

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, January 11, 2022

The City Council of Salt Lake City, Utah, met in Work Session on Tuesday, January 11, 2022 in an electronic meeting pursuant to the Chair's determination.

The following Council Members were present:

Ana Valdemoros, Amy Fowler, Darin Mano, Chris Wharton, Daniel Dugan, Victoria Petro-Eschler, Alejandro Puy

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:

Ben Luedtke – Senior Public Policy Analyst, Katherine Lewis – City Attorney, Chief Mike Brown – Police Chief, Cindy Lou Trishman – City Recorder, Andrew Johnston – Director of Homelessness Policy and Outreach, DeeDee Robinson – Minutes and Records Clerk, Nick Tarbet – Senior Public Policy Analyst, Sam Owen – Public Policy Analyst, Taylor Hill – City Council Staff, Laura Briefer – Public Utilities Director, Mary Beth Thompson – Chief Financial Officer, Isaac Canedo – City Council Staff, Matt Cassel – City Engineer

Council Member Dugan presided at and conducted the meeting.

The meeting was called to order at 2:05 pm.

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Work Session Items

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1. **Informational: Updates from the Administration** ~ 2:00 p.m.
30 min.

The Council will receive an update from the Administration on major items or projects, including but not limited to:

- COVID-19, the March 2020 Earthquake, and the September 2020 Windstorm;
- Updates on relieving the condition of people experiencing homelessness;
- Police Department work, projects, and staffing, etc.; and
- Other projects or updates.

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

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Mayor Mendenhall provided information regarding:

COVID-19 Updates

- Current Metrics
- 14-day case rate in Salt Lake County was up by 161%
- Cases were currently surging (Omicron variant)
- Vaccination rates
- 30-day mask mandate for Salt Lake County in effect until February 7, 2022
- Respirator masks being required indoors/public spaces
- Salt Lake City's 14-day snapshot (case data)
- ICU rates (at capacity today)
- Citywide vaccination average: 67.16%

Andrew Johnston provided information regarding:

Homelessness Update

- Homeless Resource Center and Overflow Occupancy (January 1 – January 7); shelter/bed capacity
- Resource Fairs: Next one to be held January 21 (location TBD)
- Cleaning and abatement beginning this week, occupied vehicle response had begun (900 South being addressed last week)
- Overflow shelter status: Weigand Center opened doors last night (nightly capacity for 35 people), High Needs Temporary Housing Program (formerly Ramada Inn) would be opened in phases beginning next week for elderly and medically vulnerable persons, Emergency Shelter beds (801 990-9999 – best way for referrals)
- Annual Point In Time count to occur two weeks from now, looking for 500 volunteers from Salt Lake County, Jan 27, 28, 29 4-6 am, sign up at endutahhomelessness.org, helpful for gathering accurate information for funding (services) and planning

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Council Member Fowler requested more information regarding the Point In Time count to provide to Community Councils in her district and for distribution in her newsletter.

Chief Mike Brown provided information regarding:

Update on Response Times

- Timing for Priority 1 through 3 call types
- Improvements from November 2021 to December 2021
- 2021 Salt Lake City Police Department (SLCPD) received 127,668 calls for service, increase of 4,303 from 2020, response times continued to improve
- Implementation of telephonic/reporting capabilities – October 20, 2021 to January 3, 2022 SLCPD officers having handled 2,092 calls for service, SLCPD generated 577 police written reports during the program, average telephonic officer handling about 29 calls for service per shift
- CompStat Update: First week of 2021 to December 2021: overall crime Citywide down 5.4%
- New recruit class 156 started Monday (January 10, 2022): 27 new officers (eight female, many with diverse backgrounds) graduation date estimated June 2022
- Sworn vacant positions down to 33

2. Informational: Updates on Racial Equity and Policing TENTATIVE

The Council will hold a discussion about recent efforts on various projects City staff are working on related to racial equity and policing in the City. The conversation may include issues of community concern about race, equity, and justice in relation to law enforcement policies, procedures, budget, and ordinances. Discussion may include:

- An update or report on the Commission on Racial Equity in Policing; and
- Other project updates or discussion.

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

Briefing - Recurring Briefing

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Item not held.

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3. Ordinance: Amendment to Require Notice for Permits to Work in the Public Way Follow-up ~ 2:30 p.m.
20 min.

The Council will receive a follow-up briefing on proposed amendments to City code that would require notice for permits to work in the public way. The Council has requested that Engineering codify and expand the policy that adjacent property owners are notified of work being performed in the right of way.

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

Briefing - Tuesday, January 12, 2021; Tuesday, February 9, 2021; Tuesday, January 11, 2022

Set Public Hearing Date - Tuesday, December 8, 2020

Hold hearing to accept public comment - Tuesday, January 19, 2021

TENTATIVE Council Action - TBD

Minutes:

Nick Tarbet provided a brief overview of the proposed amendments, noted Council Member previous concerns were addressed within the briefing materials, and noted feedback from the Council was sought if changes made were satisfactory and recommendation for further public comment.

Council Member Dugan expressed the importance of providing local contact information for residents to reach and not someone that was out of state or in a remote location.

Matt Cassel said he would ensure that a local contact be required, there would be a one-

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time attempt to contact residents (and ensure successful contact was made) before issuance of a permit to work in the public way; a pre-permit notification would be made as well as a pre-construction notification made so residents were made aware of potential work. He added that the contact information provided to residents would include the contractor's information as well as Engineering's information and could be used for late evening/emergency issues.

4. City's Annual Financial Audit Report ~ 2:50 p.m.
30 min.

The Council will be briefed about the City's Comprehensive Annual Financial Report for the previous fiscal year, and the Management Auditor's letters regarding internal controls and compliance.

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

Briefing - Tuesday, January 11, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Cindy Gust-Jenson provided an overview regarding:

- Contract for annual financial audit was with the legislative body (Council/RDA Board)
- By statute, the Council was responsible to assure the City's finances were audited annually
- Components of overall audit included Airport and Public Utilities audits
- EideBailly was the audit firm and was available for follow-up work and directly to Council Members as a resource

Paul Skeen (EideBailly Consultant), provided information regarding:

- Overview of reporting; "clean audit" – issuance of an unqualified opinion (no

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- exceptions to opinion)
- Audit procedures started end of July through December 2021
- Noted the City's Finance team was well staffed and was a critical knowledge source
- Area of emphasis included housing loans being reconciled to the records of the Finance team (more effort needed for reconciliation/communication between the two departments)
- Roles of the audit firm

Michael Michelsen (EideBailly Consultant), provided information regarding:

- Issuance of a single audit reporting package that included three additional auditors reports: Government auditing standards (reporting on internal controls), State compliance (fraud risk assessments), and single audit of federal funds (COVID relief funding distribution; Airport improvement program, City's CDBG program, etc.)
- No instances of non-compliance and no instances of internal control related to non-compliance for single audit of federal funds
- Additional details were available regarding management's summary of findings from last year and how they were remediated as well as findings related to the financial statements within the provided document

Mary Beth Thompson spoke on the new Enterprise Resource Planning (ERP) system being able to properly track receivables and revenues and be balanced on a monthly basis (satisfying the recommendation for better tracking of housing loans), and said the risk assessment ending FY 2021 (as part of the state compliance portion of the annual audit) was available within the Council's packet.

5. **Informational: Redistricting Legal Requirements and Considerations** ~ 3:20 p.m. 30 min.

The Council will receive a briefing from the City Attorney's Office about the legal requirements and considerations of redistricting. The Council District boundaries are evaluated and potentially adjusted every ten years based on the Census results. Legal requirements and considerations exist in several laws and case law as established in the courts.

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

Briefing - Tuesday, January 11, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Benjamin Luedtke provided the following information:

- Memo available to the Council providing legal requirements and considerations from last redistricting (10 years ago) that included statutes (for multiple levels of government) and case law established in the courts

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- Timeline; two week application period beginning this week for Redistricting Advisory Commission (RAC) – to recommend maps to the Council, commission expected to meet in February and March approximately four times, the Council would review recommended maps in April and hold public hearings, legal deadline to adopt new map was May 10, 2022
- Commission envisioned to have at least one member (or more) for each Council district
- Citywide postcard to all residents for information on how to participate in the redistricting process
- Dedicated redistricting website: tinyurl.com/slcredistricting,
- New voting precincts to be decided by Salt Lake County Council possibly today
- Rundown of typical application process (starting the clock tomorrow, closing two weeks from now, application could be filled out online)
- Council Members could provide direction to the RAC to be better prepared for their role

Council Member Fowler requested a graphic for timeline of the redistricting process to provide to City residents.

Further discussion among Council Members ensued regarding application criteria and eligibility requirements for RAC members.

Katherine Lewis provided information regarding:

- Eligibility of commission members/participants being the decision of the Council
- General rule (State/Federal law and City Code) that each district (City Council/School) must be in substantial equal population
- History of previous redistricting process
- This year's issue of one portion of Salt Lake City's School District residing in Millcreek (County Council having authority for redistricting in that area)
- Legal requirement of each district's population to be similar in size (equal representation)
- Principles of school district redistricting and how they should be considered for City redistricting
- Should the Council Member's place of residence be moved into a different district during the redistricting process, the Council Member could remain on the Council, representing their current district

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6. **Tentative Break**

~ 3:50 p.m.
20 min.

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

Briefing - n/a

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

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7. **Informational: City's Watershed and Water Policy** ~ 4:10 p.m.
25 min.

Council Members will receive information about the city's watershed policy and history, including its connection with water rights and water issues. The discussion will also include history surrounding the city's service of water outside our municipal boundaries, and the connected issues.

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

Briefing - Tuesday, January 11, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - n/a

Minutes:

Sam Owen provided a brief introduction to the City's Watershed and Water Policies.

Laura Briefer provided information regarding:

- Sources of Drinking Water – Streams (accounting for 55%) including Little Cottonwood Creek, Big Cottonwood Creek, City Creek, Reservoirs (35%) including Deer Creek, Jordanelle, Mountain Dell/Little Dell, and Groundwater (10%)
- Water Supply Areas in relation to City boundaries
- History of the City's water supply; first diversion of City Creek, first long-range water planning effort, water treatment facilities constructed for Wasatch Front streams, etc.
- Water Right Exchange contracts; history concerning needs (growing population, reliable supply sources, etc), 50 exchanges remaining in place today
- Utah Lake Jordan River State Water Right Adjudication: action in District Court, binds water users and the State Engineer (Division of Water Rights), governed by Utah State Code: Title 73, Chapter 4.
- Salt Lake City's Protected Watersheds: City Creek Canyon, Parley's Canyon, Big Cottonwood Canyon, and Little Cottonwood Canyon
- Watershed statistics: 190 square miles in area; elevations from 5,000, to 11,500 feet, comprises 50% to 60% of water supply, residing in multiple government jurisdictions, visitation greater than Yellowstone Nation Park (5 million people a year)
- Historical watershed context: rehabilitation from mining/logging, typhoid outbreaks due to high recreation in watershed areas, runoff flu causing illness due to mining/de-forestation in the canyons
- Regulatory and policy context for watershed protection; Federal/State Safe Drinking Water Statutes and Rules, regulating for contaminants in drinking water, Salt Lake City Watershed Ordinance (17.04 and 17.08), SLC Watershed Management Plan, etc.
- Managing watersheds; land conservation and stewardship, partnerships, public education, purchase of irrigation shares, monitoring, and regulation (ordinances), water quality report prepared annually
- Interrelated resource plans/studies informing Management & Policy: Watershed Management Policy (currently being updated), Water Conservation Plan (updated 2020), etc.

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- 2022 Water Legislation: HB 21 – Water Testing Requirements for lead (school/childcare), HB 33 – Instream water flow amendments, HB 37 – State Water Policy Amendments, HB 64 – Drinking Water Amendments, SB 31 – Water Rights Proofs, and any legislation impacting watersheds

8. Ordinance: City's Designated Water Service Area

~ 4:35 p.m.
20 min.

The Council will receive a briefing about a current proposal for the City to establish by ordinance and map a designated water service area. The proposed water service area is congruent with existing and historical service commitments. The proposal is the result of a new requirement cascading from Utah's 2020 constitutional amendment D, which passed.

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

Briefing - Tuesday, January 11, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - TBD

Minutes:

Laura Briefer provided information regarding:

- Salt Lake City's water service area; developed over the last century through unincorporated Salt Lake County, annexations to the City considered where water was served but not carried out historically, several cities incorporated on top of the system over time, not including the canyon areas
- State Legislation driving creation of Designated Water Service Area; Constitutional Amendment D; HJR (House Joint Resolution) 3 (2020) resolved ambiguity regarding municipal authority to provide water outside City boundaries, HB 31 (2019) required cities to create a map showing its designated water service area upon passage of constitutional amendment

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9. **Resolution: Utah Inland Port Authority Board** ~ 4:55 p.m.
15 min.

The Council will discuss a new appointment to the Utah Inland Port Authority Board.

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

Briefing - Tuesday, January 11, 2022

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, January 18, 2022

Minutes:

Council Member Fowler nominated Council Member Petro-Eschler to serve on the Inland Port Authority Board due to her district's proximity (Westside representation).

Council Member Petro-Eschler accepted the nomination and said she was prepared to hold the important seat, it was a top issue for her constituents, and appreciated the opportunity to advocate for not only the Westside, but the City as a whole.

Straw Poll: Unanimous support for Council Member Petro-Eschler's appointment to the Inland Port Authority Board.

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Standing Items

10. Report of the Chair and Vice Chair

Report of Chair and Vice Chair.

Minutes:

Item not held.

11. Report and Announcements from the Executive Director

Report of the Executive Director, including a review of Council information items and announcements. The Council may give feedback or staff direction on any item related to City Council business, including but not limited to;

- Council District Newsletters for Public Utilities Mailing; and
- Scheduling Items.

Minutes:

A. Council District Newsletters for Public Utilities Mailing

At the beginning of each calendar year, the Public Utilities Department identifies certain months for Council Members to include Council District newsletters as an insert in residents' monthly utility bills. **Each Council Member may opt to use the Public Utility billing for outreach purposes once per calendar year.**

The advantage of sharing in the Public Utilities mailings is Council Members only pay for printing expenses out of their communication budget, saving on costs associated with postage.

Due to limitations with mail sorting machines, only three Council District newsletters can be accommodated each month.

➤ *The following months have been identified for the Council to include a newsletter insert. Please let staff know which month you would like to include a newsletter as part of the Public Utilities billing:*

- *April*
- *August*
- *December*

Council Members Puy and Fowler requested December, Council Members Mano and Dugan requested August, Council Members Petro-Eschler and Wharton indicated they were flexible (any open option), and Council Member Valdemoros requested April.

B. Association of Municipal Council (AMC) – Council Member Representative Needed

With Council Member Mano moving into the Council leadership an opportunity to participate on the AMC has opened up.

The AMC consists of Council Members who represent each municipality within Salt Lake County. They meet to discuss hot topics of interest in their communities, collaborate with members of other councils and see how they are handling issues that each other may have in common.

The AMC meetings are held virtually and occurs on the second Tuesday of every month at noon-1pm.

➤ *Is there a Council Member interested in being appointed to represent Salt Lake City at these AMC monthly meetings?*

Council Member Fowler said she would be interested in representing the City for AMC meetings. It was agreed among Council Members for Council Member Fowler to attend the monthly meetings.

12. Tentative Closed Session

The Council will consider a motion to enter into Closed Session. A closed meeting described under Section 52-4-205 may be held for specific purposes including, but not limited to:

- a. discussion of the character, professional competence, or physical or mental health of an individual;
- b. strategy sessions to discuss collective bargaining;
- c. strategy sessions to discuss pending or reasonably imminent litigation;
- d. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the public body from completing the transaction on the best possible terms;
- e. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the public body from completing the transaction on the best possible terms;
 - (ii) the public body previously gave public notice that the property would be offered for sale; and
 - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
- f. discussion regarding deployment of security personnel, devices, or systems; and
- g. investigative proceedings regarding allegations of criminal misconduct.

A closed meeting may also be held for attorney-client matters that are privileged pursuant to Utah Code § 78B-1-137, and for other lawful purposes that satisfy the pertinent requirements of the Utah Open and Public Meetings Act.

Minutes:

Item not held.

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Meeting adjourned at: 5:16 pm.

Minutes Approved: February 15, 2022.

City Council Chair

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).

To listen to the audio recording of the meeting or view meeting materials, please visit Salt Lake City Public Body Minutes library, available at www.data.slc.gov, selecting the Public Body Minutes hyperlink. If you are viewing this file in the Minutes library, use the links on the right of your screen within the 'Document Relationships' information to listen to the audio or view meeting materials.

This document along with the digital recording constitutes the official minutes of the City Council Work Session meeting held Tuesday, January 11, 2022.