderson summarized where it stands. The parties involved are working with the Utah League of City and Towns to get their support.

Today, Lupita sent a letter to the landowners in the Cardiff area in Big Cottonwood Canyon. She reviewed what was prohibited in the zone. He stated that the health department regulated the watershed.

He reviewed the status of the negotiations with Public Works towards equable cost sharing with the other agencies. There is a discussion about ownerships in the equity in the equipment paid for through funds received by the metros and towns within the County. Some of the cities want a shorter term on the contract. Trustee Flint commented that not just the four cities have ownership in the equipment, but that the MSD needs to have part in the ownership, too. He stated that a five-year plan will be initiated with Public Works. Public Works is hiring an outside contractor to evaluate the road condition.

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

Chair Smolka asked if there were any new mayors in January. There was no response.

22. Discussion of future agenda items (5 minutes)

No items were presented for discussion.

23. Adjourn Trustee

Meeting adjourned at 8:07 pm

Signatures on the following page.

APPROVED:

Joe Smolka

Joe Smolka, Chair

ATTEST:

Marla Howard

Marla Howard, Clerk