



GREATER SALT LAKE  
**Municipal Services  
District**

**MEETING MINUTES  
BOARD OF TRUSTEES MEETING  
GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT  
Wednesday, July 22, 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 <sup>1</sup>  
Paulina Flint, Vice-Chair  
Max Burdick  
Kelly Bush  
Dan Peay  
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  
Ina Oviatt, MSD Records Officer  
Mark Anderson, MSD Legal Counsel  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering  
Jessica Romero, Salt Lake County Community Outreach Specialist  
Rob Thompson, Salt Lake County Watershed Manager

**Others Present:**

Paul Ashton, Magna Metro and White City Legal Counsel

**1. Call to Order - Joe Smolka, Chair**

Chairman Smolka called the meeting to order at 6:00 pm.

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

## **2. Pledge of Allegiance**

The Pledge of Allegiance was not recited.

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

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

## **4. Approval of Meeting Minutes**

**Mayor Bush moved to approve the minutes for July 8, 2020 as presented. Motion seconded by Trustee Peay.**

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

## **5. Consideration of a memorandum of understanding with Salt Lake County for a Utah Pollutant Discharge Elimination System (UPDES) Discharge Permit**

Bob explained the purpose of the memorandum of understanding with the County. There were no questions.

**Trustee Bush moved to approve the memorandum of understanding with Salt Lake County for the UPDES Discharge permit as presented. The motion was seconded Trustee Flint.**

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

## **6. Update on the 4700 South reconstruction project between 4015 West and 5600 West, including scope of project, schedule, and budget**

Madeline Francisco-Galang presented an overview of the project. It began in 2012 and the budget was about \$7.7 million. There was an environmental and traffic study performed. There was public input. The project included safety features such as bike lanes, traffic lights/intersection and slope of the road. Additional funds were obtained in 2019 and current budget is about \$24 million. It's at 60% design. There will be separate funding by West Valley. Our segment is the most important part of the project. She shared that there is a shortfall of \$8 million with construction to be completed in 2022.

Bart shared that this was a major corridor with major access throughout the county and growth is contributing to the need. Bart stated that the MSD needs to fund the shortfall and he proposed building the project over several years to spread out the cost and obtain additional funding.

## **7. COFID-19 update**

Brian shared an update on COVID19 virus and referenced the report in the board packet. He highlighted the 3 items in the report.

CARES Act grant status - Kearns has 2 businesses that have applied for the grant, as well as White City's 2 businesses. One of the White City's grant has been approved. Looking forward to the impact of the outreach project done by MSD. He highlighted the various forms of outreach performed. Additional information is available on the MSD website.

CARES Act Reporting – Salt Lake County has created a portal and the first report is due on August 15 for expenses through July 31. He stated that the MSD can submit the report on behalf of the Townships or that the Townships can do that on their own. Townships should let the MSD know their reporting intent. The responsibility is with the Townships.

Reimbursement of MSD COVID expenses – we have reviewed this in more detail. Although there is a provision for reimbursement for staff time spent on a “substantially different use”, Federal Treasury guidance also indicates that already budgeted staff time does not qualify. Under the most conservative interpretation, Brian therefore suggests that we do not seek reimbursement for staff time. To get reimbursed by the Townships, the respective Councils would need to approve a subgrant agreement with the MSD. There is a potential opportunity for the MSD to get reimbursed directly from Salt Lake County. He will provide additional information as it is obtained.

Chair Smolka asked if some of the Townships entered into an agreement with the MSD, what would be reimbursed. Brian stated that he hopes that won't be necessary if the MSD can enter into an agreement with Salt Lake County. Trustee Flint asked if funds allocated to the Townships have been received by the MSD and that the MSD would do the reporting to the County. Brian clarified that not all allocated funds have yet been received by the MSD.

**8. Consideration of an agreement with DH Group, LLC for right-of-way services for the 4700 South reconstruction from 4015 West to 5600 West**

Madeline presented the purpose of the agreement with the DH Group, LLC, which will be about \$79,725 for work for 2020. Mark stated that he had reviewed and stated that it was a standard agreement.

**Trustee Bush motioned to approve the agreement with DH Group, LLC for right-of-way services in the amount of \$79,725, as presented. Trustee Flint seconded.**

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

**9. Consideration of a budget adjustment for Northwest Avenue sidewalk from 5418 South to 5570 South in Kearns, and Miscellaneous Projects, to cover additional costs**

Madeline presented the project and the purpose of the budget adjustment is due for drainage issues that is required since it is a federally funded project. She's requesting \$51,021.58 to cover the anticipated additional funding needed. If not needed, this amount would be returned.

**Trustee Bush moved to approve the budget adjustment for the Northwest Avenue sidewalk from 5418 South to 5570 South in Kearns, and Miscellaneous Projects in the amount of \$51,021.58 be approved as presented, Trustee Flint seconded.**

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

**10. Consideration of the assignment of a Salt Lake County agreement with Kleinfelder, Inc., to the MSD**

Lupita shared the reason behind the request to assign the agreement to the MSD. Lupita stated that the MSD audited the agreements and found that this agreement needs to be assigned to the MSD for geological services. These third-party reviews costs are passed onto the applicant.

**Trustee Flint moved that the assignment of the agreement with Kleinfelder, Inc., to the MSD be approved as presented. Trustee Burdick seconded.**

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

**11. Consideration of the assignment of a Salt Lake County agreement with IGES to the MSD**

Lupita asked for the assignment of the agreement with IGES be assigned from Salt Lake County to the MSD.

**Trustee Bush moved the approval of the assignment of the agreement of the IGES contract with the County to the MSD be approved as presented. Trustee Zuspan seconded.**

Mark shared that this vendor requested an adjustment to the assignment to remove the word “defend” which is included in the original agreement. Lupita approved the removal of “defend” because the chance of a problem is very slim.

Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

**12. Consideration of a budget adjustment to move maintenance work from the Capital Projects Fund to the General Fund**

Marla presented the reason behind the budget adjustment due to the budget allocation to the Capital Fund for projects that are essentially road maintenance. The budget adjustment will move budgeted funds to maintenance.

**Trustee Bush moved to approve the move \$5,872,273.80 in budget from Capital Projects to Public Works Maintenance as presented, Trustee Flint seconded.**

Trustee Zuspan asked why it was necessary to move the funds and how it affected the maintenance budget. Marla and Bart explain reasoning. Chair Smolka, Trustees Flint, Burdick, Bush, Peay and Zuspan all voted “aye” so voting was unanimous.

### **13. Financial reports**

Marla explained that in the preparation of the financial statements, the allocation of PTIF interest was done incorrectly and was based upon population count and not the interest each Townships and Town has in the PTIF fund. Also, the land use attorney charges were charged back to each metro and Marla will be performing an audit and will fix the allocation.

### **14. General Manager report**

Bart spoke about the North Pointe Ranches and the annexation into North Salt Lake City because the county has an overlay zone in the area, it can't be developed. Because it is an annexation over county lines, Bart referred to the map and showed how the annexation will create pockets of annexation which are costly to maintain. This development will be a high-density development. The Salt Lake County Council has studied this proposal and are receptive to the proposal. As an example, there are parts of Draper that are in Utah County and not Salt Lake County. If annexed into North Salt Lake City, then the current agreement may not be honored. The suggestion was made for North Salt Lake City to contract with the MSD to maintain the roads. Trustee Flint asked what the Salt Lake Airport Authority's reasoning would be to object to the development. The concern is regarding the flight corridor, and Salt Lake County Council researched it and they did not feel that there was a significant concern. It is not clear, but Bart will continue to update the MSD Board with any new developments.

On July 9, the president approved the disaster declaration for the Magna earthquake. Bart and Brian attended a video call with the State's disaster manager who shared how the funds will be shared. Maridene will contact the three affected Townships about contacting the affected homeowners.

Bart shared that the anticipated revenue reductions did not materialize as expected. It appears that as individuals are shifting to online purchases from storefront purchases, it has maintained a positive revenue stream. He reported that in Salt Lake County where there is a mandated mask usage, the COVID rate of transmission is decreasing. He will keep the Board apprised of the revenue stream.

Bart shared the budget calendar and highlighted the upcoming important dates. He shared that the various service providers will present their budget requests and the board members will have the opportunity to ask questions of the providers. He reviewed the upcoming meetings and the specific agenda items as pertaining to the budget. He emphasized that adhering to the budget calendar will enable the budget to be approved in a timely manner. Trustee Flint asked for the presentations ahead of time for review.

Bart shared a compliment from a resident in the unincorporated area of Salt Lake County who has had ongoing compliance issues and she stated that the MSD and support staff has helped her to resolve some issues.

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

Trustee Flint announced that instead of Southeast Township days, there will be a rolling car show.

**16. Discussion of future agenda items**

No future agenda items were mentioned.

**17. Adjourn** Trustee Flint moved to adjourn.

Meeting adjourned at 7:02 pm

**APPROVED:**

DocuSigned by:

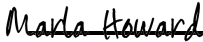


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Joe Smolka, Chair

**ATTEST:**

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Marla Howard, Clerk