

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, December 14, 2021

The City Council of Salt Lake City, Utah, met in Formal Session on Tuesday, December 14, 2021.

The following Council Members were present:

Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

The following Council Members were absent:

Ana Valdemoros

Present Legislative leadership:

Cindy Gust-Jenson, Executive Director; Jennifer Bruno, Deputy Director; Lehua Weaver, Associate Deputy Director

Present Administrative leadership:

Mayor Erin Mendenhall; Rachel Otto, Chief of Staff; Lisa Shaffer, Chief Administrative Officer

Present City Staff:

Katherine Lewis – City Attorney, Cindy Lou Trishman – City Recorder, Ben Luedtke – Senior Public Policy Analyst, Brian Fullmer – Constituent Liaison, Policy Analyst, Nick Tarbet – Senior Public Policy Analyst, Chief Mike Brown – Police Chief, Lindsey Nikola – Office of the Mayor, Michelle Barney – Minutes & Records Clerk

Council Member Amy Fowler presided at and conducted the meeting.

The meeting was called to order at 7:05 pm

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A. OPENING CEREMONY:

1. Council Member Amy Fowler will conduct the formal meeting.

Minutes:

Council Member Fowler welcomed attendees.

2. Pledge of Allegiance.

Minutes:

The Pledge of Allegiance was recited.

3. Welcome and Public Meeting Rules.

Minutes:

Council Member Fowler presented the rules of decorum.

4. The Council will approve the work session meeting minutes of Tuesday, July 20, 2021.

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Dugan to approve the Tuesday, July 20, 2021 Work Session Meeting Minutes.

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

5. Recognition of James Rogers for his service as Council Member for District 1 from January 2014 to October 2021.

Minutes:

Council recognized James Rogers for his service on the City Council, his friendship, representation on the Inland Port Board, mentorship, guidance, humor and dedication to the residents of Salt Lake City. Council presented him with a gift made from a Siberian Elm that grew in Pioneer Park, representing the impressive ways you have creatively grown and adapted throughout your eight years of service.

James Rogers thanked the staff and fellow Council members for the relationships built, the opportunities and experiences he had while serving as a member of the City Council.

Chief Mike Brown presented James Rogers, Dennis Faris and Andrew Johnston with a gift of appreciation in the form of a wooden baton, for their service on the City Council.

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6. Recognition of City Council Member Dennis Faris for his service to Salt Lake City District 2.

Minutes:

Council recognized Dennis Faris for his service in the Air Force, on the City Council and to the residents of Salt Lake City. Council Chair Fowler spoke to Council Member Faris' willingness to jump in quickly to advocating for Westside projects, the Three Creeks parks, his work with the Volunteers of America, and great communication skills allowing for difficult conversations to be conducted with grace. Council Members also expressed gratitude for the service of Council Member Faris with the Parks and Public Lands Department, work in the North Temple area, the West side, ad example.

Council presented Dennis Faris with a gift of pannier bags for his bicycle with the Westside logo printed.

Council Member Faris thanked the staff and fellow Council members for the relationships created and experiences as a member on the Council.

Chief Mike Brown presented James Rogers, Dennis Faris and Andrew Johnston with a gift of appreciation in the form of a wooden baton, for their service on the City Council.

7. Recognition of City Council Member Amy Fowler for her service to Salt Lake City as 2021 Council Chair.

Minutes:

Council recognized Council Member Amy Fowler for her service as the 2021 City Council Chair, her dedication to striving to implement resolution to the unsheltered population in Salt Lake City, the projects reviewed and approved by the Council throughout the year under her guidance as Chair, and her heartfelt leadership. Council presented Amy with a portrait of Fairmont Park with a frame made out of the same Siberian Elm James Rogers' gift was constructed from.

Council Member Fowler thanked City Council Members, Staff and stated through this difficult year the group has remained a family. She thanked James Rogers and Staff for the bobble head gifted to her prior to the meeting.

B. PUBLIC HEARINGS:
NONE.

Minutes:
NONE

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C. POTENTIAL ACTION ITEMS:

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1. Ordinance: Master Plan Amendment and Rezone at 129 S 700 East and 758 East Bueno Avenue

The Council will consider adopting an ordinance that would amend the zoning of properties at 724, 728, 732, 738, 744, 750 and 754 East Bueno Avenue from SR-3 (Special Development Pattern Residential District) to RMF-45 (Moderate/High Density Multi-Family Residential District). The applicant is proposing to amend the Central Community Master Plan Future Land Use Map for the aforementioned properties from Medium Density Residential to Medium High Density Residential. The project proposes to consolidate 10 parcels and replace the existing structures with two buildings: a single-story amenity building fronting 700 East and a 4-story rooming (boarding) house on the interior of the site. The rooming house would consist of 65 units ranging from 1 bedroom to 4-bedroom units. Consideration may be given to rezoning the property to another zoning district with similar characteristics. Petition No.: PLNPCM2021-00048 and PLNPCM2021-00047

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 16, 2021

Set Public Hearing Date - Tuesday, November 16, 2021

Hold hearing to accept public comment - Tuesday, December 7, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Faris to adopt Ordinance 74 of 2021 subject to:

- 1. the property owner executing and recording in the Office of the Salt Lake County Recorder a restrictive covenant that prohibits the rental or lease of any units or rooms for periods less than 30 days, and**
- 2. the property owner shall make best efforts to salvage building materials from the existing dwellings and either reuse the materials themselves or donate them**

I further move that the Council direct staff to draft a legislative intent in collaboration with the Administration for review and consider adopting at a future Council meeting. The purpose of the legislative intent would include, but not be limited to the following purposes:

- Consider a policy that would outline Council expectations when considering discretionary zoning applications in order to protect existing affordable housing or replace it if it is demolished in order to facilitate new construction.**
- Consider policies outlining steps the City could take to help preserve and expand housing stock when considering zoning amendments.**

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- **Consider including in the review of the housing loss mitigation being conducted by the Administration, a policy to help mitigate the impact to existing naturally occurring affordable housing either through preservation or replacement of the units.**

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

Minutes:

Council Member Wharton stated the rezone was only a beginning in the process to achieve the Council and City's goals for affordable housing.

Following the vote on the item, the Council held a 20-minute recess due to the unrest created in the hallway by those in attendance regarding affordable housing measures.

2. Ordinance: Rezone at Redwood Road and Indiana Avenue

The Council will consider adopting an ordinance that would amend the zoning of the properties at approximately 835 South Redwood Road and 1668 West Indiana Avenue from R-1/5,000 (Single-Family Residential District) to R-MU-45 (Residential/Mixed Use District). The property at 1668 W Indiana currently contains an individual single-family dwelling while the other property is vacant. No specific site development proposal has been submitted at this time. The change is consistent with changes identified in the Westside Master Plan which identified the intersection of Redwood and Indiana as the location of a future Community Node. The Master Plan is not being changed. Consideration may be given to rezoning the property to another zoning district with similar characteristics. Petition No.: PLNPCM2021-00249

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, December 7, 2021

Set Public Hearing Date - Tuesday, November 16, 2021

Hold hearing to accept public comment - Tuesday, December 7, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Councilmember Dugan, seconded by Councilmember Faris to adopt Ordinance 75 of 2021 amending the zoning of the properties located at approximately 835 South Redwood Road and 1668 West Indiana Avenue from R-1/5000, Single Family Residential to R-MU-45, Residential/Mixed

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Use District

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

3. Ordinance: Allowing Commercial Uses on Rooftops which Exceed 2 Stories

The Council will consider adopting an ordinance that would amend the FB-SE (Form Based Special Purpose Corridor Edge Subdistrict) zoning district to allow for rooftop commercial uses above the second story, subject to meeting a height of 30-feet. The proposed amendment affects section 21A.27.040.D FB-SE Building Form Standards. All properties, citywide, in the FB-SE (Form Based Special Purpose Corridor Edge Subdistrict) would be impacted. The FB-SE zone currently limits commercial or nonresidential uses to first two stories and a height of 30 feet. Related provisions of Title 21A Zoning may also be amended as part of this petition. Petition No.: PLNPCM2021-00431

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 16, 2021

Set Public Hearing Date - Tuesday, November 16, 2021

Hold hearing to accept public comment - Tuesday, December 7, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Dugan to adopt Ordinance 76 of 2021 amending Section 21A.27.040 to allow for commercial uses on rooftops which exceed two stories in the FB-SE Zoning District.

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AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

4. Ordinance: Budget Amendment No.4 for Fiscal Year 2021-22

The Council will consider adopting an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2021-22. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. This amendment includes creating a new Community Health Access Team or CHAT program, creating a new park ranger pilot program, several items to spend American Rescue Plan Act or ARPA funds including a new Westside perpetual housing fund, one-time community grants for non-profits and businesses, and additional funding for the Community Commitment Program, among other items.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 9, 2021; Tuesday, November 16, 2021; Tuesday, December 7, 2021; and Tuesday, December 14, 2021

Set Public Hearing Date - Tuesday, November 9, 2021

Hold hearing to accept public comment - Tuesday, November 16, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Dugan to adopt Ordinance 77, of 2021, amending the Fiscal Year 2021-22 final budget of Salt Lake City including the employment staffing document only for the following items:

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- **A-1: Risk Excess Liability and Cyber Insurance Costs (\$128,888 from General Fund Balance and \$294,820 from Enterprise Funds)**
- **A-2: Department of Air Quality Lawnmower Exchange (\$250,000 from General Fund Balance)**
- **A-3: COVID Safe Building Improvements (\$844,000 from General Fund Balance; \$131,000 goes to IMS Fund)**
- **A-7: Sugar House Special Assessment Area Analysis (SAA) (\$60,000 from General Fund Balance)**
- **Note that per the Council discussion, the analysis will include potential adjustments to boundaries (to be smaller by removing residential areas) and potential reimbursement to the General Fund Balance for fronting start-up costs. Both options will return to Council for consideration.**
- **A-12: Public Lands Park Ranger Pilot Program (\$1,577,291 from General Fund Balance; \$195,720 goes to Fleet Fund; \$69,247 from ARPA)**
- **C-1: ARPA Funding – Public Safety and Homeless Outreach – Public Lands Park Ranger Program (\$1,064,368 – Miscellaneous Grants) (See Items A-12, E-3 and E-4.)**
- **C-2: Community Commitment Program Rapid Intervention Team (\$164,750 from ARPA)**
- **E-1: COVID-19 Local Assistance Matching Grant Program – New Water Reclamation Facility: Influent Pump Station and Force Mains (Water and Sewer Infrastructure) (\$2 million from ARPA)**
- **E-2: Winter Shelter Public Safety Support (\$400,000 from ARPA)**
 - **Note that the Council took a unanimous straw poll (with Council Member Mano absent) that the remaining \$600,000 will be considered for community activities and potentially business assistance in the area around the temporary emergency winter overflow shelter pending further discussions. Any use of those funds would be authorized in a future budget opening.**
- **E-3: Public Safety and Homeless Outreach – Salary Restoration – Public Lands Park Ranger Program (See Items A-12, C-1, and E-4) (\$443,677 from ARPA)**
- **E-4: Public Safety and Homeless Outreach – Public Lands Park Rangers (See Item A-12, C-1 and E-3) (\$69,244 from ARPA)**
- **E-5: Community Commitment Program Rapid Intervention Team Vehicles (\$160,500 from ARPA)**
- **E-6: Community Commitment Program Additional Police Support (\$1,505,920 from ARPA)**
- **E-8: Community Commitment Program Rapid Intervention Team Cleaning by Advantage Services (\$57,000 from ARPA)**
- **E-9: ARPA Westside Community Initiative (Perpetual Housing Fund) (\$4 million from ARPA going to a New Holding Account in the Grant Fund)**

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria

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Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

5. Ordinance: 2020 Salt Lake City Street Lighting Master Plan

The Council will consider an ordinance that would adopt the 2020 Street Lighting Master Plan. Some major changes in the proposed plan include adjustments to how the City chooses lighting in public spaces based on pedestrian activity and transportation needs, as well as identifies new street lighting standards for retrofit and new construction. The plan was reviewed by the Council previously and has since been reviewed by the City's Planning Commission as well.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, March 2, 2021 and Tuesday, August 17, 2021

Set Public Hearing Date - Tuesday, August 24, 2021

Hold hearing to accept public comment - Tuesday, September 21, 2021 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Councilmember Dugan, seconded by Councilmember Faris to adopt Ordinance 78 of 2021, the 2020 Street Light Master Plan with the following qualifications:

- A. That the department continue to evaluate and implement location of wireless cell facilities on city light poles, in coordination with the Administration's review of the constraints and factors in the course of doing so; and**
- B. That the department's Statement of Intent letter clarifying dark skies values as part of master plan implementation be included with the final adopted version of the plan.**

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

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D. COMMENTS:

1. Questions to the Mayor from the City Council.

Minutes:

No comment

2. Comments to the City Council. (Comments are taken on any item not scheduled for a public hearing, as well as on any other City business. Comments are limited to two minutes.)

Minutes:

Cindy Cromer thanked Council member Dennis Faris, and City Staff members Troy Baker, Ellie Hardman, Russell Weeks, and Joel Paterson for their service to Salt Lake City as they begin their retirement in the coming weeks.

Alex Powelson spoke in opposition to the Master Plan amendment and rezone at 129 South 700 East.

Monica Hilding spoke in opposition to the Master Plan amendment and rezone at 129 South 700 East.

Dave Iltis supported the Street Lighting Master Plan, and expressed opposition to the bicycle plan and issues with transportation.

Written comments submitted during the meeting are provided in a related document, connected through the City repository system.

E. NEW BUSINESS:

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1. Resolution: Local Emergency Declaration Extension (COVID)

The Council will consider adopting a resolution that would extend the Mayor's August 20 proclamation that declared a local emergency related to COVID-19, rising cases, and resurgence of the Delta variant. If extended, the related emergency order for masks in K-12 schools, would also be extended.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, September 14, 2021; Tuesday, October 12, 2021; and Tuesday, December 14, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Suspend the rules and consider motions.

Motion:

Moved by Councilmember Dugan, seconded by Councilmember Wharton to adopt Resolution 51 approving the extension of emergency declaration Proclamation B of 2021 from the date of this Resolution until Friday, March 25, 2022, unless later extended or terminated by subsequent resolution of the Council or unless terminated pursuant to State law.

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

F. UNFINISHED BUSINESS:

NONE.

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G. CONSENT:

1. Board Appointment: Art Design Advisory Board – Michael Mejia

The Council will consider approving the appointment of Michael Mejia to the Art Design Advisory Board for a term ending December 14, 2024.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, December 14, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Approve.

2. Board Appointment: Business Advisory Board – Andy Robertson

The Council will consider approving the appointment of Andy Robertson to the Business Advisory Board for a term ending December 29, 2025.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, December 14, 2021

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 14, 2021

Staff Recommendation - Approve.

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3. Ordinance: Budget Amendment No.5 for Fiscal Year 2021-22

The Council will set the date of Tuesday, January 4, 2022 at 7 p.m. to accept public comment and consider adopting an ordinance that would amend the final budget of Salt Lake City, including the employment staffing document, for Fiscal Year 2020-21. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. The proposed amendment includes funding for low income senior and veteran transitional housing and public safety overtime in neighborhoods hosting homeless shelters.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, January 4, 2022

Set Public Hearing Date - Tuesday, December 14, 2021

Hold hearing to accept public comment - Tuesday, January 4, 2022 at 7 p.m.

TENTATIVE Council Action - TBD

Staff Recommendation - Set date.

Motion:

Moved by Councilmember Wharton, seconded by Councilmember Faris to approve the Consent Agenda.

AYE: Dennis Faris, Daniel Dugan, Darin Mano, Amy Fowler, Chris Wharton, Victoria Petro-Eschler

ABSENT: Ana Valdemoros

Final Result: 6 – 0 Pass

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H. ADJOURNMENT:

Meeting adjourned at 8:39 pm

Minutes Approved: January 4, 2022


Amy Fowler (Jan 10, 2022 09:39 MST)

City Council Chair


Cindy Trishman (Jan 10, 2022 10:42 MST)

City Recorder



This document is not intended to serve as a full transcript as other items may have been discussed; please refer to the audio or video for entire content pursuant to Utah Code §52-4-203(2)(b).

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This document along with the digital recording constitute the official minutes of the City Council Work Session meeting held Tuesday, December 14, 2021.

12.14.2021 Formal Session Minutes

Final Audit Report

2022-01-10

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